

11th February, 1924

**THE
LEGISLATIVE ASSEMBLY DEBATES**

(Official Report)

FIRST SESSION

OF THE

SECOND LEGISLATIVE ASSEMBLY, 1924



**SIMLA
GOVERNMENT OF INDIA PRESS
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LEGISLATIVE ASSEMBLY.

Monday, 11th February, 1924.

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

MEMBERS SWORN:

Sir Palamaneri Sundaram Aiyer Sivaswamy Aiyer, K.C.S.I., C.I.E., M.L.A. (Madras: Nominated Non-Official): Sir Gordon Fraser, Kt., M.L.A. (Madras: European): Mr. Mahmood Schamnad Sahib Bahadur, M.L.A. (West Coast and Nilgiris: Muhammadan).

QUESTIONS AND ANSWERS.

POLITICAL OFFICERS.

206. ***Mr. V. J. Patel:** Will Government be pleased to state the names of Officers of the Political Department who have not passed any Departmental Examination and yet are invested with first class and summary powers? How long has each of them been exercising those powers? What are the special reasons justifying Government to invest them with those powers?

Mr. E. B. Howell: The information required is contained in the statement laid on the Table.

Statement referred to in reply to Mr. V. J. Patel's Question No. 206.

1	2	3
Names of Officers of the Political Department who have not passed their Departmental Examinations but are exercising 1st class and Summary Powers.	Nature of powers exercised with dates.	Reasons for exercising powers in column 2.
1. Major C. K. Daly . . .	Powers of a Magistrate, 1st class, with additional powers, since 31st January 1921, as Political Agent, Bahrain, Persian Gulf.	
2. Major R. G. Hinde . . .	Powers of a Magistrate, 1st class, with additional powers, since 28th September 1923, as Political Agent, Maskat, Persian Gulf.	
3. Captain E. H. Gastrell . . .	Powers of a Magistrate, 1st class, with additional powers, since 10th November 1922, as Vice-Consul, Ahwaz, Persia.	Owing to the suspension of recruitment of Military Officers during the war and the consequent depletion of the cadre, officers admitted to the Department after the reopening of recruitment in 1919 were required to man the cadre posts of the Department and could not be attached to a major province for the usual training and Departmental Examinations. Steps are being taken to give them the necessary training by withdrawing as many of them at one time as can be spared without dislocation of work.
4. Major H. W. C. Robson . . .	Powers of a Magistrate, 1st class, since 9th April 1923, as Assistant to the Resident in Kashmir.	
5. Captain D. deM. S. Fraser . . .	Powers of a Magistrate, 1st class, since 20th November 1922, as Residency Magistrate, Indore.	
6. Major A. E. B. Parsons, O.B.E.	Powers of a District Magistrate and a Court of Sessions, since 28th December 1923, as Political Agent, T. chi, North-West Frontier Province.	
7. Captain L. E. Barton . . .	Powers of a Magistrate, 1st class, since 17th October 1923, as Assistant Commissioner, Thal, North-West Frontier Province.	
8. Captain B. Stuart Horner . . .	Powers of a Magistrate, 1st class, since 3rd April 1923, as Magistrate, Abu. Is a Barrister-at-Law.	

RAILWAY QUARTERS FOR EUROPEANS, ANGLO-INDIANS AND INDIANS.

207. *Mr. V. J. Patel: Will Government be pleased to publish a comparative statement showing the number and cost of quarters constructed or proposed to be constructed for the use of Railway Officials both European and Anglo-Indian on the one hand and Indian on the other?

The Honourable Sir Charles Innes: The Government have not got the information and would prefer not to put Railway Administrations to the trouble of collecting and compiling it.

PROTECTION OF PRINCES BILL.

208. ***Mr. V. J. Patel:** Is it a fact that the 'Protection of Princes Bill' was introduced into the Assembly on a definite suggestion made by the Secretary of State to the Government of India in that behalf? Will the Government be pleased to lay on the Table all the correspondence on the subject between the Government of India and the Secretary of State?

Mr. E. B. Howell: The attention of the Honourable Member is invited to the reply given by Mr. Denys Bray on the 15th January 1923 to question† No. 30 asked by Mr. K. C. Neogy in this House.

Mr. V. J. Patel: Will Government be pleased to say why the second part of the question remains unanswered? Will they be pleased to lay on the Table the correspondence?

Mr. E. B. Howell: Mr. Denys Bray's answer concluded with the following sentence:

"The Government of India do not propose to ask for permission to publish any further correspondence between the Secretary of State and themselves on this subject."

Mr. V. J. Patel: Will Government be pleased to say what objection they have to lay on the Table the correspondence?

Mr. E. B. Howell: I would ask for notice of that question.

STAFF OF THE HIGH COMMISSIONER FOR INDIA.

209. ***Mr. V. J. Patel:** Will Government be pleased to state how many persons drawing more than Rs. 300 a month are employed under the High Commissioner for India in London and what are their educational qualifications and nationalities?

The Honourable Sir Charles Innes: The staff under the High Commissioner drawing more than Rs. 300 a month numbered 112 on October 1st, 1923. Of this number 5 are Indians and the rest Europeans. The Government of India have no detailed information about the educational qualifications of each individual, but the clerical staff is required to be of the same educational standard in each grade as that fixed for employment in the corresponding grade in the Civil Service in England.

Mr. V. J. Patel: Will Government be pleased to get the information and lay it on the Table?

Mr. A. Rangaswami Iyengar: Will the Government be pleased to state whether the Secretary of State has made any rules in connection with the recruitment of these officers under the High Commissioner?

The Honourable Sir Charles Innes: The rules are the same as those prescribed for the different grades of the Civil Service in England.

Mr. V. J. Patel: Will Government be pleased to get the information regarding the educational qualifications of these employees and lay it on the Table?

† Vide p. 977 of L. A. Debates, Vol. III.

The Honourable Sir Charles Innes: I understand that the information is available in various publications that are available in India. I will ascertain and let the Honourable Member know.

Mr. A. Rangaswami Iyengar: Can Government say whether these appointments are made on the certificate of the Civil Service Commissioners in England?

The Honourable Sir Charles Innes: These appointments are mostly clerical appointments and are made by the High Commissioner for India.

RESOLUTIONS IN THE LEGISLATIVE ASSEMBLY AND COUNCIL OF STATE.

210. ***Mr. V. J. Patel:** Will Government be pleased to state:

- (a) the number of Resolutions of which due notice was given,
- (b) the number of the admitted Resolutions, and
- (c) the number of admitted Resolutions which did not come up for discussion,

during the first term of the reformed Legislative Assembly and the Council of State, respectively.

Sir Henry Moncrieff Smith: Two statements giving the information asked for are laid on the Table.

Statement showing the number of Resolutions received, admitted and could not come up for discussion during the first Legislative Assembly.

Sessions.	Total number of Resolutions of which notice received.	Total number of Resolutions admitted.	Total number of Resolutions which did not come up for discussion.
Delhi Session, 1921	138	129	96
Simla Session, 1921	238	204	176
Delhi Session, 1922	267	224	186
Simla Session, 1922	262	236	221
Delhi Session, 1923	374	368	350
Simla Session, 1923	142	127	126
Total	1,421	1,298	1,156

N.B.—In cases where several Members gave notice of the same Resolution, the notice by each Member has been counted as a separate Resolution.

Statement showing the number of Resolutions received, admitted and could not come up for discussion in the Council of State till the end of the Simla Session, 1923.

Sessions.	Total number of Resolutions of which notice received.	Total number of Resolutions admitted.	Total number of Resolutions which did not come up for discussion.
Delhi Session, 1921	63	51	15
Simla Session, 1921	73	47	25
Delhi Session, 1922	38	32	4
Simla Session, 1922	42	35	19
Delhi Session, 1923	38	32	10
Simla Session, 1923	15	14	6
Total	259	211	79

Mr. V. J. Patel: In view of the large number of Resolutions that remain undiscussed, will Government be pleased to say whether they propose to advise His Excellency the Governor General to increase the number of non-official days?

Sir Henry Moncrieff Smith: Does that question necessarily arise out of my answer, Sir?

QUESTIONS IN THE LEGISLATIVE ASSEMBLY AND COUNCIL OF STATE.

211. ***Mr. V. J. Patel:** Will Government be pleased to state:

- (a) the number of interpellations of which due notice was given, and
- (b) the number of interpellations which were admitted and the number which were disallowed

during the first term of the reformed Legislative Assembly and the Council of State, respectively?

Sir Henry Moncrieff Smith: I lay two statements on the Table.

Statement showing the number of questions received, admitted and disallowed in the Legislative Assembly up to the end of the Simla Session, 1923.

Sessions.	Total number of questions of which notice was received.	Total number of questions admitted.	Total number of questions disallowed.
Delhi Session, 1921	804	696	92
Simla Session, 1921	947	762	189
Delhi Session, 1922	971	710	239
Simla Session, 1922	737	601	127
Delhi Session, 1923	1,191	930	189
Simla Session, 1923	610	520	83
Total	5,200	4,219	889

N.B.—Questions which were withdrawn or cancelled by the Member who gave notice thereof have not been shown.

Statement showing the number of questions received, admitted and disallowed in the Council of State up to the end of the Simla Session, 1923.

Sessions.	Total number of questions of which notice was received.	Total number of questions admitted.	Total number of questions disallowed.
Delhi Session, 1921	273	233	20
Simla Session, 1921	266	201	21
Delhi Session, 1922	170	155	12
Simla Session, 1922	194	164	24
Delhi Session, 1923	163	206	46
Simla Session, 1923	128	86	19
Total	1,294	1,045	142

N.B.—Questions which were withdrawn or cancelled by the Members who gave notice thereof have not been shown.

MOTIONS FOR ADJOURNMENT IN THE TWO CHAMBERS OF THE INDIAN LEGISLATURE.

212. *Mr. V. J. Patel: Will Government be pleased to state:

- (a) the number of motions for the adjournment of the business of either Chamber for the purpose of discussing a definite matter of urgent public importance of which a written statement as required by the Rules was received by the Secretary,
- (b) the number of such motions ruled out of order by the President,
- (c) the number of such motions for which leave was refused by either Chamber,
- (d) the number of such motions which were discussed by either Chamber,
- (e) the number of such motions which were withdrawn, and
- (f) the number of such motions which were adopted or defeated,

during the first term of the reformed Legislative Assembly and the Council of State?

Sir Henry Moncrieff Smith: Two statements are laid on the Table.

Statement showing the number of motions for adjournment under Rule 11, received, ruled out of order, discussed, etc., during the first Legislative Assembly.

Sessions.	Number of motions received.	Number of motions ruled out of order.	Number of motions for which leave refused by Assembly.	Number of motions discussed.	Number of motions withdrawn.	Number of motions passed.	Number of motions lost.	REMARKS.
Delhi Session, 1921	1			1			1	
Simla Session, 1921.	2	1		1*				* Automati- cally termi- nated under Standing Or- der 24 (1).
Delhi Session, 1922.	4†			1			1	† All motions related to the same subject. [See Rule 12 (i).]
Simla Session, 1922.	3	3						
Delhi Session, 1923.	3‡			1		1		‡ All motions related to the same subject. [See Rule 12 (i).]
Simla Session, 1923.	6	6	...	...	...	...	...
Total	19	10	...	4	...	1	2	

Statement showing the number of motions for adjournment under Rule 11, received, ruled out of order, discussed, etc., in the Council of State since the 3rd February 1921.

Sessions.	Number of motions received.	Number of motions ruled out of order.	Number of motions for which leave was refused by Council.	Number of motions discussed.	Number of motions withdrawn.	Number of motions passed.	Number of motions lost.	REMARKS.
Delhi Session, 1921.	2		1	1	1			
Simla Session, 1921.	5	2		1	2*			* One with- drawn with- out discus- sion.
Delhi Session, 1922.	4	2		1	1†		1	†Ditto.
Simla Session, 1922.	1			...	1‡	...	...	‡Ditto.
Delhi Session, 1923.	Nil			...	...	...	...
Simla Session, 1923.	1			1§	...	...	...	§Automati- cally terminat- ed under S. O. 23(1).
Total	13	4	1	4	5	Nil	1	

DISQUALIFICATIONS FOR ELECTION TO THE PROVINCIAL AND INDIAN
LEGISLATURES.

213. ***Mr. V. J. Patel:** Will Government be pleased to state whether they have advised or propose to advise His Excellency the Governor General to remove the restrictions which debar persons against whom a conviction by a Criminal Court of more than six months is subsisting from election to a Legislative Council or to the Indian Legislature? If the Government is not prepared to take this step, will they be pleased to state the reasons?

The Honourable Sir Malcolm Hailey: I presume the Honourable Member wishes to know whether Government propose to advise His Excellency the Governor General to remove the disqualification in question by the exercise of the prerogative powers of pardon which have been conferred upon him.

The answer to the question is in the negative.

The position of Government in the matter as regards certain classes of persons subject to this disqualification was explained by the Honourable Mr. Crerar in a statement in the Council of State on the 14th March 1923, and I would invite a reference by the Honourable Member to that statement.

PROPAGANDA WORK IN AMERICA BY MR. RUSTOMJI.

214. ***Mr. V. J. Patel:** Will Government be pleased to state

- (a) the amount of remuneration paid by the Government of India to one Mr. Rustomji for his lectures, etc., about India in the United States of America?
- (b) with what paper in Bombay was Mr. Rustomji connected before he got this job?
- (c) whether there are any other persons in the United States of America or any other country doing similar work for which remuneration is paid by the Government of India? If so, what are their names and what remuneration does each of them get?

The Honourable Sir Malcolm Hailey: I have nothing to add to the reply which I gave to Mr. Muhammad Faiyaz Khan on the 15th January of last year.

Mr. V. J. Patel: Does it include an answer to question No. (c),—whether there are any other persons in the United States of America or any other country doing similar work?

The Honourable Sir Malcolm Hailey: My answer does not include an answer to that question.

Mr. V. J. Patel: I want an answer to that question, please.

The Honourable Sir Malcolm Hailey: My answer will be exactly the same which I gave on that occasion.

Mr. V. J. Patel: Has the Honourable Member any objection to giving an answer?

The Honourable Sir Malcolm Hailey: It was, that we are not prepared, just as no Government in similar circumstances would be prepared, to give information on a subject of this nature.

Mr. Bhabendra Chandra Roy: Will Government be pleased to state under what head such expenditure is shown in the demands for grants?

Mr. President: The Honourable Member had better give notice of that question.

Mr. V. J. Patel: Is the amount paid to this gentleman votable?

The Honourable Sir Malcolm Hailey: No, Sir.

IMPERIAL MEDICAL RESEARCH INSTITUTE.

215. ***Mr. V. J. Patel:** Will Government be pleased to state whether the scheme for the establishment of an Imperial Medical Research Institute in Delhi has been settled?

Mr. M. S. D. Butler: The scheme for the establishment of an Imperial Medical Research Institute at Delhi has been held in abeyance as a result of the recommendation made by the Retrenchment Committee.

VIZAGAPATAM HARBOUR.

216. ***Mr. V. J. Patel:** What were the proposals of the Bengal-Nagpur Railway Company for the solution of the financial difficulties regarding the Vizagapatam Harbour Scheme and whether any decision had been reached in the matter, and if so, what?

Mr. A. A. L. Parsons: Several alternative schemes have been proposed by the Bengal-Nagpur Railway for financing the proposed development of Vizagapatam Harbour but none of them has been considered a satisfactory solution of the problem. As the matter is one in which the Local Government is keenly interested, and no final decision has yet been arrived at, it is not considered desirable at present to disclose the details of the various proposals.

Mr. V. J. Patel: When is the decision likely to be reached?

The Honourable Sir Charles Innes: The question is a very difficult one but I can promise the Honourable Member that we shall do our very best to arrive at an early decision. But I must warn him that the whole question is rather mixed up with the Raipur-Vizianagram Railway and that also is a question to be taken into account.

Sir Campbell Rhodes: Will the Honourable Member also consider that, in view of the early development of the Talcher coalfield, the development of the Vizagapatam Harbour is a matter of great importance?

The Honourable Sir Charles Innes: We shall certainly take that factor into account, Sir.

ADDITIONAL TAXATION LEVIED BY THE CENTRAL GOVERNMENT SINCE THE INAUGURATION OF THE REFORMS.

217. ***Mr. V. J. Patel:** Will Government be pleased to state what is the total amount of additional taxation levied by the Central Government since the inauguration of the reforms?

The Honourable Sir Basil Blackett: Additional taxation expected to yield 41 crores has been imposed by the Central Government since the inauguration of the reforms.

NOMINATION OF INDIANS FOR SANDHURST.

218. ***Mr. V. J. Patel:** Will Government be pleased to state how many Indians are being nominated each year for Sandhurst and whether the Government propose to start a Military College in India and, if so, when?

Mr. E. Burdon: The answer to the first part of the question is that 10 Indians are nominated each year for Sandhurst. As regards the second part, I would invite the attention of the Honourable Member to the reply† given on the 15th January 1923 to unstarred question No. 55.

INDIAN CONTRIBUTIONS TOWARDS THE ROYAL MILITARY ACADEMY, WOOLWICH.

219. ***Mr. V. J. Patel:** Will Government be pleased to state what is the total amount contributed by the Indian Exchequer towards the maintenance of the Royal Military Academy, Woolwich, during the last ten years and how many Indian candidates have been nominated for admission to that Academy during the period?

Mr. E. Burdon: The attention of the Honourable Member is invited to the reply† given on the 15th January 1923 to unstarred question No. 57. I am unable to state the amount paid on this particular account during the past ten years.

Mr. V. J. Patel: Why is the Government unable to give that answer?

Mr. E. Burdon: The reason is given in the reply to which I have already referred the Honourable Member. Broadly speaking, it is this. India pays through the capitation payment for British troops a share of the cost of the Royal Academy at Woolwich based on the number of recruits she takes from the institution annually to maintain the sanctioned establishment of Royal Engineers. But what precise portion of the capitation payment is attributable to this particular service is not known in India and could not be separated here. The calculation is made in England.

Diwan Bahadur M. Ramachandra Rao: May I ask whether any Indians are admitted to the Woolwich Academy?

Mr. E. Burdon: No, Sir.

INDIANS IN THE NAVAL AND AIR FORCES.

220. ***Mr. V. J. Patel:** Will Government be pleased to state how many Indians have been admitted to the Navy and Air Force since the last war?

Mr. E. Burdon: No Indian officer has been admitted to the Royal Navy or the Royal Air Force since the war. There is an Indian technical section attached to the Royal Air Force in India in which Indian artificers to the number of 114 are employed.

† Vide p. 1011 of L. A. Debates, Vol. III.

Mr. V. J. Patel: Is there any immediate intention of admitting Indians to these services?

Mr. E. Burdon: No, Sir.

GOVERNMENT SERVANTS AND MEMBERSHIP OF POLITICAL ASSOCIATIONS.

221. ***Mr. V. J. Patel:** Will Government be pleased to state whether there are any rules prohibiting Government employees from becoming members of the Indian National Congress or the Liberal Federation or any other political association?

The Honourable Sir Malcolm Hailey: Yes. The matter is governed by rule 23 of "The Government Servants' Conduct Rules". A copy of these Rules is in the Library of this House.

Mr. V. J. Patel: I understand from those Rules that active participation is not permitted. Is there any objection to their being members of these Associations?

The Honourable Sir Malcolm Hailey: It is difficult to separate the question of membership from active participation in a political association. That is a difficulty which I think the Honourable Member will realise himself.

Mr. V. J. Patel: If it is difficult for Government, how can they

The Honourable Sir Malcolm Hailey: That is why we make a definite rule.

Mr. V. J. Patel: What is the interpretation of Government? Can their employees become simple members of these Associations without taking active part in them?

The Honourable Sir Malcolm Hailey: No, Sir, they cannot. I think perhaps the Honourable Member took part in a controversy we once had in regard to membership of a society known as the Round Table? If so, he will appreciate my point.

Mr. V. J. Patel: Is the Government aware that members of the Executive Council do take active part in conferences held under the auspices of the Liberal Federation?

The Honourable Sir Malcolm Hailey: They are not, as far as I am aware, members of that body.

Mr. V. J. Patel: Is Government aware that Ministers as well as Members of the Executive Council in Bombay took active part

Mr. President: That question is to be put in the Bombay Legislature.

The Honourable Sir Malcolm Hailey: And perhaps, Sir, you will allow me to add that the action of Ministers is not regulated by the Government Servants' Conduct Rules.

Mr. A. Rangaswami Iyengar: Will the Government be pleased to say whether there is anything in the Government Servants' Conduct Rules which prevents the presence of public servants at meetings of the Congress or Federation?

The Honourable Sir Malcolm Hailey: I should have to look into the rules again before returning a definite answer to the question.

NUMBER OF VOTERS FOR THE PROVINCIAL COUNCILS AND THE LEGISLATIVE ASSEMBLY.

222. ***Mr. V. J. Patel:** Will Government be pleased to state:

- (a) the total number of voters for each of the Provincial Councils and the Legislative Assembly on the occasion of the first General Elections and the last General Elections respectively?
- (b) the total number of voters who recorded their votes on each occasion for each of the Provincial Councils and the Assembly?
- (c) the number of seats that were uncontested on each occasion for each of the Provincial Councils and the Assembly with the number of voters for all the uncontested seats?

The Honourable Sir Malcolm Hailey: (a), (b) and (c). The Honourable Member is referred to the Return presented to Parliament showing the results of the first general elections to the Indian Legislature and provincial Legislative Councils. A copy of this Return has been placed in the Library of this House. A similar Return is now under preparation as regards the last general election and a copy of it will be placed in the Library in due course.

DEADLOCK IN THE CENTRAL PROVINCES.

223. ***Mr. V. J. Patel:** Will Government be pleased

- (a) to state whether the attention of the Government has been drawn to the deadlock created in Central Provinces, as a result of the motion of 'no-confidence' in the Ministers adopted by the Central Provinces Legislative Council at one of its recent meetings?
- (b) to lay on the table the correspondence between the Central Provinces Government and the Government of India as also that between His Excellency the Governor of the Central Provinces and His Excellency the Governor-General on the subject? What steps do Government propose to take to ease the situation by satisfying public opinion?

The Honourable Sir Malcolm Hailey: (a) Government have seen the reports in the press regarding the motion of want of confidence which was adopted by the Central Provinces Legislative Council. They are not aware that any deadlock exists.

(b) There has been no correspondence on the subject between the Government of the Central Provinces and the Government of India; the Honourable Member is no doubt aware that the Government of India would not in any case be prepared to publish correspondence between His Excellency the Governor of the Central Provinces and His Excellency the Governor-General, nor would they necessarily be aware of its existence.

STRENGTH OF THE VARIOUS PARTIES IN THE LEGISLATIVE ASSEMBLY.

224. ***Mr. V. J. Patel:** Will Government be pleased to state:

- (a) the total number of Swarajist members
- (b) the total number of Independent members, and
- (c) the total number of Liberal members in the Assembly?

The Honourable Sir Malcolm Hailey: The information asked for by the Honourable Member is not within the knowledge of Government.

Mr. K. Ahmed: What is the test for classifying (a), (b) and (c) Members?

Mr. President: The Honourable Member is probably in a better position to answer that than the Home Member.

Mr. K. Ahmed: I would like a reply to my question.

The Honourable Sir Malcolm Hailey: I am afraid I cannot enlighten him. There are perhaps gentlemen sitting in the House who can.

Mr. N. M. Joshi: May I ask how a Swarajist is to be known, by his white cap or some other method?

Mr. V. J. Patel: May I answer that question. The Swarajist is one who would not allow himself to be used as a tool in the hands of Government to fight the great non-co-operation movement.

Mr. President: I must remind the Honourable Member that every Member of this House serves here on conditions and one of the primary conditions is that he respects the bona fides of every other Member of this House.

OFFERS TO SWARAJISTS TO ADMINISTER TRANSFERRED SUBJECTS IN
BENGAL AND THE CENTRAL PROVINCES.

225. ***Mr. V. J. Patel:** Will Government be pleased to state whether they or His Excellency the Governor General were consulted by the Governor of Bengal before he invited Mr. C. R. Das to accept responsibility for the administration of the Transferred Subjects and by the Governor of Central Provinces before he invited Dr. Moonje to do likewise? Will Government be pleased to lay on the table the correspondence on the subject?

The Honourable Sir Malcolm Hailey: The Government of India were not consulted by the Governments of Bengal and the Central Provinces nor by Their Excellencies the Governors of the two Provinces. They do not know whether His Excellency the Governor General was so consulted and they would not in any case be in a position to lay such correspondence on the Table.

RESERVED AND TRANSFERRED SUBJECTS.

226. ***Mr. V. J. Patel:** Is it within the competence of any authority in India to turn Reserved Subjects in the Provinces into Transferred Subjects? If not, what other procedure is involved to effect such transfer?

The Honourable Sir Malcolm Hailey: I would refer the Honourable Member to the provisions of section 45-A read with section 129-A of the Government of India Act.

Mr. V. J. Patel: It is not quite clear. Will the Honourable Member be pleased to say whether the Government of India has got power to transfer reserved subjects to transferred departments?

The Honourable Sir Malcolm Hailey: On previous occasions when I undertook to interpret the Government of India Act to this House, my views on the subject have not always met with that perfect approval which I could have desired. I prefer therefore to refer the Honourable Member to the Act itself and to ask him to seek the assistance of his legal friends in the work of interpretation.

LEAVE OF CLERKS IN THE OFFICE OF THE ACCOUNTANT GENERAL, BOMBAY.

227. *Mr. V. J. Patel: Will Government be pleased to state:

- (a) Whether it is a fact that the clerks in the Accountant General's office, Bombay, are not granted leave according to the Standing Orders on the subject?
- (b) Whether it is a fact that, notwithstanding the production of medical certificates from competent medical authorities, and leave on full pay being due under the rules, they are sometimes given half pay and sometimes no pay at all?
- (c) Whether it is a fact that in one case a clerk who was on leave on the Civil Surgeon's certificate was ordered to join duty and threatened with suspension unless he did so promptly?
- (d) If so, will Government be pleased to redress the grievances of the clerks and reform the administration generally of the Accountant General's office, Bombay?

The Honourable Sir Basil Blackett: The Government have no information on the subject. They have asked the Auditor General to make inquiries and to take such action as may be required.

STRENGTH OF THE VARIOUS PARTIES IN THE LEGISLATIVE ASSEMBLY.

228. *Mr. V. J. Patel: Will Government be pleased to state which of the three groups—Swarajist, Independents and Liberals—has secured the largest number of seats in the Assembly?

The Honourable Sir Malcolm Hailey: The question is in substance the same as the Honourable Member's question No. 224, and, as I have already indicated, Government have no information on the subject.

Mr. K. Ahmed: Has the Government any information as regards the amount of money spent and the number of polling agents, canvassers, volunteers, etc., of the Swarajists engaged

● **Mr. President:** The question does not arise.

RESTRICTIONS ON THE RETURN TO INDIA OF MR. B. G. HORNIMAN.

229. *Mr. V. J. Patel: Will Government be pleased to state whether there are any restrictions in the way of Mr. B. G. Horniman to return to India and, if so, how long they are yet to continue?

The Honourable Sir Malcolm Hailey: Mr. Horniman is subject to Rule 3 of the Passport Rules requiring possession of a passport.

ACTION TAKEN ON CERTAIN RESOLUTIONS PASSED BY THE COUNCIL OF STATE.

230. *Mr. V. J. Patel: Will Government be pleased to state what action they have so far taken on the following Resolutions passed by the Council of State?

- (1) Resolution to investigate into unemployment in India and to create permanent unemployment agencies with Advisory Boards of employers and employees.

- (2) Resolution to examine recommendations regarding unemployment to see how far they can be acted on.
- (3) Resolution to examine the possibility of establishing a Government Public Health Service.
- (4) Resolution to fix 14 as the minimum age of children to be employed at sea with certain reservations.
- (5) Resolution for an examination into the methods of recruitment for seamen to suggest improvements.
- (6) Resolution to fix the minimum age for employment as trimmers and stokers at 18 and compulsory medical examination of young persons employed at sea.
- (7) Resolution to legalise emigration of labour to Mauritius.
- (8) Resolution to put a stop to the practice of conveying human beings in cattle trucks and goods wagons.
- (9) Resolution to separate the budget for the working of military or strategic railway lines.
- (10) Resolution to reconstitute the Railway Board with a strong Indian representation, as recommended by the Acworth Committee.
- (11) Resolution to increase the number of Indians in the higher grades of State Railways.
- (12) Resolution to give Indian Shipping Companies the opportunity to quote for the carriage of Government and Railway materials and preference if quotation be approximately the same.
- (13) Resolution for an expert Committee to consider industrial finances and industrial banks.
- (14) Resolution for a census every ten years of production in India, classified according to provinces showing particulars of agricultural products.
- (15) Resolution regarding the administration of Aden to be continued under the Government of India.
- (16) Resolution for an inquiry into the methods of compilation of statistics regarding social, economical and constitutional progress of India with a view to improving them.
- (17) Resolution to amend the Standing Orders of the Council of State on petitions relating to Bills.

Sir Henry Moncrieff Smith: The information is being collected and will be laid on the Table.

REGISTRATION OF TRADE UNIONS.

231. ***Mr. V. J. Patel:** Will Government be pleased to state whether any legislation exists in British India to register Trade Unions and also for the protection of Trade Unionists from civil and criminal liability for *bona fide* Trade Union action? If not, will Government be pleased to state whether they propose to undertake any such legislation and when?

The Honourable Mr. A. C. Chatterjee: The answer to the first part of the question is in the negative. The Government of India have the question under consideration, but it is impossible to say yet when legislation is likely to be introduced.

Mr. V. J. Patel: How long has the question been under consideration?

The Honourable Mr. A. C. Chatterjee: For about two or three years.

Mr. V. J. Patel: Is the Government likely to reach a decision in the near future?

The Honourable Mr. A. C. Chatterjee: I have already said that I cannot give any undertaking on that point.

Mr. V. J. Patel: I do not want any undertaking, but can I have any idea as to when the Government is likely to reach a decision in this matter.

The Honourable Mr. A. C. Chatterjee: I have already said that I cannot give any undertaking in this matter.

MINIMUM AGE FOR CHILD LABOUR.

232. ***Mr. V. J. Patel:** Will Government be pleased to say what steps have so far been taken in British India to give effect to the Resolution of the International Labour Conference that the minimum age for admission of children to employment should be 14?

The Honourable Mr. A. C. Chatterjee: It is presumed that the Honourable Member's question refers to the Draft Convention of 1919 fixing the minimum age for admission of children to industrial employment, which proposed the exclusion of children under 12 from certain classes of industrial establishments in India. The steps taken to give effect to the provisions of the Draft Convention include the passing of the Indian Factories (Amendment) Act (II of 1922), the Indian Ports (Amendment) Act (XV of 1922) and the Indian Mines Act (IV of 1923).

RECRUITMENT OF SEAMEN.

233. ***Mr. V. J. Patel:** Will Government be pleased to lay on the Table the report of the Committee to inquire into the methods of recruitment of seamen in India appointed as a result of the Resolution adopted by the Assembly in 1921 in that behalf?

The Honourable Sir Charles Innes: The Honourable Member is referred to the Resolution of the Government of India in the Department of Commerce, No. 2663, dated May 25th, 1922, which was printed on pages 623-626, of Part I of the Gazette of India, dated May 27th, 1922. A copy of the Resolution in question will be found in the Library.

ABOLITION OF IMPRESSED LABOUR.

234. ***Mr. V. J. Patel:** Will Government be pleased to state the result of the examination of the question of abolishing impressed labour, etc., either established by custom or by law?

Mr. M. S. D. Butler: The examination of the question was undertaken in three parts, and the following is a summary of the position in each case:

First. As regards the laws regarding impressment of labour in force in the minor Administrations which have no local Legislative Councils, the local Administrations were addressed in the matter, and as a result of the replies received, the Chief Commissioner of Ajmer-Merwara was instructed to revise certain rules and orders in force in that province with regard to the hire of baggage camels, the supply of grass and fuel and

the impressment of labour. These instructions have since been carried out. In the remaining administrations the existing orders needed no revision.

Second. The attention of the Local Governments of the Governors' provinces was drawn to the provisions in the existing Acts under which impressment of labour, etc., was permitted in those provinces. The replies received showed that except in one or two cases in which the Local Governments were prepared to take the necessary action, practically all the Local Governments were of opinion that the laws in force in their provinces on the subject did not require amendment. The matter being primarily of local concern, the Government of India decided to take no further action.

Third. An examination of the laws and orders authorising the impressment of labour, etc., for military purposes was undertaken by the Government of India and as a result the Local Governments of Governors' provinces were asked whether they considered any relaxation or modification of the laws, etc., in question desirable. Their replies are being received.

Mr. K. Ahmed: With reference to the question No. 234 just answered and the previous one about recruitment of Indian seamen, do I understand that the Government of India has no correspondence in this matter and that the Members of this Assembly, representing the people of this country, have no voice in it?

Mr. M. S. D. Butler: The Honourable Member had better give separate notice of that question.

Mr. K. Ahmed: In a question like this, we expect, Sir, that the Government Member in charge should give the answer to the supplementary question; in view of that, may I ask

Mr. President: The Honourable Member said "Government Member in charge"; but he has just asked two Government Members to reply simultaneously.

ADMISSION OF INDIANS TO THE NAVAL, MILITARY, AIR AND AUXILIARY FORCES.

235. ***Mr. V. J. Patel:** Will Government be pleased to say what action the Secretary of State for India has taken on the Resolution of this Assembly to admit Indians freely to the Naval, Military and Air Forces, Ancillary Services and the Auxiliary Forces and to give not less than 25 per cent. of the King's Commission granted every year to Indians to start with and with what result? Will Government be pleased to lay on the Table all correspondence on the subject?

Mr. E. Burdon: The attention of the Honourable Member is invited to items, 1, 2 and 7 of the statement† laid on the Table on the 2nd July last in answer to question No. 55. Government do not propose to lay on the Table the correspondence in question.

Mr. V. J. Patel: What objection has the Government to lay this correspondence on the Table?

Mr. E. Burdon: They consider that it would not be in the public interest to do so.

† Vide pages 4135—38 of L. A. Debates, Vol. III.

PAY OF COMMISSIONED RANKS.

236. ***Mr. V. J. Patel:** Will Government be pleased to say what action they have taken on the Resolution of this Assembly that the pay of all commissioned ranks should have an Indian basis with overseas allowances for English officers?

Mr. E. Burdon: The Government have not yet arrived at a final decision in regard to this matter. At present, Indian officers with the King's commission receive the same rates of pay and allowances as do British officers of the Indian Army. No system of overseas allowance has been introduced.

OFFICERS OF THE TERRITORIAL AND AUXILIARY FORCES.

237. ***Mr. V. J. Patel:** Will Government be pleased to say what action the Secretary of State for India has taken on the Resolution of this Assembly to give equal status and rank to officers of the Territorial Force and officers of the Indian Auxiliary Force? Will Government be pleased to lay on the Table all the correspondence on the subject?

Mr. E. Burdon: In answer to the first part of this question, I invite the attention of the Honourable Member to items 14 and 15 of the statement to which I referred in reply to an earlier question asked by the Honourable Member. Government do not propose to lay the correspondence on the Table.

Mr. V. J. Patel: I suppose it is not in the public interest to lay it on the Table?

Mr. E. Burdon: That is so, Sir.

DEFENCE OF INDIA BY INDIANS.

† 238. ***Mr. V. J. Patel:** Will Government be pleased to state whether they have appointed, as recommended by this Assembly, any Committee to examine and report on the best method to give to Indians the right to defend their country for the attainment of full responsible government? If not, will Government be pleased to state the reasons for their inaction in so vital a matter?

MILITARY EXPENDITURE.

† 239. ***Mr. V. J. Patel:** Will Government be pleased to state whether they have appointed, as recommended by this Assembly, any Committee to examine and report on the financial capacity of India to bear military expenditure. If not, will Government be pleased to state the reasons for their inaction in so vital a matter?

EQUALITY OF STATUS IN THE DOMINIONS.

† 240. ***Mr. V. J. Patel:** Will Government be pleased to state whether they have appointed, as recommended by this Assembly, any Committee to examine and report on the equality of status in the Dominions? If not, will Government be pleased to state the reasons for their inaction in so vital a matter?

† For the answer to this question—see Answer below Question No. 241.

RECRUITMENT OF COMMISSIONED RANKS.

241. ***Mr. V. J. Patel:** Will Government be pleased to state whether they have appointed, as recommended by this Assembly, any Committee to examine and report on the methods of recruitment of commissioned ranks? If not, will Government be pleased to state the reasons for their inaction in so vital a matter?

Mr. E. Burdon: Sir, with your permission, I propose to answer these four questions together, since they refer to one of the Resolutions which was adopted by the Assembly on the 28th March 1921 in connection with the Esher Committee's report.

The attention of the Honourable Member is invited to part 13 of item 4 of the statement laid on the table on the 21st February 1923. The questions mentioned were referred to the Military Requirements Committee.

INTERCHANGE OF BRITISH AND INDIAN SERVICE OFFICERS.

242. ***Mr. V. J. Patel:** Will Government be pleased to state what action they have taken so far on the Resolution regarding the interchange of British and Indian Service Officers adopted by the Assembly in March 1921?

Mr. E. Burdon: The attention of the Honourable Member is invited to the reply† given on the 2nd July last to question No. 58.

Mr. C. Duraiswami Aiyangar: Will the Honourable Member be pleased to state why such answer should not be repeated again instead of referring Honourable Members to previous proceedings of a previous Assembly?

Mr. President: For the very good reason that the information is already available.

CHEAP AND SPEEDY JUSTICE.

243. ***Mr. V. J. Patel:** Will Government be pleased to state what action they have taken to provide means for cheap and speedy justice in India?

The Honourable Sir Malcolm Hailey: The actual administration of justice is a provincial subject, and I suggest that questions relating to the cheapening and simplifying of its methods would best be asked in a provincial Council. I would, however, invite the Honourable Member's attention to the Resolution of the Government of India in the Home Department, dated the 24th of January 1924, under which a Committee was constituted to inquire and report upon the changes and improvements which should be made in the substantive and adjective law, so as to provide for a more speedy, economical and satisfactory despatch of the business transacted in the Civil Courts in India. Copies of the Resolution have been placed in the Library of this House.

Mr. V. J. Patel: If it is a matter of provincial interest, why do the Government of India take the trouble of appointing a Committee?

The Honourable Sir Malcolm Hailey: Because, it was possible that changes in the general law were required.

Baba Ujagar Singh Bedi: Will the Government be pleased to consider the question of abolishing lawyers so as to get cheap and speedy justice?

† *Vide* pages 4138—39 of L. A. Debates, Vol. III.

Dr. H. S. Gour: Will the Government be also pleased to abolish the judges in order to ensure speedier justice?

(No answers were given to these two questions.)

RECRUITMENT OF THE ALL-INDIA SERVICES.

244. ***Mr. V. J. Patel:** Will Government be pleased to publish the result of the inquiry undertaken by them regarding the question of arranging for recruitment of the All-India services in India and providing for educational facilities for entry into technical services?

The Honourable Sir Malcolm Hailey: Government have not yet reached any decision in regard to the question of the recruitment for All-India Services in India. This is one of the matters being examined by the Royal Commission.

As regards the second part of his question, I would refer the Honourable Member to the reply given by the Honourable Sir Charles Innes to Sardar V. N. Mutalik's question No. 145 on the 4th February. My Honourable Colleagues in charge of Departments which control technical services can no doubt supply the Honourable Member, if he so desire, with similar information in regard to the particular services with which they are concerned.

RECRUITMENT OF THE FOREST SERVICE.

245. ***Mr. V. J. Patel:** Will Government be pleased to state the decision of the Secretary of State on the question of recruitment for the Forest Service by selection in England and India and recruits to be trained at a central institution in England? Will Government be pleased to lay on the Table the correspondence on the subject?

Mr. M. S. D. Butler: In accordance with the wishes of the Indian Legislature, as voiced in the Resolutions adopted by the Legislative Assembly and the Council of State on 11th and 19th September 1922, respectively, the Government of India have prepared a scheme for the joint training of Indian Forest Service recruits at Dehra Dun which will be submitted to the Secretary of State for orders as soon as the Standing Finance Committee have approved the financial expenditure involved. All the relevant correspondence relating to the proposal to train recruits at a central institution in India was published in the Gazette of India, dated the 20th August 1921, and copies of the papers were laid before the Members of both Houses at the time when the Resolutions referred to were discussed. There has been no further correspondence since except that of a routine nature.

RESEARCH SCHOLARSHIPS.

246. ***Mr. V. J. Patel:** Will Government be pleased to state what action they have taken on the Resolution of this Assembly passed in January last year for the grant of 25 scholarships (foreign) every year for research, each for five years?

Mr. M. S. D. Butler: The Honourable Member's attention is invited to the reply given to the question on the same subject asked by Mr. B. Venkatapatiraju on the 4th February 1924.

PURCHASE OF STORES.

247. ***Mr. V. J. Patel:** Will Government be pleased to state the total purchases on Government account including State Railways for each year in the five years ending 1922-23 and how much of this amount was spent on material of Indian origin, how much on material of the British Empire excluding India and how much on material of other countries?

The Honourable Mr. A. C. Chatterjee: The Honourable Member is referred to the reply given by me to starred question No. 88 on the 4th February. The Government of India have not the figures for the years 1918-19, 1919-20 available and hope that the information given in their previous reply will be sufficient for the Honourable Member's purpose.

PAPER USED IN GOVERNMENT PRINTING AND STATIONERY.

248. ***Mr. V. J. Patel:** Will Government be pleased to state the value of the total amount of paper used in Government printing and stationery, and how much of this is accounted for by paper of Indian origin and how much of other parts of the British Empire?

The Honourable Mr. A. C. Chatterjee: The figures showing the value of paper used in Government printing and stationery will be found in the Annual and Triennial Reports of the Central Stationery Office. The Report for the period ending 1922-23 is in the Library. The percentage of stationery supplies (including paper, typewriters, miscellaneous articles, etc.), manufactured in India amounted in 1922-23 to over 77 per cent. of the total purchases in value. The Government of India are unable to state in what proportions the balance was obtained from the British Empire, or foreign countries, without a detailed examination of the figures which would involve an amount of labour which would not be justified.

Mr. K. Ahmed: Are the Government aware that the paper that comes from Norway and probably one or two other countries of the world is much cheaper than the British-made paper and that they are chiefly sold in the town of Calcutta and probably one or two other towns in India?

The Honourable Mr. A. C. Chatterjee: I do not exactly know, Sir, what the Honourable Member means by 'British-made' paper.

Mr. K. Ahmed: By 'British-made' paper I mean the paper referred to in the question of Mr. Patel, which the Honourable Member has just answered.

The Honourable Mr. A. C. Chatterjee: I do not know whether the Honourable Member, when he speaks of 'British-made' paper, includes Indian paper or not.

Mr. K. Ahmed: That is for the Honourable Member to decide in the light of the reply given by him to the principal question. (Laughter).

BALANCE SHEETS OF FOREIGN BANKS.

249. ***Mr. V. J. Patel:** Will Government be pleased to state what steps they have taken to have the balance sheets of foreign banks operating in India published for information of the commercial community?

The Honourable Sir Basil Blackett: The matter will receive due consideration when the Indian Companies Act, 1913, is next amended.

Mr. V. J. Patel: Is it intended to make a provision in the new Act proposed to be enacted to have those balance sheets of foreign banks published?

The Honourable Sir Basil Blackett: I have already stated that the matter will receive due consideration.

Mr. V. J. Patel: May I know exactly what the Government intend to do in this matter?

The Honourable Sir Basil Blackett: As I said once before, the answer is in the interrogative.

REPAIR FACILITIES FOR FOREIGN SHIPPING COMPANIES.

250. ***Mr. V. J. Patel:** Will Government be pleased to state:

- (a) what repair facilities have been given to foreign shipping companies in India?
- (b) how many Government docks there are for effecting repairs to ships?
- (c) what is the total outlay incurred thereon yearly and whether they show a net loss or a net profit?
- (d) on what terms land has been given for repair dock purposes to the British India Steam Navigation Company in Bombay?

The Honourable Sir Charles Innes: (a) and (b). There is only one dockyard belonging to the Government of India, namely, the Royal Indian Marine Dockyard at Bombay. This dockyard is maintained for the repair of Government vessels. The Regulations prohibit the repair in the dockyard of vessels belonging to private Companies, except in special cases. Such special cases are rare. Applications are considered only when it can be shown that private docking facilities cannot be secured.

(c) The actual expenditure incurred in India on the maintenance of this dockyard in 1922-23 amounted to Rs. 17,06,675 and the budget estimate for the current year for the same purpose is Rs. 12,98,780. These amounts do not include indirect charges on administration, etc., nor such expenditure as leave allowances paid in England.

(d) The Government of India have no information on the subject. The terms were presumably settled by the Government of Bombay.

INDIAN DEBT.

251. ***Mr. V. J. Patel:** Will Government be pleased to state:

- (a) the total amount of debt of India as on the last date of the official year in 1900-01, 1910-11, 1920-21 and 1922-23 with corresponding figure of debt charges?
- (b) whether the figure of charges given above includes charges payable by Provincial Governments, Native States and local statutory bodies?

The Honourable Sir Basil Blackett: I would refer the Honourable Member to the Finance and Revenue Accounts for the years concerned, which give all the information required.

Mr. V. J. Patel: Is the information required by clause (b) also given there?

The Honourable Sir Basil Blackett: All the information, I understand, is in the Book.

POST OFFICE AND CASH CERTIFICATES.

252. ***Mr. V. J. Patel:** Will Government be pleased to state:

- (a) whether they propose to continue the system of issuing Saving Certificates in connection with the Post office?
- (b) what was the total number of such certificates outstanding as on 31st March, 1923?

The Honourable Sir Basil Blackett: The Government have no intention of discontinuing the issue of Post Office Cash Certificates of which on the 31st March 1923, approximately 6,83,000 were outstanding representing at issue price Rs. 313 lakhs. The number outstanding at 31st December 1923, represented at issue price approximately Rs. 735 lakhs.

CASH BALANCES OF THE GOVERNMENT OF INDIA.

253. ***Mr. V. J. Patel:** Will Government be pleased to state what were the cash balances of the Government of India as on the 31st March, 1922, 1st January, 1923, and 1st June, 1923, and how much of this was in the hands of:

- (a) the Secretary of State;
- (b) Imperial Bank of India;
- (c) in Reserve Treasuries, and
- (d) with local Treasuries where there are no branches of the Imperial Bank?

The Honourable Sir Basil Blackett: A statement containing the information asked for is placed on the Table.

As regards part (c), Reserve Treasuries were abolished on the constitution of the Imperial Bank of India in January 1921.

Statement of Cash balances of the Government of India.

Held by—	31st March 1922.	31st December 1922.	31st May 1923.
	£	£	£
The Secretary of State and The High Commissioner for India	8,993,607	13,024,496	7,230,923
	Rs.	Rs.	Rs.
Imperial Bank of India	20,07,88,000	14,15,75,000	12,38,32,000
Government Treasuries not banking with the Imperial Bank.	5,58,25,000	3,45,27,000	3,74,42,000

CHANGES IN THE POLITICAL DEPARTMENT.

254. ***Mr. V. J. Patel:** Will Government be pleased to state what changes they propose to make in the Political Department on account of the transfer of States from the supervision of the Government of Bombay to that of the Government of India?

Mr. E. B. Howell: The question is at present the subject of inquiry by an officer of the Government of India in consultation with the Local Government.

CORRESPONDENCE BETWEEN THE SECRETARY OF STATE AND THE GOVERNMENT OF INDIA *re* THE ARREST OF MR. GANDHI, ETC.

255. ***Mr. V. J. Patel:** Will Government be pleased to lay on the Table a copy of the correspondence between the Secretary of State and the Government of India:

- (a) in regard to the arrest of Mahatma Gandhi?
- (b) in regard to the rejection by the Assembly of the grant for the Public Service Commission and with regard to the terms of reference, personnel and appointment of the said Commission?
- (c) in regard to the situation created by the refusal of the Assembly to grant the increased salt duty and the necessity for certification?
- (d) in regard to the 'Princes Protection Bill' from the moment it was decided to introduce it to the present time?
- (e) with regard to the question of constitutional reforms subsequent to the correspondence which was published and which included Lord Peel's reply to the Viceroy on the subject?
- (f) with regard to India's participation in the last Imperial Conference, the preparation of the terms of reference and the agenda and including the request, if any, made by the Government of India to have the question of Indians abroad fully discussed?

The Honourable Sir Malcolm Hailey: (a), (b), (c), (e) and (f). 'Government are unable to lay on the Table the correspondence referred to by the Honourable Member.

(d) I would refer the Honourable Member to the reply† given in the Legislative Assembly on the 15th January 1923, to Mr. Neogy's question No. 30.

INDIAN COMMITMENTS AT THE IMPERIAL ECONOMIC CONFERENCE.

256. ***Mr. V. J. Patel:** Will Government be pleased to state what commitments this country has made through the presence of Sir Charles Innes at the Imperial Economic Conference and whether India is bound in any way to make purchases inside the Empire in future?

The Honourable Mr. A. C. Chatterjee: I would refer the Honourable Member to the reply given by me to starred question No. 97 on the 4th February 1924.

† *Vide* p. 977 of L. A. Debates, Vol. III.

Mr. V. J. Patel: That reply is too general. May I know exactly whether any commitments have been made by the Honourable Sir Charles Innes?

The Honourable Mr. A. C. Chatterjee: I stated distinctly in that answer that there were no commitments whatever.

GOVERNORS' CONFERENCES.

257. ***Mr. V. J. Patel:** Will Government be pleased to state:

- (a) the significance of the Governors' Conference which meets at Delhi from time to time,
- (b) the nature of the control which is being exercised by the Government of India for Reserved Subjects in the Provinces,
- (c) whether the Government of India or the Viceroy have anything to do with the Instrument of Instructions which every Provincial Governor brings with him and whether the Government of India or the Viceroy have the power in practice to modify or to add to such Instruments?

The Honourable Sir Malcolm Hailey: (a) I hope the Honourable Member will not accuse me of flippancy, but I am afraid that I can only say that the purpose of these Conferences is to confer. I am not aware that they have any other significance.

(b) The nature of the control in question is indicated in section 45 of the Government of India Act.

(c) No. The Instrument of Instructions to each provincial Governor is issued by His Majesty and no authority in India has the power to modify the Instrument.

Mr. A. Rangaswami Iyengar: May I know, Sir, if any specific rules have been issued by the Government of India with regard to their power of superintendence, direction and control over provincial Governments, apart from the Devolution Rules?

The Honourable Sir Malcolm Hailey: The powers of superintendence, direction and control are for the most part exercised in a number of executive instructions scattered through a great deal of correspondence. I am not referring, of course, to questions of purely financial control, but to questions of administrative control. I should be unable to refer the Honourable Member to any definite code of rules on the subject.

Mr. A. Rangaswami Iyengar: May I ask whether, as the Act specifically provides for rules being made for the classification of subjects between central and provincial, there are any such rules, apart from the Devolution Rules?

The Honourable Sir Malcolm Hailey: If the Honourable Member is referring to the classification of subjects under section 45 A of the Government of India Act, that classification has of course been embodied in the Devolution Rules. We have no further classification of subjects than that. I note that those Devolution Rules under section 129 A of the Act have to be sanctioned by the Secretary of State and laid before Parliament.

Mr. K. Ahmed: With regard to supervision and control by the Central Government of the provincial Governments, are the Members of this

Assembly entitled to enter into them and put any question on the subject to be answered by the Members in charge of the Government Departments?

The Honourable Sir Malcolm Hailey: I am afraid I did not quite catch the purport of the Honourable Member's question. I would be very much obliged if he would repeat it.

Mr. K. Ahmed: Are the Members of this Assembly, representing the people of this country, entitled as a matter of right, to put any questions to the Honourable Member in charge of the Government Department exercising powers of supervision, direction and control over the subjects of provincial Governments?

The Honourable Sir Malcolm Hailey: I am afraid I can give no other answer to that than to say that the rules which apply to the asking of questions in this House are laid down in the Standing Orders. They are I think fairly wide. If the Honourable Member requires any more definite information on that point, I shall be quite glad to give it to him when I appreciate more exactly the nature of the information he desires.

Mr. K. Ahmed: Then what is the reason, Sir, that in season and out of season the Government Members as a matter of fact have repeatedly answered in this House for the last three years that it is a matter which is for the provincial Government and therefore the Government Members will give no answer to any questions on the subject.

Mr. President: The Honourable Member can see by studying the Rules and Standing Orders whether rule 7 applies to his own question or not. If he is in doubt, he can judge by whether his questions are admitted or not.

Mr. K. Ahmed: May I ask whether the Chair appreciates the point and whether any question will elicit further information on the matter in issue?

Mr. President: I fully appreciate the difficulty the Honourable Member has in interpreting Rule 7.

The Honourable Sir Malcolm Hailey: It might perhaps be convenient if I added that the further implications of this question can be explored in the course of two Resolutions which are coming before the House.

INCOME-TAX PAID BY FOREIGN COMPANIES.

258. ***Mr. V. J. Patel:** Will Government be pleased to state in what manner and to what total amount is the income-tax paid by the following during each of the five years ending 1922-23?

- (1) foreign insurance companies including life companies,
- (2) foreign banks including the English exchange banks,
- (3) foreign shipping companies,
- (4) tea companies under foreign management,
- (5) jute companies under foreign management,
- (6) indigo factories under foreign management.

The Honourable Sir Basil Blackett: The information is not available and its compilation would involve time and trouble disproportionate to its value.

Mr. W. S. J. Willson: Are there any managements under (4), (5) and (6) under foreign management?

The Honourable Sir Basil Blckett: I am unaware as to whether there are any firms of the kind concerned which are not under management which would be comprised under a definition such as was applied just now to "British paper."

INDIANS ON STATE RAILWAYS.

259. ***Mr. V. J. Patel:** Will Government be pleased to state the number of Indians employed in State-managed Railways and receiving a total salary with an allowance above Rs. 300, Rs. 500, Rs. 750 and Rs. 1,000 and the total number of others receiving the same during each of the last five years?

The Honourable Sir Charles Innes: The information in the form asked for by the Honourable Member is not readily available, but a statement is placed on the Table showing the number of Indians employed during the last two years on State-managed railways as gazetted officers and as officials drawing Rs. 250 per mensem and over, as compared with the total numbers employed. Similar figures for 1919, 1920 and 1921 are not available.

Analysis of numbers of staff employed on State-managed Railways.

NOTE.—"Statutory Indians" for the purpose of this statement includes Indians and Anglo-Indians.

Classification.	NOVEMBER 1922.					NOVEMBER 1923.				
	Total number.	Indians.	Percentage Indians of total.	Statutory Indians.	Percentage Statutory Indians of total.	Total number.	Indians.	Percentage Indians of total.	Statutory Indians.	Percentage Statutory Indians of total.
Gazetted Officers	463	122	26.3	148	31.9	473	128	27.0	154	32.
Officials (excluding gazetted officers) drawing Rs. 250 per mensem and over or on scales of pay rising to Rs. 250 per mensem and over	1,793	565	31.5	1,094	61.0	1,711	548	32.0	1,051	61.4

RESERVATION OF RAILWAY COMPARTMENTS.

260. ***Mr. V. J. Patel:** Has the attention of Government been drawn to the unsatisfactory condition of law regarding the reservation of compartments by railway companies for particular communities, particularly for Eurasians and Europeans?

- (a) Do Government propose to take early steps to put the law on a proper basis?
- (b) Are Government aware that there is considerable feeling in this country against this practice of reservation?

The Honourable Sir Charles Innes: The Government are aware that notice has been given of a Bill to amend the Railway Act in order to remove an alleged uncertainty in the law on this point. The other points raised in the Honourable Member's question will no doubt be fully discussed if leave is given by the House to introduce the Bill.

Mr. V. J. Patel: Is it likely to be introduced?

The Honourable Sir Charles Innes: I believe, Sir, it is down for the 21st of February.

INDIAN APPRENTICES IN THE B. N. AND G. I. P. RAILWAYS.

261. ***Mr. V. J. Patel:** Will Government be pleased to state:

- (a) how many Indians have been taken under the new scheme of apprenticeship adopted some years ago by the Bengal-Nagpur Railway and the G. I. P. Railway in the superior traffic or loco. service,
- (b) how many of these are still continuing in the service,
- (c) are Government aware of the reasons why some of these Indians have left the service?

The Honourable Sir Charles Innes: Government have no information but will make inquiries.

STATEMENTS OF GOVERNMENT OFFICIALS BEFORE THE INDIAN MARINE COMMITTEE.

262. ***Mr. V. J. Patel:** Has the attention of Government been drawn to the statements emanating from officials paid out of the revenues of India and made before the Indian Marine Committee to the effect that Indians are and will remain a backward race and will never be fitted for taking proper positions as deck officers or as engineers at sea? (b) Has Government authorised such statements? (c) if not, what steps do Government propose to take in this connection?

The Honourable Sir Charles Innes: The Government have not seen the statements referred to and did not authorise them. If such statements were made, they no doubt represented the personal opinions of the officers making them.

SUPERIOR STAFF OF THE GOVERNMENT OF INDIA SECRETARIAT.

263. ***Mr. V. J. Patel:** Will Government be pleased to state the total number of Secretaries, Deputy Secretaries and Assistant Secretaries at the Central Secretariat at Delhi? How many of these are Indians? Is it a fact that Government propose to adopt in future the rule of appointing an Indian Secretary for every department which has got an English member?

The Honourable Sir Malcolm Hailey: The Honourable Member presumably requires information in regard to the complete number of officers serving in the Government of India Secretariat, some of whom are at present in Simla. A statement containing this information is laid on the Table.

Government are not aware of any such proposal as that referred to in the second part of the Honourable Member's question.

Number of Secretaries, Joint Secretaries, Deputy, Under and Assistant Secretaries employed in the Government of India Secretariat.

Designation.	Number.	Number of Indians.	REMARKS.
Secretaries	10*	...	*Includes the Secretary, Railway Department, who holds the status of a Deputy Secretary.
Joint Secretaries	4†	1	†Includes the Joint Secretary, Railway Department, who holds the status of a Deputy Secretary and who is an Indian.
Deputy Secretaries	11	2	
Under Secretaries	4	2	
Assistant Secretaries	17	5	
Total	46	10	

Note.—The post of Financial Adviser, Military Finance, is held by an Indian who holds the status of a Joint Secretary to the Government of India..

OFFICERS OF THE POLITICAL DEPARTMENT.

264. *Mr. V. J. Patel: (a) Will Government be pleased to state the total number of officers of the Indian Political Department as on 31st March, 1923, getting more than Rs. 400, more than Rs. 600, more than Rs. 1,000, and will Government indicate how many of each of the above number were Indians, (b) will Government be pleased to state what qualifications they look for in new recruits for the Political Departments?

Mr. E. B. Howell: (a) The number of officers of the Indian Political Department on 31st March 1923, who were in receipt of salaries—

From Rs. 400 to Rs. 600 was nil.

From Rs. 600 to Rs. 1,000 25, of whom two were Indians.

Above Rs. 1,000 117, of whom two were Indians.

(b) Recruitment for the Indian Political Department is ordinarily made from—

1. Members of the Indian Civil Service (both British and Indian).
2. British officers of the Indian Army and Indian officers of the Indian Army holding King's Commissions.
3. Indian officers of the Provincial Civil Services in cases of special merit.

In making selections from among candidates drawn from these sources, a variety of considerations are taken into account—among them character, tact, ability, education, linguistic attainments, previous distinctions, and physical fitness.

AFFAIRS OF THE ALLIANCE BANK.

265. *Mr. V. J. Patel: Will Government be pleased to state:

- (a) whether any attempt was made to put an Indian liquidator in view of the preponderating Indian stake;

- (b) whether they discharged this attempt indirectly by instructing the Imperial Bank of India to oppose it at the creditors meeting in Calcutta;
- (c) whether any papers or reports have been placed before it with regard to the affairs of the Alliance Bank before or after the failure;
- (d) whether any estimate has been made of the loss which would be incurred by the taxpayer through the guarantee of fifty per cent. payment to depositors against Government guarantee?

The Honourable Sir Basil Blackett: (a) and (b). The Government did not interfere in any way in the appointment of the liquidators and gave no instructions to the Imperial Bank.

(c) No.

(d) Yes. It was estimated that no loss would be incurred and this estimate is likely to be realised.

IMPERIAL BANK OF INDIA.

266. ***Mr. V. J. Patel:** Will Government be pleased to state:

- (a) what is the total amount and percentage of Government funds placed with the Imperial Bank of India on the last date of each quarter ending 1922-23;
- (b) what is the nature of the control exercised over the affairs of the Imperial Bank by Government to safeguard their interests;
- (c) what steps do Government propose to take in order to render the Imperial Bank a truly national institution promoting the trade and commerce of this country and favouring Indian Nationals as against all outsiders?

The Honourable Sir Basil Blackett: (a)—

	Government Balance with Imperial Bank.	Percentage of total Government Balances in India.
On 30th June 1922	16 crores 64 lakhs	79.58
On 30th September 1922	13 „ 62 „	79.56
On 31st December 1922	14 „ 16 „	80.39
On 31st March 1923	20 „ 52 „	79.02

(b) I would refer the Honourable Member to sections 23 to 28 of the Imperial Bank of India Act, 1920, and to articles 14 and 15 of the agreement between the Secretary of State for India and the Imperial Bank which was laid on the Table of this House on the 17th July last.

(c) The Government do not contemplate any steps involving a radical alteration of the constitution of the Imperial Bank.

Mr. W. S. J. Willson: Would the Government have any right to impose on the Imperial Bank the necessity to favour one class of shareholders against another class?

The Honourable Sir Basil Blackett: I am not sure that the question arises, but the answer is presumably in the negative.

THE AUXILIARY AND TERRITORIAL FORCES.

267. ***Mr. V. J. Patel:** Will Government be pleased to state:

- (a) the total number of men in the Auxiliary Force and what is the cost to the tax-payer per head;
- (b) the total number of men in the Territorial Force and the cost per head for each;
- (c) is it true that the Auxiliary Force is confined to Eurasians and Europeans;
- (d) the number of Indians in the Artillery Force of India and their rank; and
- (e) how many Indians there are in the Cavalry Force of India?

Mr. E. Burdon: (a) The actual strength of the Auxiliary Force on the 31st January 1924 was 34,636, and the average cost of a private of the Force is estimated at Rs. 40 per training year.

(b) The actual strength of the Indian Territorial Force, including the University Training Corps, is 15,595. The approximate cost of an Indian other rank of the Force is estimated at Rs. 26 per training year.

(c) Enrolment in the Auxiliary Force is open to all European British subjects and to persons of European descent.

(d) and (e). A statement is laid on the Table showing by ranks, the number of Indians serving with the Artillery and Indian Cavalry units in India.

Statement showing the number of Indians, classified according to the rank held, serving with the Artillery and Indian Cavalry units in India.

<i>Artillery.</i>		<i>Cavalry.</i>	
Indian officers—		Indian officers—	
Subedar Majors	12	Risaldar Majors	21
Subedars	74	Risaldars	147
Jemadars	115	Jemadars	189
	<hr/>	Jemadar clerks	21
Total	201		<hr/>
	<hr/>	Total	378
Indian other ranks—		Indian other ranks—	
Staff Havildars	172	Dafadars	945
Havildars	473	Lance Dafadars	777
Naicks	628	Trumpeters	168
Lance-Naicks	314	Sowars	8,694
Gunners	2,527		<hr/>
Drivers	7,216	Total	11,962
Trumpet Majors	9		<hr/>
Trumpeters	50	Followers—	
Havildar Fitters	5	Class I	793
„ Farriers	31	Class II	3,528
Naicks Farriers	40		<hr/>
Farriers	205	Total	4,326
Clerks	122		<hr/>
Total	11,993		

GEOLOGICAL SURVEY OF INDIA.

268. ***Mr. Bhabendra Chandra Roy**: Will the Government be pleased to state:

- (a) How many vacancies in the Geological Survey of India have been filled up in 1923?
- (b) Were these vacancies notified:
 - (a) in India;
 - (b) in England?
- (c) How many applications for these appointments were received from India?
- (d) (i) What was the procedure adopted in selecting candidates from among these applicants, to appear before the Selection Board in India for interview?
 - (ii) How many were recommended by the Selection Board in India to the Secretary of State for India for appointment?
 - (iii) How many were finally appointed from these candidates in India by the Secretary of State?

The Honourable Mr. A. C. Chatterjee: (a) Three.

(b) Yes.

(c) Thirty-six.

(d) (i) A sub-committee of the Selection Committee consisting of Dr. E. H. Pascoe, Director, Geological Survey of India, Mr. G. H. Tipper, Superintendent, Geological Survey of India, and Sir Deva Prasad Sarvadhikari, then M. L. A., was convened to make a preliminary selection of likely candidates from the applications received. Seven of these candidates who were considered as the most suitable, were interviewed by the full Selection Committee.

(ii) The Selection Committee recommended the name of only one candidate for appointment to the Geological Survey of India and his application was sent to the Secretary of State for India for consideration by the Selection Board in England.

(iii) This candidate was not appointed by the Secretary of State for India. I may add, however, that an Indian candidate who was already in England is among those recently appointed by the Secretary of State.

APPLICANTS FOR VACANCIES IN THE GEOLOGICAL SURVEY OF INDIA.

269. ***Mr. Bhabendra Chandra Roy**: Will the Government be pleased to lay on the Table a full statement of the names, nationality, age, qualifications and career, theoretical and practical, of:

- (a) Applicants for vacancies in the Geological Survey of India who were not invited to appear before the Selection Board in India in 1923.
- (b) Applicants who were invited to appear before the Selection Board in India in 1923.
- (c) Applicants who were recommended to the Secretary of State for India for appointment by the Selection Board in India in 1923.
- (d) Applicants who were appointed by the Secretary of State from among the candidates recommended by the Selection Board in India in 1923.

- (e) Officers finally selected by the Secretary of State for India in 1923.

The Honourable Mr. A. C. Chatterjee: The compilation of the detailed statements required by the Honourable Member would entail the expenditure of an inordinate amount of time and labour. I shall, however, be glad to shew the Honourable Member the applications of the candidates in original, if he so desires.

IMPORT OF SPLINTS, VENEERS AND EMPTY MATCH BOXES.

270. ***Mr. Bhabendra Chandra Roy:** Has the attention of the Government been drawn to the large importation of splints and veneers for matches and also dummy match boxes into India from Japan and other foreign countries?

The Honourable Sir Charles Innes: The answer is in the affirmative.

UTILIZATION OF THE SERVICES OF UNANI AND AYURVEDIC EXPERTS.

271. ***Kumar Ganganand Sinha:** Will the Government be pleased to state:

- (a) what steps have been taken to utilise the services of Unani and Ayurvedic experts as suggested by the Resolution of Rai Sahib Lakshmi Narain Lall which was adopted by this House on 12th January 1922?
- (b) whether any Committee was formed in pursuance of the same Resolution? If so, with what results? and if not, why?

Mr. M. S. D. Butler: In accepting the Resolution referred to by the Honourable Member the Government of India made it clear that, in so far as action in the Provinces was concerned, they could only forward copies of the discussion to Local Governments for such action as the latter might consider necessary. For themselves they offered to promote consultation between the staff of their proposed Central Research Institute and distinguished Vaidyas and Hakims with a view to examining the necessity of appointing a Committee of experts. Copies of the proceedings were duly forwarded to Local Governments. Owing to financial stringency the scheme for the establishment of a Central Research Institute has had to be held in abeyance and no action by the Government of India has thus been possible.

MEDICAL RESEARCH INSTITUTE.

272. ***Kumar Ganganand Sinha:** (a) Will the Government be pleased to state as to when the Medical Research Institute as contemplated by the Resolution of Mr. M. S. D. Butler and adopted by this House on 23rd September 1922 is likely to be established?

(b) What progress has been made in that direction?

Mr. M. S. D. Butler: Attention is invited to the reply given to-day to the similar question put by Mr. V. J. Patel.

RAILWAY RISK NOTES.

273. ***Kumar Ganganand Sinha:** Will the Government be pleased to state what action it has taken on the recommendations of the Railway Risk Note Committee?

The Honourable Sir Charles Innes: The forms have been revised by Government's legal advisers in accordance with the recommendations of the Committee and steps are being taken to introduce the new forms.

SCHOLARSHIPS FOR THE TECHNICAL TRAINING ABROAD OF INDIANS AND ANGLO-INDIANS.

274. ***Kumar Ganganand Sinha:** Will the Government be pleased to state:

- (a) Whether any action has been taken on the Resolution to provide for the education and training abroad of Indian and Anglo-Indian youths in several branches of technology which was moved by Mr. N. M. Samarth and adopted by this House on 23rd February, 1922?
- (b) If so, the names, designations and subjects for studies of students who have received the scholarship during the last two years.
- (c) If not, the reason of it and the possible period after which the Resolution will be given effect to?

The Honourable Mr. A. C. Chatterjee: (a) The answer is in the affirmative. The Honourable Member's attention is invited to the reply given by me to Sir D. P. Sarvadhikary's question on the same subject on the 6th September 1922. According to the ruling given by the Auditor General, provision for the grant of technical scholarships from central revenues can only be made in the subjects specified below, the remaining subjects mentioned in Mr. Samarth's Resolution having been definitely classed as provincial:—

- (i) Ship-building and ship-engineering.
- (ii) Oceanography.
- (iii) Wireless telegraphy.
- (iv) Gunnery and other modern weapons of warfare.
- (v) Mining.
- (vi) Metallurgy.
- (vii) Geological surveying.

The question of training Indian and Anglo-Indian youths in ship-building, ship-engineering and nautical subjects generally was among those remitted for inquiry to the Indian Mercantile Marine Committee. That Committee has not yet reported, and no scholarship has therefore been granted as yet for training in these subjects. As regards wireless telegraphy, the Government of India have under consideration the question of recruiting an Indian officer possessing a science degree and sending him to England for training. As regards gunnery and training in the handling of modern weapons of war, the Honourable Member's attention is drawn to part 4 of item 14-B of the statement laid on the Table on the 21st February 1923. No scholarships have been granted to Indian Officers and other ranks for the reasons mentioned in that statement. I may add, however, that a scheme for the training of apprentices in the Ordnance factories has just been sanctioned by the Government of India and will come into operation forthwith.

As regards mining, metallurgy and geological surveying, one scholarship in each of these subjects was awarded during the last year and it is proposed, if funds permit, to grant a similar number of scholarships in these subjects during the current year also.

(b) The details of the scholarships awarded during the year 1923 are as follows:—

Subject.	Name.	Designation.
Mining	Mr. Sudhansu Kumar Bose, B.Sc.	Overman at Sanctoria Colliery of the Bengal Coal Company, Limited.
Metallurgy	Mr. Tara Gati Banerji, B.Sc.	Apprentice in the Jamalpur Workshop of the East Indian Railway.
Geological Surveying	Mr. Shishir Kumar Chatterjee, M.Sc.	Advanced student of the Presidency College, Calcutta

No scholarships were granted during 1922.

(c) This does not arise.

PURCHASE OF STORES BY THE HIGH COMMISSIONER FOR INDIA.

275. *Kumar Ganganand Sinha: Will the Government be pleased to lay on the Table the report, if any, of the High Commissioner regarding the purchase of stores during the last three years? If there be no such report, will the Government be pleased to call for one?

The Honourable Mr. A. C. Chatterjee: The exact nature of the report contemplated by the Honourable Member is not clear. The High Commissioner furnishes to the Government of India every six months a statement showing all cases in which he has accepted tenders other than the lowest for stores supplied to India. These statements are laid on the Table of the House as soon as they are received.

In addition, the High Commissioner furnishes a summary of all payments made by him for stores procured for shipment to India. These are included in the Home Accounts of the Government of India. The High Commissioner also sends to the Chief Controller of Stores, Indian Stores Department, copies of all contracts placed by the Director General of Stores in London. It is not in contemplation to call for any further reports on the subject.

ADMISSION OF INDIANS TO THE MILITARY, NAVAL, AIR AND AUXILIARY FORCES.

276. *Kumar Ganganand Sinha: Will the Government be pleased to—

(a) lay on the Table its correspondence with the Secretary of State for India regarding the free admission of Indians to all arms, Military, Naval and Air forces, the Ancillary Services and Auxiliary forces and about the yearly grant of King's Commission to Indians?

(b) state whether it has come to any decision with regard to the pay of all commissioned ranks? If so, what? If not, why?

Mr. E. Burdon: (a) Government are not prepared to lay the correspondence in question on the Table.

(b) It is presumed the Honourable Member is referring to the Resolution on this subject which was adopted by the Assembly on the 28th March 1921, and I, therefore, invite his attention to the reply given to question No. 236 asked by Mr. V. J. Patel.

PROTECTION OF THE STEEL INDUSTRY.

277. ***Mr. M. A. Jinnah:** Will Government be pleased to state whether they have received the report of the Tariff Board on the question of protection regarding the steel industry in India?

The Honourable Sir Charles Innes: No, Sir.

Mr. M. A. Jinnah: May I, Sir, know whether the Government are aware that the Tariff Board has now in fact made their report on the steel industry?

The Honourable Sir Charles Innes: All I can say, Sir, is that the Government of India have not yet received the report.

Mr. M. A. Jinnah: May I repeat my question—are the Government aware that the Tariff Board have now in fact made their report?

The Honourable Sir Charles Innes: I do not know what the Honourable Member means by the words "made their report". They have not made their report in the sense that the report has not yet been made to the Government of India. If the Honourable Member wishes to know whether the Tariff Board have finished their report, that is a question I cannot answer.

Mr. M. A. Jinnah: Has the Government got any information, having regard to the very serious state of the steel industry, when this report is likely to be submitted to the Government of India?

The Honourable Sir Charles Innes: I hope, Sir, that the report will be submitted within a very short period.

Mr. K. C. Roy: Does Government propose to call for an *ad interim* report?

The Honourable Sir Charles Innes: I will look into that point and find out from the President whether they have arrived at their conclusions and, if so, whether they can let us have a summary of those conclusions.

Mr. M. A. Jinnah: In that event, are the Government prepared to take any steps during this Session?

The Honourable Sir Charles Innes: The Honourable Member had better wait till his next question which if he will permit me I will now proceed to answer.

Mr. R. K. Shanmukham Chetty: Has it been brought to the notice of Government that the condition of the steel industry is so precarious that some big works are in danger of being closed if immediate protection is not granted to them?

The Honourable Sir Charles Innes: In the course of the evidence recorded by the Tariff Board I have seen statements to that effect.

Mr. Campbell Rhodes: Will the Government give the House an opportunity of considering the report before any action is taken?

The Honourable Sir Charles Innes: That, Sir, is a point which will require consideration.

PROTECTION OF THE STEEL INDUSTRY.

278. ***Mr. M. A. Jinnah:** Will Government be pleased to state whether they propose to take any and what measure this Session in connection with the steel industry in India with regard to its protection?

The Honourable Sir Charles Innes: All that the Government can say at present is that they will give immediate consideration to the Report as soon as it is received.

RETRENCHMENT ON THE NORTH-WESTERN RAILWAY.

279. ***Mr. Harchandrai Vishindas:** Will Government be pleased to state:

- (a) if it is a fact that, as a measure of retrenchment, a number of subordinate employees on the North-Western Railway of long services and of permanent pay, have been reverted to classes lower than those earned by them by service and due promotion?
- (b) if any supervising officers on the same railway have been thus treated?
- (c) if so, how many?
- (d) if not, does Government contemplate taking necessary steps to restore the persons affected to their old grades and classes?

The Honourable Sir Charles Innes: (a) and (d). Government have no information in regard to particular cases but it is quite possible that certain surplus staff instead of being discharged under the retrenchment scheme have been given by the Administration the option of being retained in a lower capacity temporarily.

(b) The answer is in the negative.

COMPENSATORY ALLOWANCES FOR THE STAFF OF THE NORTH-WESTERN RAILWAY AT KARACHI.

280. ***Mr. Harchandrai Vishindas:** Will Government be pleased to state:

- (a) if any steps have been taken to afford relief in the shape of compensatory allowance for expensive stations, to employees on the North-Western Railway posted at Karachi on the lines of Bombay Government Resolution No. 2837 of 8th December, 1923, sanctioning grant of Karachi allowance, for all Government servants drawing Rs. 100 and over with retrospective effect from March 1923?
- (b) if not, do they contemplate such steps in regard to Railway servants drawing Rs. 100 and over who are posted at Karachi as any other Government servants?

The Honourable Sir Charles Innes: The matter is one primarily for the Agent, North-Western Railway, to consider and the Railway Board have received no recommendation from that officer. The rates of pay and conditions of service of the railway employees at Karachi quite possibly differ from those of the Local Government's servants stationed there.

ACTIVITIES OF MUSA KHAN IN WAZIRISTAN.

281. ***Mr. K. C. Roy:** Will Government be pleased to state who is Musa Khan, and what is the nature of his activities in Waziristan?

Mr. E. B. Howell: Musa Khan, Mahsud, is tribally speaking one of the minor headmen of his section, the Abdullai, who reside in and around Makin. He has been the focus of opposition to Government ever since the Mahsud operations of 1919-20. Under his influence the Abdullai for long held aloof from a settlement with Government but the bulk of them accepted the very lenient terms offered by Government in February 1923. Musa Khan and his immediate following, who are suspected of having compassed the death of Lieutenant Dickson in December 1922, are however excluded from the settlement.

Mr. K. Ahmed: What was the reason for Musa Khan's committing the offence with which he is connected?

Mr. E. B. Howell: I am afraid I cannot answer for Musa Khan's motives.

Mr. K. Ahmed: What was the cause or causes—his plea of defence—why Musa Khan committed the offence in question?

Mr. E. B. Howell: It must be a matter of surmise to every one except Musa Khan.

DISCONTINUANCE OF THE ONE-RUPEE NOTE.

Sir Purshotamdas Thakurdas: Will Government be pleased to state what decision they have come to in regard to the Retrenchment Committee's recommendation that the one-rupee note should be discontinued?

The Honourable Sir Basil Blackett: I am glad of the opportunity given me by the Honourable Member's question to announce that the Government of India have decided, after the termination of the present contract with the Bank of England which has still some months to run, to place no further order for one-rupee notes. The one-rupee note will of course continue to be legal tender.

UNSTARRED QUESTIONS AND ANSWERS.

DISTANCE BETWEEN CALCUTTA AND DACCA.

73. **Mr. Kumar Sankar Ray:** Will the Government be pleased to state:

- (a) How is the distance of 265 miles as given in the Eastern Bengal Railway time table between Calcutta and Dacca *via* Narayanganj arrived at?
- (b) What is the average mileage actually run by the steamer plying between Goalundo and Narayanganj?
- (c) Comparing the total distances required to be travelled from Calcutta to Dacca *via* Sirajgunj and Narayanganj routes why is it that the time taken by the Sirajgunj route is so much longer specially when a greater distance has to be travelled by steamer *via* Narayanganj?

The Honourable Sir Charles Innes: (a) The distance of 265 miles between Calcutta and Dacca *via* Narayanganj has been arrived at as follows:

Calcutta to Goalundo	150
Goalundo to Narayanganj	104
Narayanganj to Dacca	11
Total	<u>265</u>

(b) The steamer service between Goalundo and Narayanganj is not controlled by the railway and Government have no information regarding the average mileage actually run between the points specified.

(c) The chargeable distance between Calcutta and Dacca *via* Sirajganj is 347 miles against 265 miles *via* Narayanganj and the greater distance by the Sirajganj route includes 127 miles of metre gauge line.

LATE ARRIVAL OF TRAINS AT DACCA *via* SIRAJGANJ.

74. **Mr. Kumar Sankar Ray:** Is it a fact that the timing given in the Eastern Bengal Railway time table for reaching Dacca from Calcutta by the Sirajganj route is rarely kept and that trains are usually late by 2 to 3 hours?

The Honourable Sir Charles Innes: Owing mainly to river difficulties and engineering restrictions on the line, the train from Calcutta to Dacca has not been keeping good time lately. The average late arrival of this train at Narayanganj, the terminal, was as follows:

In October 1923	2·2 minutes.
In November 1923	10·3 "
In December 1923	14·5 "
In January 1924	10·7 "

SPEED OF THE EASTERN BENGAL RAILWAY TRAINS.

75. **Mr. Kumar Sankar Ray:** Is it a fact that the speed of the Eastern Bengal Railway trains are generally speaking slower than those of the East Indian Railway trains? If so, why?

The Honourable Sir Charles Innes: The greater portion of the Eastern Bengal Railway consists of metre gauge and it is therefore difficult to compare the speed of trains on that railway with that obtaining on the East Indian Railway. The speed on the broad gauge portion of the Eastern Bengal Railway does not compare unfavourably with the speed on the East Indian Railway.

PROPOSED METRE GAUGE RAILWAY FROM CHITTAGONG TO ARAKAN.

76. **Mr. Kumar Sankar Ray:** Has the attention of the Government been drawn to the memorial of the people of Chittagong (resident within the municipality of Chittagong and assembled in a meeting held on the 14th January 1924) protesting against the construction of a metre gauge railway line from Chittagong to Arakan through the busiest and most thickly populated parts of Chittagong, namely, Alkaran, Bandel, Patherghata and other places? If so, is the Government going to change the route so as to avoid causing inconvenience to the public?

The Honourable Sir Charles Innes: The answer to the first part of the question is in the affirmative.

The question of the alignment of the Chittagong-Akyab Railway will receive consideration if and when the construction of the line is sanctioned.

SHUTTLE TRAIN BETWEEN GOALUNDO AND RAJBARI.

77. **Mr. Kumar Sankar Ray:** Has the attention of the Government been drawn to the memorial sent to His Excellency the Governor of Bengal by Kumar Mansankar Ray Chaudhury as president of a public meeting held at Goalundo on the 26th December, 1923, a copy of which was forwarded to the Chairman, Railway Board, Simla, on or about the 16th January, 1924? If so, is the Government going to re-establish as early as possible the shuttle train between Goalundo (local) and Rajbari?

The Honourable Sir Charles Innes: The reply to the first part of the question is in the affirmative. The matter will be brought to the notice of the Agent, E. B. Railway.

SEPARATION OF JUDICIAL AND EXECUTIVE FUNCTIONS.

78. **Mr. Gaya Prasad Singh:** Will the Government kindly state:

- (a) What practical steps have been taken in the matter of the separation of Judicial and Executive functions?
- (b) Has the Government received any reports from the Local Governments on this question? And will the Government kindly lay them on the table?

SEPARATION OF JUDICIAL AND EXECUTIVE FUNCTIONS.

79. **Mr. Gaya Prasad Singh:** Have the Government of Bihar and Orissa submitted their report on the question of separation of Judicial and Executive functions? And if so, when will it be available to Members of the Assembly?

SEPARATION OF JUDICIAL AND EXECUTIVE FUNCTIONS.

80. **Mr. Gaya Prasad Singh:** Is the Government in a position to give an approximate date by which the separation of Judicial and Executive functions could be effected in practice?

The Honourable Sir Malcolm Hailey: The Honourable Member is referred to the reply* given by me on the 16th July 1923 to starred question No. 248 asked by Rai Bahadur L. P. Sinha. Since then the Government of India have received proposals from the Government of Bengal, but that Local Government propose to place their scheme before the local Legislative Council for criticism. No action has so far been taken, pending the receipt of the final views of the Governments of Bengal and Madras. Government cannot at present make any further statement on this subject.

* Vide p. 4633 of L. A. Debates, Vol. III.

VOTE OF NO-CONFIDENCE IN THE CENTRAL PROVINCES LEGISLATIVE COUNCIL.

81. **Mr. Gaya Prasad Singh:** Is the Government aware that a vote of "no-confidence" has been recently passed by the Legislative Council of the Central Provinces; and that the Council has been adjourned *sine die*?

The Honourable Sir Malcolm Hailey: The Honourable Member is referred to my reply to Mr. Patel's question No. 223 given to-day.

VOTE OF NO-CONFIDENCE IN THE CENTRAL PROVINCES LEGISLATIVE COUNCIL.

82. **Mr. Gaya Prasad Singh:** Has the Government of India received any report or communication from the Government of the Central Provinces, relating to the vote of "no-confidence" passed by the C. P. Legislature? And if so, will Government be pleased to lay a copy on the table?

The Honourable Sir Malcolm Hailey: The Honourable Member is referred to my reply to Mr. Patel's question No. 223 given to-day.

VOTE OF NO-CONFIDENCE IN THE CENTRAL PROVINCES LEGISLATIVE COUNCIL.

83. **Mr. Gaya Prasad Singh:** What constitutional action the Government of India has directed the C. P. Government to take; or what action the Government of India has taken, or proposes to take in connection with the vote of "no-confidence" passed by the C. P. Legislative Council?

The Honourable Sir Malcolm Hailey: The Government of India have taken no action in the matter, and they do not at present intend to take any action.

FLOODS IN WESTERN BIHAR.

84. **Mr. Gaya Prasad Singh:** (a) Did the Government of India call for, or receive any report from the Government of Bihar and Orissa, relating to the unusually heavy flood which occurred in the Western portion of Bihar during the last rains? And if so, will the Government be pleased to lay a copy on the table?

(b) If the answer to the above be in the negative, will the Government kindly state why no enquiry has been made, and no report is forthcoming?

(c) Is the Government aware that the insufficiency in the number and dimensions of the water-ways on the embankment of the B. N. W. Railway and the E. I. Railway is partly responsible for the floods which occurred in Western Bihar during the last rains, as the natural flow of water is impeded by such embankments? And do the Government intend to consider the question of having more water-ways in the railway embankments?

Mr. M. S. D. Butler: (a), and (b). The flood was duly reported by the Local Government, to the Government of India. No useful purpose would be served by laying the report on the table but I shall be happy to show it to the Honourable Member if he so desires.

(c) From the information at their disposal it does not appear to the Government of India that the flood was due to insufficiency in the water-ways provided in Railway embankments.

REGISTRATION AND PROTECTION OF TRADES UNIONS.

85. **Mr. Chaman Lal:** (a) Will Government be pleased to state their intentions in regard to the Bill for the Registration and Protection of Trades Unions?

(b) Will Government be pleased to state whether it is their intention to introduce legislation for the Registration and Protection of Trades Unions on the lines of British legislation on this subject?

The Honourable Mr. A. C. Chatterjee: The Honourable Member is referred to the answer given to-day to Mr. V. J. Patel's question on the same subject.

MINIMUM WAGE FOR KEY INDUSTRIES.

86. **Mr. Chaman Lal:** Will Government be pleased to state their intention with regard to the introduction of legislation for the establishment of a Minimum Wage for key industries?

The Honourable Mr. A. C. Chatterjee: No such legislation is contemplated.

INTRODUCTION OF LEGISLATION ON THE LINES OF THE BRITISH INSURANCE ACT.

87. **Mr. Chaman Lal:** Will Government be pleased to state whether it is their intention to introduce legislation on the lines of the British Insurance Act?

The Honourable Sir Charles Innes: The whole question is under consideration and the Government hope to come to a conclusion at an early date.

ENTRY OF MR. B. A. HORNIMAN INTO INDIA.

88. **Mr. Chaman Lal:** Will Government state whether it is their intention to move the Foreign Office to cancel all restrictions imposed upon Mr. B. A. Horniman preventing his entry into India?

The Honourable Sir Malcolm Hailey: I would refer the Honourable Member to the answer just given to Mr. Patel. The Government of India do not intend to take steps in the direction indicated by the Honourable Member.

CONSTITUTIONAL DEADLOCK IN THE CENTRAL PROVINCES.

89. **Mr. Chaman Lal:** Will Government state their intention in regard to the Constitutional dead-lock which has arisen in the Central Provinces' Legislature?

The Honourable Sir Malcolm Hailey: The Honourable Member is referred to my reply to Mr. Patel's question No. 223 given to-day.

DEMANDS OF THE SWARAJYA PARTY'S CENTRAL COUNCIL.

90. **Mr. Chaman Lal:** (a) Will Government state whether they have received a copy of the demands made on behalf of the people of India by the Swarajya Party's Central Council and whether these demands have been communicated to the Secretary of State for India?

(b) Will Government be pleased to lay on the table all correspondence relative to this demand which has passed between the Government of India and the Secretary of State for India?

The Honourable Sir Malcolm Hailey: (a) and (b). No.

BRIGADE ORDER *re* VOTING FOR A SWARAJIST CANDIDATE.

91. **Mr. Chaman Lal:** Will Government state what action they contemplate against the authorities responsible for issuing a Brigade Order in Sialkote exhorting military officers to vote for a non-Swarajist candidate?

Mr. E. Burdon: The Government of India have no information that any such order was issued but are inquiring. I will let the Honourable Member know the result in due course.

RELEASE OF MR. GANDHI.

92. **Mr. Chaman Lal:** Will Government be pleased to state their intention in regard to the immediate and unconditional release of Mahatma Gandhi?

The Honourable Sir Malcolm Hailey: Mr. Gandhi was released unconditionally on the 4th February 1924.

PANEL OF CHAIRMEN.

Mr. President: Under Rule 3 of the Legislative Rules I appoint the following four Members of the Assembly to be Chairmen on 12 Noon. the panel:

Sir Chimanlal Setalvad,

Sir Henry Stanyon,

Mr. M. A. Jinnah, and

Mr. K. C. Neogy.

THE LIBRARY COMMITTEE.

Mr. President: Members are also probably aware that during the course of the first Legislative Assembly a special Committee was set up to deal with matters arising out of the administration of the Library of the Legislature, and it was agreed then that the Committee should consist of four Members, two appointed by the President of the Council of State and two appointed by the President of the Legislative Assembly. To that Committee I appoint, with their acquiescence, Diwan Bahadur M. Ramachandra Rao and Mr. K. C. Roy, to represent this House on that Committee.

THE INDIAN PENAL CODE (AMENDMENT) BILL.

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): Sir, I move:

“That the Bill further to amend the Indian Penal Code, for certain purposes, be referred to a Select Committee consisting of the Honourable Sir Malcolm Hailey, Diwan Bahadur T. Rangachariar, Maulvi Muhammad Yakub, Mian Abdul Haye, Mr. Shanmukham Chetty, Dr. H. S. Gour, Diwan Bahadur Ramachandra Rao, Sir Chimanlal Setalvad, Mr. E. G. Fleming, Mr. P. E. Percival, Mr. N. M. Joshi and myself, with instructions to report on or before the 29th February, 1924.”

Sir, I do not wish to take up the time of the House as the matter was only the other day thrashed out, when it was agreed upon by the House that this Bill should be referred to a Select Committee. This only now gives the personnel of the Select Committee.

Mr. President: This is a purely formal motion, the motion that the Bill be referred to a Select Committee having been carried against the original motion standing in the Honourable the Home Member's name that it should be taken into consideration.

Dr. H. S. Gour (Central Provinces Hindi Divisions: Non-Muhammadan): Sir, I should like to draw the attention of the House to a small point which I asked the House to send on to the Select Committee for consideration. As the Bill was originally drafted

Mr. President: That is not in order. The Bill has been referred to a Select Committee and this is merely a formal motion proposing the names of the Committee.

Diwan Bahadur M. Ramachandra Rao (Godavari cum Kistna: Non-Muhammadan Rural): Sir, I beg to move that the name of Dr. S. K. Datta be added to this Committee. I have spoken to the Mover of this motion and he has no objection.

Mr. M. A. Jinnah: I have no objection, provided the House will accept it. I agree to the name being added.

Mr. President: Has the Honourable Member Mr. Datta's authority?

Diwan Bahadur M. Ramachandra Rao: Yes.

Mr. President: The question is that the name of Dr. S. K. Datta be added to the Select Committee.

The motion was adopted.

Mr. President: The question is:

“That the Bill further to amend the Indian Penal Code, for certain purposes, be referred to a Select Committee consisting of the Honourable Sir Malcolm Hailey, Diwan Bahadur T. Rangachariar, Maulvi Muhammad Yakub, Mian Abdul Haye, Mr. Shanmukham Chetty, Dr. H. S. Gour, Diwan Bahadur Ramachandra Rao, Sir Chimanlal Setalvad, Mr. E. G. Fleming, Mr. P. E. Percival, Mr. N. M. Joshi Dr. S. K. Datta and the Mover, with instructions to report on or before the 29th February, 1924.”

The motion was adopted.

THE INDIAN CRIMINAL LAW AMENDMENT BILL.

The Honourable Sir Malcolm Hailey (Home Member): Sir, I beg leave to introduce:

"A 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."

I think that this Bill needs but little introduction from me, certainly to many Members of this House; for there are those here who took part in our discussions in 1913 and 1914 on the Bill which we now resuscitate. The recollections of some will perhaps go further back than that. If I am correct, our inquiries in connection with representations received of the necessity of measures of this kind began as far back as 1868; between 1900 and 1912 there were no less than three inquiries instituted on the subject, dealing I think mainly with one special aspect of the problem, the case of the employment of girls in temple service. We at the time were not prepared to come forward with legislation on the subject, partly because we doubted whether the evil was so extensive as to call for legislation and partly because we felt some scruple, in view of religious prejudices, in legislating on this particular topic. It was in 1912 that Sir Maneckji Dadabhoy introduced his Bill and we had at the same time before us two other Bills drafted by Mr. Mudholkar and Mr. Madge. As the result of inquiries made in regard to those three Bills, we decided that the time had then come for a cautious advance in this direction, and in 1913 Sir Reginald Craddock placed his Bill before the old Legislative Council. There were some in that Council who thought that the Bill in some respects went too far, or rather I should say, that though it was not too extensive in scope, some of its details were such as to raise objections on religious or other grounds. Further action was deferred at the time owing to the war. Now, it is clear that public opinion has moved somewhat fast since then, and, if we ourselves have not reacted to that opinion, it is because we have been waiting to see how far action which was being taken in the local Legislatures was adequate to cope with the question. The Madras local Council passed a Children's Act in 1920, and a similar Act was passed by Bengal in 1922 and again amended in 1923. We understand that the Bombay Government have an intention of bringing forward a Bill with a similar scope in their local Council. Most of this is legislation on the lines of portions of the very comprehensive English Children's Act of 1908. A somewhat different aspect of the same problem was dealt with in the Burma Suppression of Brothels Act of 1921 and the Bombay Prevention of Prostitution Act, 1923, and the Calcutta Suppression of Immoral Traffic Act of the same year. Now, our present Bill is meant to be supplementary to this legislation in some respects and in others to bring the general criminal law in conformity with the standards which have been laid down by local legislation. We have tried to avoid as far as possible the more contentious issues raised in the previous proposals for legislation and also in Resolutions before this Assembly. We have not, for instance, definitely assumed that employment as *Devadasis* is equivalent to employment for purposes of prostitution; but should such employment actually prove to come within that definition, our Bill will enable it to be dealt with more effectively than hitherto. Then, again, we have thought it necessary to exercise a certain caution in regard to the definition of 'immoral purposes' or 'illicit intercourse'. The Bill will extend to the whole of India, including many backward tracts. We

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believe it is only proper in the circumstances that we should recognise that there are certain relationships in those tracts which have the force of quasi-marital relationship, though not strictly matrimonial. I have referred only to the general tenour of the Act. I do not propose now to refer to the details. The Bill is obviously one that requires much consideration, and, if the present motion is accepted by the House, I shall endeavour in making subsequent motions to provide time for the fullest consideration of all its details. Meanwhile I can commend it to the House as a piece of sound social legislation; it is cautious, but it need not be discounted purely for that reason. In fact, I believe that all social legislation should proceed by gradual stages, providing social opinion with new standards and traditions at each step. If this is done, then, when the Legislature makes each new step forward, it will have behind it a body of solid and convinced public opinion prepared to make the law effective. Thus only can we secure that the social law should not be the sole creation of the Legislature, but that it should in fact be the endorsement at each stage of the social standards of the great mass of thinking men in the community to which it refers. I beg leave to introduce the Bill.

The motion was adopted.

The Honourable Sir Malcolm Hailey: Sir, I introduce the Bill.

THE INDIAN INCOME-TAX (AMENDMENT) BILL.

The Honourable Sir Basil Blackett (Finance Member): Sir, I beg to move:

"That the Bill further to amend the Indian Income-tax Act, 1922, for certain purposes, be referred to a Select Committee consisting of Diwan Bahadur T. Rangachariar, Mr. W. S. J. Willson, Mr. H. G. Cocke, Sir Purshotamdas Thakurdas, Mr. S. C. Ghose, Mr. Bhubanananda Das, Mr. A. R. L. Tottenham and myself, with instructions to report on or before the 29th February, 1924.

Sir, the purpose of this Bill, as I explained on its introduction, is to provide for certain omissions and make clear the meaning of certain sections of the Income-tax Act which have created doubts. Unless the House desires, I do not think that it is necessary for me at this stage to add to what I have already said as to the purpose of this Bill and to what is said in the Statement of Objects and Reasons.

The motion was adopted.

Khan Sahib Ghulam Bari (West Central Punjab: Muhammadan): Sir, I want to suggest that the name of Baba Ujagar Singh Bedi be added to the Select Committee.

The Honourable Sir Basil Blackett: I have no objection.

Mr. President: The question is that the name of Baba Ujagar Singh Bedi be added to the Select Committee.

The motion was adopted.

Mr. Abdul Haya (East Punjab: Muhammadan): Sir, from the Statement of Objects and Reasons I find that it is not intended to exempt the Mussalman community from the operation of this Act. It is desirable that the Mussalman community should not go unrepresented, and I therefore propose that the name of Khan Sahib Maulvi Ghulam Bari be added to the Select Committee.

Mr. President: Has the Honourable Member his authority?

Mr. Abdul Haya: Yes, Sir.

Mr. President: The question is that the name of Khan Sahib Maulvi Ghulam Bari be added to the Select Committee.

The motion was adopted.

Mr. President: The question is:

"That the Bill further to amend the Indian Income-tax Act, 1922, for certain purposes, be referred to a Select Committee consisting of Diwan Bahadur T. Rangachariar, Mr. W. S. J. Willson, Mr. H. G. Cocke, Sir Purshotamdas Thakurdas, Mr. S. C. Ghose, Mr. Bhubanananda Das, Mr. A. R. L. Tottenham, Baba Ujagar Singh Bedi, Khan Sahib Maulvi Ghulam Bari and the Mover, with instructions to report on or before the 29th February, 1924."

The motion was adopted.

THE INDIAN TARIFF (AMENDMENT) BILL.

The Honourable Sir Charles Innes (Commerce Member): Sir, I beg to move:

"That the Bill further to amend the Indian Tariff Act, 1894, for certain purposes, be taken into consideration."

When I introduced this Bill a few days ago, Sir, I gave a very brief explanation of its object. I have been informed by some of my friends opposite that the exact purport and meaning of the Bill is not fully understood by the House, and therefore with the permission of the House I shall endeavour to give a somewhat clearer and fuller explanation of the objects of the Bill.

The operative part of the Bill is clause 3 which substitutes a new section 5 for that section in the existing Tariff Act. If the House will pass this Bill, the effect of the amendment will be this. You will have conferred upon the Government of India the power to impose customs duties at the rate sanctioned in the Schedule to the Tariff Act on goods coming into British India or going out from British India, firstly, from and into foreign countries outside the limits of India, secondly, from and into foreign European settlements inside the limits of India, and, thirdly, from and into Indian States. The House will see that in the clause provided, we use the expression "from or to any territory outside British India". I think the use of that phrase was misunderstood by my friend Mr. Dumasia when he made his speech opposing the introduction of the Bill the other day, British India under the General Clauses Act has a technical meaning. It excludes all Indian States. The word "India" includes all Indian States. The words "British India" exclude all Indian States. Now the only change of any importance that we are making is that we are asking for power to impose customs duties on goods coming into India from foreign countries outside our borders. I gave an illustration when I introduced this Bill when I told the House that in the course of the last year we have found that a very large number of dutiable articles, especially small articles which are easily portable, such as matches and cigarettes, are pouring into Burma over the Siamese frontier. I told the House that we cannot deal with the matter at present because we have certain Treaties and Agreements with the Siamese Government. And we shall have to consider in consultation with that Government the question whether we shall terminate or modify in any way those agreements. But, even if we do terminate or modify

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those agreements, we shall still be helpless because our Tariff Act, as it exists at present, gives us no power at all to impose duties on goods coming over our land frontier. I hope I have explained that point to the House.

Now, let me take the question of foreign European settlements inside British India. I refer of course to small enclaves like Pondicherry, Chandernagore and places of that kind. The existing Tariff Act imposes upon us the obligation to levy customs duties on goods passing by land out of or into these foreign settlements. The exact words are:

“Duties or customs shall be levied on goods passing by land out of or into European foreign settlements.”

Now that goes too far. We require these powers in respect of foreign settlements which are on the sea coast and which are importing dutiable articles direct themselves; but it is quite unnecessary for us to impose these customs duties in respect of dutiable goods going into or coming out of places which are not on the sea coast. Chandernagore is a case in point. We do not have any customs barrier there because on dutiable goods the duties have already been paid at our ports. Similarly, dutiable goods leaving Chandernagore will naturally be subject to the export charges when they leave our ports. That is why the Legislative Department has substituted for the word “shall” the word “may”. Instead of imposing upon us the obligation to levy duties in respect of foreign European settlements, it gives us the discretion to impose these duties in respect of such foreign settlements as may be necessary.

Now I come to the Indian States. As I have explained, these Indian States are for the purposes of this Act outside British India. Now, here again my Bill makes no change of any substance at all. Under the existing Tariff Act we have power to declare Indian States, if we so desire, to be foreign territory, for the purpose of the Tariff Act, and, if they are declared to be foreign territory, then under the Act as it stands we are required to impose customs duties on dutiable goods going into those Indian States or coming out from them. But under the Tariff Act as it stands that power was exercised by the Governments of Madras, Bengal and Bombay in respect of Indian States inside those Presidencies or bordering on them. They could declare those Indian States to be foreign territory subject to our control. Now, as the House knows, customs duties have become a Central subject and therefore there is no need for any powers of that kind to vest any longer in Local Governments. Therefore the only change that we have made is that we have eliminated the Local Governments and have taken over ourselves the discretionary power to impose customs duties on goods going into or coming out of Indian States. It may be asked, why is it necessary that we should have those powers? As far as I know, they are not exercised at all at present. None of the Indian States at present is declared to be foreign territory for the purposes of these powers, but it is always necessary to have these powers in reserve. Some of these Indian States have their own ports; they have direct access to the sea. It would be possible for them to allow goods to come into their territories through their own ports and not to pay our customs duties, and then, if we had no customs barrier, those goods could pass through their territories and into British India, and that would be not only unfair to our own merchants in British India but would also cause us considerable loss of revenue. We try to meet this difficulty by coming to an arrangement with these Indian

States that they will impose the same customs duties that we do. But it is always possible that that arrangement may break down and we may find it necessary some day to put up customs barriers all round Indian States which have direct access to the sea. But, as far as I know, it is not intended to do that at present. It is merely a power in reserve.

Now, Sir, I hope I have explained quite clearly the objects of this Bill. We make no change of any substance at all in respect of foreign European settlements in India and no change of substance in regard to Indian States. The only important thing we are asking the House to do is to empower us to impose customs duties on dutiable goods which come in from foreign territories outside the limits of India; and that is, as I have pointed out, a very serious matter to us, because over this one frontier we are now losing revenue which is estimated on matches alone to be 12 lakhs of rupees during this year. In these circumstances, Sir, I hope that the House will agree to take this Bill into consideration.

Mr. B. Venkatapatiraju (Ganjam *cum* Vizagapatam: Non-Muhammadan Rural): Sir, the Honourable Member for Commerce has given us a fuller explanation than he did on the previous occasion with a view to enlightening the House on several points. But still I am not quite sure that we are in full possession of all the necessary factors to enable us to consider whether the Bill, as it is introduced, should be passed or not. Of course we do not want to stand in the way of Government realizing the dues on dutiable goods brought over the land route by persons trying to evade payment of customs duties. As the Honourable Member has pointed out, if certain goods like matches are being brought in, without paying duty by the land route from China or Japan, then it is necessary to introduce some method of compelling the payment of duty on such goods. But I feel that there is a possibility of interpreting the language of the Statute so as to make it apply to matches manufactured in British India or sent out of our territory. Perhaps there is no export duty on matches but there are other things on which duty has to be levied at the same rate whether they are manufactured here or not, when they are sent into Indian States. I do not think the Honourable Member for Commerce is at all anxious to impose any duty on goods manufactured in India or exported from India to any Native State. Even with regard to Native States we are in a difficult position. In one of the sessions of the Princes' Chamber His Excellency the Viceroy said that it would be useful to consider the possibility of using the Princes' Chamber as an agency for consultation on fiscal matters which affect all the subjects alike. Before the Fiscal Commission a representative on behalf of 32 States complained that we were raising revenue from customs and were not giving them any share and they were put to a lot of difficulty by the levy of customs on goods reaching Indian States. Particular reference was made to Baroda which was declared to be a foreign territory though they did not impose any duty on goods imported from British territory or exported into British territory, while we were imposing certain duties on goods imported into Baroda. And take Hyderabad, they are imposing about five per cent. duty on goods imported into or exported from it. Whereas with reference to certain goods which we are importing from outside we are imposing 30 per cent. duty, are we to impose the same duty, or should we adopt a reciprocal duty? In the case of Native States, whatever duty they impose on goods imported from India, we should be in a position to impose it upon the goods brought in

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from that State. Gwalior, I suppose, also imposes some duty, so also does Indore; but it is not to the extent to which we impose it,—they call it perhaps excise duty. But in all these matters my anxiety is that we must protect ourselves; and by the phraseology adopted in the Statute it should not necessitate or enable the imposition of any duty on goods manufactured in India, and we should not injure the interests of the subjects in British States as well, because on more than one occasion it was stated, and especially when they were invited to give evidence before the Fiscal Commission, it was stated that British subjects in India and subjects of Indian States should be treated all alike in fiscal matters. Now I think we should have some precaution to provide against such a contingency of a differential treatment; and therefore I would like, as this Act is intended to be put into force only in April and not earlier, and as there would be no difficulty, if the Honourable Member for Commerce agrees, to refer it to a Select Committee so that all these questions might be considered in order to see whether there is any need for protection with reference to the matters which I have mentioned, and whether anything can be done with reference to States which do not impose any duty on goods imported from British India or exported to British India. I have no objection to imposing any duty with reference to goods imported from foreign countries,—we are not much concerned about them— but my difficulty comes in because most of the States are in India and most of the subjects concerned are owning properties in both places and their companies are registered both in British India and in Native States, and it is very difficult to discriminate between these two, unless we understand the real position between the parties. Of course Government should have the power of imposing duties whenever they want it, when any particular Indian State does not agree to any particular course suggested by the Government, but here they have made it impossible for the Government of India to get out of it because they say *shall* levy the same rate: there is no possibility of reducing the rate with reference to any particular matter or state. For instance, we have to get raw silk from Kashmir, we would like to import it into British India without any duty, unlike any other silk imported from elsewhere. Perhaps we may want sandalwood oil from Mysore, we may want soap from Mysore, glycerine, cocoa, chocolate,—one will not impose the same duty as we propose to impose on those articles introduced from foreign countries. With reference to all these matters, instead of passing it now, I respectfully submit that the House might agree that the question should be thoroughly examined, and protection might be given in such cases where they need protection by referring the matter to a Select Committee.

Mr. D. V. Belvi (Bombay Southern Division: Non-Muhammadan Rural): Sir, I regret my inability to accord my support to this motion. I find, since my arrival at this Imperial City of Delhi, that legislation is proceeding at what we may call a break-neck pace. This Bill was introduced into the Assembly on the 6th February 1924, and it was set down for hearing on the 11th. It was published in the Gazette of India on the 9th February. It seems that things are moving much too fast for the country. It is impossible to believe that this House is not aware of the fact that there are 300 millions or so of people, I believe, outside this Council Chamber, and that some sort of notice of intended legislation should be given to the country at large. The Bill should have been circulated in the country. I

fear that a copy of the Gazette of India has not reached even Bombay, not to speak of Madras, yet. I submit that this Legislature should not pass any measure of legislation in indecent haste. I submit that this Bill should be published in all the local Gazettes of the various provinces, and the Local Governments should be asked to translate it into the principal languages of the provinces. I have had some sort of experience as a legislator myself. I have worked as a Member of the Bombay Legislative Council for 10 years, and I found that things were done there with much more considerateness for the feelings and for the interests of the people who were to be affected by legislation, and there was a rule there that no Bill could be considered until 18 clear days' notice had been given of its introduction. It seems that the Legislative Department of the Government of India are in very great haste, when the month of April is quite close. Were they sleeping hitherto, so far as this particular Bill was concerned? This Bill ought to have been published some time before so that the country might study it on its merits.

Turning to the principle which underlies this Bill, it seems to me that the Bill is not so very innocuous as it appears. It wears an appearance of innocence, but, examined closely, it is a very dangerous Bill. What guarantee is there that this Bill, if passed into law, will not affect injuriously the industries in Native States? It is true that the Honourable the Mover of the Bill has told us that it will affect only goods which are imported into India by land from outside India, and that the duty will be levied only on such goods. I do not find that any such explanation is given in the body of the Bill itself. When the Bill becomes law, it is not the Statement of Objects and Reasons nor the speech of the Honourable the Mover that will be taken into consideration, but the exact phraseology of the Act itself which will have to be construed. It is a very dangerous measure of legislation. Now, consider what the effect of a strict application of this measure to industries in Native States will be. I may make my position quite clear by taking concrete instances. In the Bombay Presidency there is a Company which makes very good iron ploughs. That industry is situated in a small State known as the State of Aundh. The distance between the factory and British India is only a furlong or so. Now if a duty is levied on ploughs turned out by this factory, I make no doubt that the agricultural industry in the Bombay Presidency will be very hard hit. Is there any guarantee that industries such as these will not be hurt by this legislation? Take again the States of Mysore and Baroda. In Baroda there are "The Alembic Chemical Works" which manufacture many useful articles, and these articles are imported into British India. Is there any guarantee that these articles will not be taxed under the provisions of this measure? Take, again, Mysore where there are the sandal oil industry, the soap industry and many other small industries. All these industries run a risk of being taxed and handicapped by this legislation. Unless this Bill is very carefully examined by a Select Committee, the appointment of which has just now been proposed by my Honourable friend, Mr. Raju, it seems to me that it is likely to prove very harmful. On these grounds, I am compelled to withhold my assent to this Bill. I do not want to be a party to any hasty legislation. Every piece of legislation must be passed in this Assembly with due regard to the fact that there is a very large country which is to be affected by it. Unless this plain fact is borne in mind, it seems to me that the interests of the people of the country will not be safe in the hands of this Legislature.

Mr. N. M. Dumasia (Bombay City: Non-Muhammadan Urban): Sir, this Bill involves a very important principle. If this is intended only to protect the British revenues, then there need be no objection to this Bill. But, Sir, from the Statement of Objects and Reasons we can see that it appeared that the scope of the Bill was wider. If it is passed, then it may penalize the industries in Indian States. If this Bill is intended to levy duty on goods which are being smuggled into British India through the ports of the Indian States, then this Bill, I must say, is necessary. But there are certain other important considerations involved in it. How are the Government revenues to be protected from goods brought through the ports of Kathiawar? Are they going to impose the customs barrier at Viramgam again? We all know the history of the customs barrier that was established at Viramgam and which caused the greatest hardship not only to the subjects of the Indian States but to British subjects. I think that this question ought to be referred to a Select Committee, because it involves the rights of Indian States as well. In Kathiawar there are several industries, like silk and so on, and I know, when the customs duty was imposed at Viramgam, all the goods imported into British India were taxed. How are you going to distinguish between the goods imported into the ports of Indian States from foreign countries from goods that may be brought into British territory from Indian States? This is a very delicate question and it may produce heart-burning not only among the subjects of Indian States but among the subjects of British India, if the customs barrier is again established at Viramgam. I know that for the last several months goods have been smuggled into British territory from various ports of Kathiawar and Cutch, which, while depriving Government of their revenue, has ruined the trade of some merchants in Bombay. But, Sir, we must take care that in passing this legislation to protect our revenue we do not unconsciously penalise Indian States or their industries, though, I admit, that is not the object of the Bill. I hope the question will be referred to a Select Committee so that some thorny questions which are likely to arise may be solved permanently.

Sir, I move that the question be referred to a Select Committee.

Mr. President: Amendment moved:

"That the Bill further to amend the Indian Tariff Act, 1894, for certain purposes, be referred to a Select Committee."

The Honourable Sir Charles Innes: Sir, I must confess that I have been taken by surprise by the dangers which Mr. Venkatapatiraju, Mr. Belvi and Mr. Dumasia have found in this Bill. Indeed, when I heard Mr. Belvi's speech about the danger of proceeding at break-neck speed, it seemed to me an observation which might have been made on a debate for constitutional advance but not on a debate connected with a little Bill of this kind. What the three Honourable Members who have just spoken have omitted to notice is that we are not making any change of substance in regard to our Tariff Act in so far as it affects Indian States. Mr. Belvi and Mr. Venkatapatiraju suggested that we might use the provisions of this extremely dangerous Bill in order to hamper the growth of industries of Indian States. Sir, Mr. Belvi mentioned the sandalwood oil industry in Mysore. To my certain knowledge the sandalwood oil industry has been flourishing in Mysore for the last 10 years. We have had these powers under the existing Tariff Act. They have never been used in any way to hamper that industry, nor is there any intention that we should ever use them against that industry or to hamper the industry

of iron ploughs. As I have said, all that the draftsmen have done is to bring the existing section 5-A of the Indian Tariff Act more into accord with modern conditions. They have not changed the law in substance at all. Mr. Venkatapatiraju makes the point that the section as now provided is too restrictive. We cannot enter into the question of making reciprocal arrangements. It is a very large question. If it is ever necessary to take it up, you may rest assured that we will bring in a Bill. I should like the House to realise, as I have said, that we are merely leaving the law which exists alone in all these matters. At the same time there is no immediate hurry about the Bill. If there is a general desire in this House that the Bill should be referred to a Select Committee, Government have not the slightest objection.

Mr. President: The original question was:

“That the Bill further to amend the Indian Tariff Act, 1894, for certain purposes, be taken into consideration.”

Since which an amendment has been moved:

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

The question is that that amendment be made.

The motion was adopted.

The Honourable Sir Charles Innes: Perhaps, Sir, you will allow me to put up names for the Select Committee at some future date—Mr. Dumasia and I.

THE INDIAN PASSPORT (AMENDMENT) BILL.

Mr. E. B. Howell (Foreign Secretary): Sir, when the Bill to amend the Indian Passport Act, 1920, was introduced last week, I gave some indication of the scope and purposes of the amendment beyond those already contained in the Statement of Objects and Reasons. I do not know whether the House desires any further enlightenment on the subject of the proposed amendment and I am reluctant without an assurance that that is the wish of the House to take up its time with unnecessary explanation. (Long pause.) I beg, Sir, to move that the Bill to amend the Indian Passport Act, 1920, for certain purposes, be taken into consideration.

Mr. President: The question is:

“That the Bill to amend the Indian Passport Act, 1920, for certain purposes, be taken into consideration.”

The motion was adopted.

Mr. President: The question is that clause 2 stand part of the Bill.

Mr. N. C. Kelkar (Bombay Central Division: Non-Muhammadan Rural): Sir, the same objections which applied to some of the previous Bills apply to this Bill also. In the first place the Bill has not been published nor has it been circulated. Surely, Sir, we are not expected, in this House, to reply to the Statement of Objects and Reasons laid before the House at a moment's notice. We are not supposed to assume that the Bill before the House is good in all respects; but we are to come cut ready with our answers to the different arguments advanced in favour

[Mr. N. C. Kelkar.]

of the Bill as if we were a penny in the slot machine. It requires a certain amount of time to verify the statements made in the Statement of Objects and Reasons. It does require time to refer to the original provisions of the Bill to which the amending Bill is an amendment. It is absolutely unfair that the Government should put forward Bills in this hurried fashion. All this unpleasant discussion could certainly have been avoided if the Member in charge of the Bill himself was fair enough to propose that the Bill be referred to a Select Committee. I do not know why he draws upon himself all this unpleasant criticism which he could obviously avoid by himself proposing that the Bill be referred to a Select Committee. I think it was certainly in his power to make that motion himself.

Then, with regard to the provisions of the Bill, there again the same objection arises, which is usually advanced with reference to the hiatus that exists between the Statement of Objects and Reasons and the provisions of the Bill itself. Here you will see that it is stated in the Statement of Objects and Reasons that the Bill is intended to apply to aliens—undesirable aliens—who come into this country, reside here for a certain time, and do not go back or otherwise violate the provisions of the passport.

In clause 2 of the Bill you will find the words :

“ Prohibit any person who has entered British India under a passport authorising such entry for a specified temporary purpose only, from remaining in British India after the expiry of such period as is reasonably sufficient for such purpose, or from going to any place in British India otherwise than for such purpose.”

Here the word “ alien ” is not mentioned.

My principal objection to this clause is that, if it was really intended that the Bill should apply to aliens only, that word should have been specifically mentioned therein, whereas in its present form it can be made to apply to any person whatsoever. For instance, it may apply to an Indian who has already been domiciled or naturalised in India and who has got his home in India, by the simple operation of the wording of the Bill. Take the case of a man who goes to England. Now, we all know what happens when we go to foreign countries. We are entirely at the mercy of the people who are authorised to give passports. I may only mention one instance in point. Take the case of Mr. Horniman. Mr. Horniman was externed from India under legal authority. But can any one say why he cannot return to India? My answer to that question is that he cannot come to India not because he is prohibited by law but because of the passport officer who refuses to give the passport. So, in effect, Mr. Horniman is legally externed from India but he is illegally confined in England simply because the passport officer is not giving him a passport. That is, of course, my information and it is also my inference. If the Member in charge can correct me on that point, of course, he is welcome to do so. Here is the instance of a man who cannot return to India.

Mr. President: But this clause specifically provides that the man can return to India.

Mr. N. C. Kelkar: I do not understand what is the use of his return if the passport officer actually states in the passport that he is to remain in this country only for a limited period of time. I do not see what objection there was to actually insert the word ‘ alien ’ in this clause. As it stands

it applies to any person, even an Indian, who has gone to foreign countries. Supposing there are some Indians who have gone to a foreign country and are under a cloud there, or certain information has been received by this Government that they are not behaving properly, or are doing some political work there, then the limitations put upon the passport will give a handle to this Government to pursue those particular people when they return and to compel them to leave India. I am not quite clear whether even the plea of the natural rights acquired by domicile or naturalisation can help a man in this case; whether he can refuse and say "I am not going out of India or returning from this country simply because the passport officer has chosen to put a time limit upon my stay in India." That is a point which must be made clear and I give that only as an instance. It is absolutely unfair that a measure of this kind should be thrust upon this House in this hurried fashion. The speech delivered by my friend Mr. Belvi was misinterpreted by the Honourable Member when he said that it was a speech which should have been made with reference to the constitutional advance of India. That is, of course, an unfair interpretation of what he said. On the other hand, we are really hurried and hustled in point of measures like this. No previous information is given and we are asked on the spur of the moment either to say 'aye' or 'no'. I do not think it would be fair to be called upon either to assent to this Bill or to dissent from it on the spot. And, again, I do not see why the Honourable Member himself should not have made a motion that the Bill be referred to a Select Committee. Of course, it looks very uncharitable if we have to read between the lines of a measure before the House or to suspect that the Government have been actuated by certain motives. In many cases our suspicions may not be true. In many cases they may be unfounded and Government may be perfectly right. But once a power has been acquired there is absolutely no guarantee that it will not be abused by Government. In many cases there may be a secret motive on the part of the Government which may not actually be disclosed in the Bill itself. I repeat that it looks uncharitable to throw any doubt upon the designs of Government, but from experience we have come to know that the design of Government in many such measures is—and I will give a simile to illustrate it—like an actor who enters on the stage in very decorous clothes to play the rôle of a Bishop but is wanted behind the scenes by detective officers to be prosecuted for misbehaviour. I therefore say that this Bill should have been referred to a Select Committee to thresh out all the details and look into all the bearings of the subject.

Colonel Sir Henry Stanyon (United Provinces: European): Sir, the House has been treated in the speech of the Honourable Member who spoke last to something that is very common in the law courts of this country—a hasty and inaccurate reading of a measure. I do not find one word in the Statement of Objects and Reasons to say that this Bill is to apply only to *ex-enemy* aliens. The Statement of Objects and Reasons gives merely as an illustration cases which have occurred in which *ex-enemy* aliens were concerned to make clear the defect existing in the present Passport Act of 1920. Nor do I find in the Bill itself a proposal to make that wide application which the Honourable Member who spoke last finds in it. He has seen a mirage of what has no real existence. If he will read the Bill more carefully he will see that the sub-section of clause 2 does not apply to Indians who go to foreign countries and want to come back again, but to "any person who has entered British India under a passport

[Colonel Sir Henry Stanyon.]

authorising such entry for a specified temporary purpose only." The whole of that passage must be read before the House can understand how far this Bill applies. It applies to a person who has entered India under a passport which restricts his stay in India to a specified time. Government have found in particular cases that persons, who came into India under a passport for a certain purpose—in the cases mentioned for transshipment—stayed much longer than was necessary for that purpose, and that Government were powerless to limit the stay to the term of the passport. That defect is all that this Bill seeks to remedy. No one has a stronger belief than I have that this House should not consent to any legislation, which is a legislation of substance, without careful consideration and, ordinarily, without reference to a Select Committee, and the House is aware that only the other day I supported a proposal to refer to a Select Committee the simple question whether an age-limit should be changed from 16 to 18 years, because there seemed to be difficulties connected with the change. But surely there is enough legal talent in the House to deal with a purely formal measure of the kind now before us without taking the course of delaying it by referring it to a Select Committee. The House is asked only to deal with people who have already come into

I.P.M. India on passports for a limited period, and to give legislative authority that when the limits of those passports have been exhausted, such people shall go out of India. Surely we do not want a Select Committee or delay to deal with a simple matter of this kind?

Mr. N. C. Kelkar: May I ask the Honourable Member a question? Will the Honourable Member prove to me that there is nothing to prevent a passport officer in England from refusing a passport to me if I call for it in England or from giving me only a limited passport? Is there any legal remedy for me to obtain a passport in England without limitations being put?

Mr. President: This Bill does not propose to deal with that question; it deals with the question whether the power the Government possesses already

Mr. N. C. Kelkar: It bears on it.

Mr. President: It may bear on it, but it is not in order in this debate.

Colonel Sir Henry Stanyon: The question asked, as Mr. President has pointed out, is irrelevant to the Bill. I am perfectly willing to give the Honourable Member legal advice on any point at the proper time and at the proper place, but not here. I put it to the House that it is a question of commonsense. Here we have a simple measure in plain and unambiguous terms, referring to a particular class of people,—people who first have to get passports to come into India, with a limit of time stated on those passports. All that the House is asked to sanction is that Government shall have the power to tell such people, when their passports are exhausted, that their invitation is ended, and to give them *ejazat* to depart.

Pandit Shamlal Nehru (Meerut Division: Non-Muhammadian Rural): Sir, the system of passports came into force in India during the war. It may have been very necessary during the war, but after the war, this system should have been done away with. I do not understand why it has been brought on to the Statutes of the country. As I said, if there was any necessity during the war—there must have been, I have no quarrel

with its having been put into force during the war, but now what necessity is there for it? The Honourable the Mover has not said that there is any necessity at all; but whoever and whatever comes to India sticks to it like a leach. Do not the Government think it proper to repeal the Act instead of adding harsher and harsher measures to it every day?

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): Sir, I am not used to the law courts which the Honourable Sir Henry Stanyon described, where people are in the habit of taking rash and reckless views of the Bill. They may be in some parts of India, I daresay. Nor am I so confident, as the Honourable Member is, that there is no difficulty about this Bill. Sir, I think that all regulations which impose passports are the biggest nuisance and the sooner they are done away with the better. But that is not the only question before us at the present moment. The question before us now is whether this Act should be amended, and whether any necessity has arisen for the purpose of amending this Act. My Honourable friend, Mr. Kelkar, struggled to make his point clear, but he did not quite make it clear. I may put to Sir Henry Stanyon an illustration and I may give him the answer, and if he likes his fees, I am prepared to pay his fees, provided they are not exorbitant. Supposing I went to England and I remained in England for a year. Remember the passport is only in force for two years. My passport expires before I return from England, and supposing I am in the bad books of the authorities in England and they say to me, "We will give you a passport provided you come back within a fortnight from India; you shall not stay in India more than a fortnight". Now I will read to Sir Henry Stanyon the section which it is intended to introduce. It says:

"Any person who has entered British India under a passport authorising such entry for a specified temporary purpose,"

Shall I not be entering British India with a passport which says I shall remain here only for a temporary purpose? Am I not that person? Will it, or will it not come under the Statute? Sir, therefore the question is not so simple, and I am not prepared at present to express my opinion either against the Bill or in favour of it; but I do ask this House to consider that it is a matter that ought to be referred to a Select Committee.

Sir Henry Moncrieff Smith (Secretary, Legislative Department): Mr. Kelkar at the end of his speech proposed that the Bill be referred to a Select Committee. I noticed, Sir, that you did not put that from the Chair. The position I understand now is that the Bill is under the detailed consideration of the House and any opportunity of referring it to a Select Committee has gone and we have to proceed with it.

Mr. President: The House, at any rate that portion of it which was paying attention, will have observed that I put the motion that the Bill be taken into consideration, and according to my usual practice, I looked round the House. That motion was duly carried, whereon I called "Clause 2".

Sir Henry Moncrieff Smith: Sir, I do not wish to suggest that Government would necessarily have opposed any motion for reference of this Bill to a Select Committee. If any Honourable Member had taken the right opportunity to move an amendment to that effect to Mr. Howell's motion, it would have received consideration from the Government and from the House. I only say now it is too late. We cannot break through our rules to do it.

Mr. M. A. Jinnah: May I rise to a point of order? I am very sorry that I have been misunderstood. I really was under the impression that we had not got to the particular consideration of the Bill, but, if that is so I want to make it quite clear that I strongly oppose this Bill.

Sir Henry Moncrieff Smith: The remarks hitherto made from the opposite side have had very little relevance, as Sir Henry Stanyon pointed out in fact no relevance, to this particular clause of the Bill which is now under the consideration of the House. Mr. Kelkar referred to Mr. Horniman's case and Mr. Jinnah referred to a hypothetical case of his own. He said "Suppose I go to the authorities in England or elsewhere and ask for a passport to return to India, and suppose they say 'we will give you a passport to return to India to stay there a fortnight'." Now that is a power that they have under the law as it stands at present. It is not a power that we are putting into the Act. Therefore, whether we amend the law or not, the authorities at Home have perfect power to grant Mr. Jinnah a passport for a fortnight only. But suppose the House rejects this Bill, the following result ensues. They say to Mr. Jinnah "We will give you a passport which will enable you to stay in India for a fortnight." Mr. Jinnah says "That is no use to me, I won't come back in a fortnight," and the answer is undoubtedly as it stands at present: "Well if you won't come back, and as there will be no power to deal with you, under the Indian Passport Act, we much regret that we cannot give you a passport at all." That is the only result, Mr. Jinnah will not get a passport unless we get this amendment of the Act. That is the law as it now stands. We are not proposing to alter that law at all. We are really merely providing by this Bill for a certain relaxation. We now discover that we cannot turn out people who do get passports for a temporary purpose. The only result is that, if the House will not give us sanction to deal with such persons, then instructions will have to issue that such persons shall not get passports at all to come through India. It is not a question of coming to India but coming to Bombay or Karachi, there to step from one boat to another. It is a case of a gentleman wanting to go to Siam and going through Burma to go to Siam. We merely drive that gentleman to go round by China or some other route. I am not very familiar with the geography of Eastern Asia. Honourable Members seem to think that we have some intention of stiffening up our passport law altogether. We are not doing anything of the sort. The issue of passports for returning to British India is left entirely unchanged by this Bill. It is a mere question of giving us a small power to deal with people who do not observe the conditions on which they have been given passports.

It has been suggested by Mr. Kelkar—to revert to the question of hustle—that this Bill ought to have been referred to a Select Committee. It has been suggested that Government are unduly trying to hustle this Bill through. Now the statutory period laid down in our rules after which a Bill can be taken into consideration is three days. In this case we have had five days. I admit it is not a very long period, but our rules allow us to put a Bill up after three days. This is a Bill of one clause only, and five days, I should have thought, would have been enough for the consideration of its provisions. With regard to hustle, Sir, we are really between the devil and the deep sea in this matter. There are certain Members of this House who are constantly urging us to hustle, hustle, as much as possible with our Government legislation. They tell us we are dilatory. They ask us why we cannot put down two motions in regard to the same Bill together and get done with it; and really it is very difficult for Government

to know what the House really desires in this matter. I hope, Sir, the House will agree that this clause 2 of the Bill shall stand part. If does not merit the suspicion that it has met with. It is perfectly innocuous and I agree with every word that Colonel Sir Henry Stanyon has said on this point.

Mr. T. C. Goswami (Calcutta Suburbs: Non-Muhammadian Urban): Mr. President, I feel very thankful for the last few speeches, because they have given me time to read through the Bill; for as a matter of fact, the complaint has not been challenged that we really have had very little time to consider the Bill. I do not think Mr. Jinnah's point has been answered at all. Mr. Jinnah goes to England, stays there for more than two years. His passport expires. He is in the bad books of Government.

Mr. M. A. Jinnah: Which, I hope, I shall never be.

Mr. T. C. Goswami: He wants to return to India, and he gets only a passport which allows him to stay in India for a fortnight. Great lawyers have spoken, I am not a lawyer; but I take it that a commonsense view of the matter is not altogether out of order; and I read here, that under the Act, that is the old Act, there is a penalty for entering India without a passport but not for remaining in India. That would enable Mr. Jinnah—without this amendment—to remain in India in spite of the fact that he is in the bad books of Government.

Now, Sir, during the last two or three years there has been a marked relaxation of passport rules in most European countries. In fact there has been a tendency in several European countries to discontinue the *visa* system altogether, and that was the result of public opinion being very strongly opposed to what were considered to have been unnecessary restrictions on travel and communication. Rigidity of passport laws must also tend to affect commerce adversely.

This Bill seeks to exclude undesirables from entering India or remaining in India. I believe it is the experience of Governments all over the world that undesirables as a matter of fact are not prevented by passport restrictions. They do come in. They manage to smuggle themselves in somehow, and I do not think this Bill will have the effect of really preventing undesirables from entering India. It will merely complicate passport regulations which ought to be relaxed, now that there is no war.

I strongly oppose the Bill.

Mr. Narayandas (Agra Division: Non-Muhammadian Rural): Sir, considered from whatever point of view this Bill implies certain restrictions on the free movement of what we may call an alien. We may call him an undesirable alien but the question is who is to decide on the undesirability of a person? We do not know who are aliens and who are not, and we are going to introduce a restriction into the legislation of our country which is nothing but an imitation, a copy, of what Colonials are doing in respect of ourselves. Our C. I. D., the officers of our police, will constantly be on the watch. I think the underlying purpose of this amendment is to put a check on the possible or imaginary political activities of certain persons. Now, we wish to be open to all the propaganda of the world. We do not wish to be shut off in a compartment or shut others off as undesirable aliens. Let their undesirability be unfolded here. Let it be subjected to a close analysis. Let them do what they like, we are not going to imitate their manners, we are not going to be influenced by them. We have got discretion, we have got reason. Why should we exclude any persons?

The Honourable Sir Malcolm Hailey (Home Member): Not even South Africans?

Mr. Narayandas: Of course I am not going to give my support to this Bill. If my Honourable friend is not going to listen to me, I will oppose it as strongly as I can.

Mr. P. E. Percival (Bombay: Nominated Official): Sir, Honourable Members have referred to the general question of passports, whether they should be given or should not be given; but I venture to think that that question is entirely beside the point. We have at the present moment one particular clause of the Bill to consider and nothing else. The motion that the Bill should be referred to a Select Committee was unfortunately made too late, so that question does not arise now. We have only to consider what is the effect and meaning of this particular clause?

Now, Sir, in the speeches made against the proposal, I have not heard any arguments as to how the clause should be amended or how people will be injuriously affected by it.

Mr. M. A. Jinnah: You do not give us time.

Mr. P. E. Percival: Mr. Jinnah in his first speech said he did not know whether it was a good or a bad Bill. Half a minute later, when Sir Henry Moncrieff Smith said the time for referring the matter to a Select Committee had passed, he said it was a very bad Bill and he would oppose it. He made up his mind very quickly.

Mr. M. A. Jinnah: You do not give us time.

Mr. P. E. Percival: Will some Honourable Member give us a specific reason why this Bill is objectionable? My Honourable friend, Mr. Kelkar, referred to Mr. Horniman not being able to come back to India. I fail to see how that has any bearing at all on this Bill. The Bill deals with people remaining in India. Mr. Horniman is not in India. The only argument which has been advanced is that of Mr. Jinnah who referred to his own case. He said "Suppose I get a temporary passport to come to India for a fortnight; then I shan't be able to remain in India." Well, Sir, why should he remain in India? He has taken a passport for a fortnight, and he has agreed to take a passport, for a fortnight. The proposal made by the Honourable Members is that a person who has taken a passport for a fortnight should stay here indefinitely. That is the only result that would follow from the throwing out of this Bill.

I suggest that no definite objection has been raised so far to this clause and that it should be passed.

Mr. K. Rama Aiyangar (Madura and Ramnad *cum* Tinnevely: Non-Muhammadian Rural): Sir, I propose that the consideration of this clause be adjourned to this day next week. I make this proposal because I find that technical objections have been taken to the reference to a Select Committee and sufficient notice was not given to Members before the Bill was taken into consideration. We have had no time to send in amendments to the clauses since notice was sent and I think it is but proper, in view of the discussion that has taken place, that we should be given time for consideration of the Bill and for proposing any amendments. I propose that the consideration of the Bill be postponed till this day next week.

The Honourable Sir Malcolm Hailey: I put it to the House that this is really a very small matter for us to be at cross purposes about. Admittedly, all that the Bill does is to give a missing sanction to what is really the existing practice provided for by the substantive law, and the result of refusing such sanction would of course be that passport issuing authorities would be obliged to deny this particular privilege to travellers. There is really no more to it than that. Let me repeat, that, unless we can make effective this particular procedure, then the risk is that it would not be put in force, and passports would necessarily be entirely refused; the loss would be that of the traveller, not ours. When we put this Bill forward, naturally we had only this fact in our minds. When a measure is likely to be controversial, or when it is likely to affect large numbers of the public, or when Local Governments and other Administrations are affected, we usually propose in the first instance to circulate the Bill and collect public opinion on it. If its details, on the other hand, are likely to be controversial rather than its principles, if its drafting is a matter of difficulty, if in carrying it out there are likely to be further implications than appear on the face of the Bill, then we usually propose that it should be taken to Select Committee. In other cases of a very simple nature, such as this, we think that it may as well be considered at once on the floor of this House. I can say in all confidence that, when we were arranging the business of the House, we considered this Bill to be of the last class, and had no idea of rushing it through. It is indeed in itself one which affects Government so little and the traveller perhaps so much that there is no reason why we should have sought haste in the matter. It seemed, as I say, a very simple measure, one which could be discussed with ease across the floor of the House. If I had the slightest idea that Honourable Members on their part had any suspicion of our motives, I should at once have proposed on behalf of Government that it should be taken to Select Committee; and indeed, when the matter came up and when my friend, Mr. Howell, moved the motion for taking the Bill into consideration, if there had been any doubt at the time, I should have expected Honourable Members on their part then to rise and state their doubts and ask for further time. If they had done so, I should have at once advised Mr. Howell to take the Bill before the Select Committee. It has been proposed that the Bill should be considered a week hence. I wish to be perfectly consistent. As I have said, I should have been willing to take this Bill to a Select Committee. I am perfectly willing now on my part to arrange for another day for its consideration. I cannot say that it will be this day next week; it depends on Government business; but it will be given time approximately a week hence, in order that Honourable Members may have a further opportunity of considering this Bill in detail, and, I hope, of disabusing their minds of any suspicion in this matter.

Dr. H. S. Gour (Central Provinces Hindi Divisions: Non-Muhammadian): Sir, the Honourable Mr. Percival invited Mr. Jinnah and the Members of this Assembly to formulate specific objections to this Bill. I shall answer his invitation. If the Honourable Mr. Percival will turn to the operative section, he will find that that section deals with three points, first, as to the persons, secondly, as to the time and, thirdly, as to the place. Now, as to the persons: Mr. Jinnah has pointed out that if a British Indian goes to Europe, say to England, and wants his passport for his return to his motherland and, if he is not, as Mr. Jinnah put it, in the good books of the Government, the Government may give him a passport to go out to India on condition that he leaves that country within a fortnight

The Honourable Sir Malcolm Hailey: No, Sir; they would deport him to India; that is the proper procedure, and that would be done.

Dr. H. S. Gour: That is one way of doing it

The Honourable Sir Malcolm Hailey: That is the way of doing it.

Dr. H. S. Gour: He then goes back; he is compelled to leave his motherland because the Government of India will put in force amended clause 3; that is Mr. Jinnah's view and that has not been answered. But I give two other reasons, and I humbly submit, weightier reasons, for not passing this measure to-day. Let Honourable Members read on the section and they will find that it reads as follows:

"Remaining in British India after the expiry of such period as is reasonably sufficient for such purpose."

The Government of India are to decide for what period a person entering into British India is to reside, and if you read on, you will find that the Government of India are also to decide as to the place or places which the traveller can visit and the place or places which he has to abstain from visiting. Therefore it comes to this: the Government of India circumscribe the movements of visitors to this country, first, as to the time and secondly as to the place. Now, let me illustrate this point by an example. A foreign traveller comes to this country for the purpose of carrying on, we shall say, a religious propaganda. He receives a passport to visit British India as a temporary visitor. His religious propaganda savours of political and is not acceptable to the Government of India. The Government of India say to him "You shall not visit such and such a place; you confine your religious propaganda to such and such places. I think we have had quite enough of that propaganda in this country; you will now clear out". Now, I ask, Sir, does not this section empower the Government of India to do it? If Honourable Members will read the section, they will see that it fully empowers the Government of India to do all this. I think the Honourable Mr. Percival will now feel convinced and walk into the lobby with me if we have to oppose this measure, as we shall be constrained to oppose it; if the motion that is made to refer this matter to a Select Committee is still resisted. I understand from the Honourable the Home Member that he does not oppose the motion to refer this Bill to a Select Committee. We shall examine the Bill there and we shall introduce in the Select Committee changes which, while safeguarding the rights of the Government of India, will equally safeguard the rights of the traveller who comes to this country on a visit. Sir, if there is any insuperable impediment to the reference of this Bill to a Select Committee, then I submit we shall have no option left but either to throw it out or to ask for its postponement; but of the three alternatives presented to this House we on this side should certainly prefer a Select Committee and the further examination of this Bill by that body. I think, Sir, that, though the measure is small and consists of only a few lines, there are certain points in that measure which I have pointed out which require further examination. I therefore move that the Bill be referred to a Select Committee.

Mr. President: I am a little surprised that an old hand like the Honourable Member from Nagpur should have wasted the time of the House by presenting that motion. I specifically informed the House that the time had passed for that motion, and in this case the Honourable Member had no excuse whatever for making that motion.

Dr. H. S. Gour: I understood, Sir, that the Honourable the Home Member had himself made that motion.

Mr. President: The Honourable the Home Member pointed out that, if that motion had been made at the proper time, he would not have resisted it. It is not in the power of the Honourable the Home Member to make that motion now, nor is it in the power of any other Member. The Honourable Member has been attending to the business of this House, and he must have known that this House, and not the Chair, decided to take the Bill into consideration.

Mr. Abdul Haya (East Punjab: Muhammadan): Sir, I rise to oppose the motion of my Honourable friend over there to defer the consideration of this Bill to another day. I understand from the Statement of Objects and Reasons to this Bill that the Passport Act as it exists at present has got a defect, and the object of this Bill is to remove that defect. I gather that the present law is defective, and it is on that account, Sir, that I suggest that the defect should not be removed. I am one of those who believe that the Passport Act should be removed from the Statute-book altogether. I consider its existence as a slur upon this country and upon Indians. It is because of a desire to have it removed from the Statute-book that I request this Honourable House to reject this Bill and to keep it defective for to-morrow, so that when we have another Bill before us to repeal the law, the Official Benches might possibly agree with us in saying that it should be repealed, because it would be from their point of view also defective. It is no use, Sir, repairing a house to-day if we have decided that it should be demolished to-morrow.

Mr. President: The original question was:

"That clause 2 stand part of the Bill,"

Since which an amendment has been moved:

"That the further consideration of the Bill be postponed."

The question I have to put is that the further consideration of the Bill be postponed.

The Assembly divided:

Mr. President (during the process of voting): If Honourable Members do not desire to record their votes, I shall order the doors to be locked.

AYES—42.

Abdul Qaiyum, Nawab Sir Sahibzada.
Aiyangar, Mr. K. Rama.
Aiyer, Sir P. S. Sivaswamy.
Ajab Khan, Captain.
Allen, Mr. B. C.
Bhat, Mr. K. Sadasiva.
Blackett, The Honourable Sir Basil.
Burdon, Mr. E.
Butler, Mr. M. S. D.
Calvert, Mr. H.
Cocke, Mr. H. G.
Dalal, Sardar B. A.
Datta, Dr. S. K.
Dunk, Mr. H. R.
Faridoonji, Mr. R.
Fleming, Mr. F. G.
Fraser, Sir Gordon.
Ghose, Mr. S. C.
Hailev, The Honourable Sir Malcolm.
Hira Singh, Sardar Bahadur Captain.
Holme, Mr. H. E.
Howell, Mr. E. B.

Innes, The Honourable Sir Charles.
Joshi, Mr. N. M.
Lindsay, Mr. Darcy.
Mahmood Schamnad Sahib Bahadur, Mr.
Moncrieff Smith, Sir Henry.
Nag, Mr. G. C.
O'Malley, Mr. L. S. S.
Owens, Lieut.-Colonel F. C.
Parsons, Mr. A. A. L.
Percival, Mr. P. E.
Rhodes, Sir Campbell.
Richev, Mr. J. A.
Roy, Mr. K. C.
Rushbrook-Williams, Prof. L. F.
Shams-uz-Zoha, Khan Bahadur M.
Singh, Rai Bahadur S. N.
Stanyon, Colonel Sir Henry.
Tottenham, Mr. A. R. L.
Turing, Mr. J. M.
Willson, Mr. W. S. J.
Wright, Mr. W. T. M.

NOES—62.

Abdul Haye, Mr.
 Abdul Karim, Khwaja.
 Abhyankar, Mr. M. V.
 Ahmed, Mr. K.
 Aiyangar, Mr. C. Duraiswami.
 Akbar Khan, Sardar Mahboob Ali
 Khan Mohammad.
 Alimuzzaman Chowdhry, Mr.
 Aney, Mr. M. S.
 Belvi, Mr. D. V.
 Chaman Lal, Mr.
 Chanda, Mr. Kamini Kumar.
 Chetty, Mr. R. K. Shanmukham.
 Das, Mr. Bhubanananda.
 Das, Mr. Nilakantha.
 Duni Chand, Lala.
 Dutt, Mr. Amar Nath.
 Ghulam Abbas, Sav. ad.
 Ghulam Bari, Khan Sahib.
 Goswami, Mr. T. C.
 Gour, Dr. H. S.
 Gulab Singh Sardar.
 Hans Raj, Lala
 Hari Prasad Lal, Rai.
 Hyder, Dr. L. K.
 Ismail Khan, Mr.
 Iyengar, Mr. A. Rangaswami
 Jinnah, Mr. M. A.
 Kartar Singh, Sardar
 Kazim Ali, Mr. M.
 Kelkar, Mr. N. C.
 Kun, Maung.
 Lohokare, Mr. K. G.

Malaviya, Pandit Krishna Kant.
 Menta, Mr. Jamnadas M.
 Misra, Mr. Shambhu Dayal.
 Misra, Pandit Harkaran Nath.
 Murtuza Sahib Bahadur, Maulvi
 Sayad.
 Mutalik, Sardar V. N.
 Narayandas, Mr.
 Nehru, Dr. Kishenlal.
 Nehru, Pandit Motilal.
 Nehru, Pandit Shamlal.
 Neogy, Mr. K. C.
 Patel, Mr. V. J.
 Phookun, Mr. Tarun Ram.
 Piyare Lal, Lala.
 Ramachandra Rao, Diwan Bahadur M.
 Rajan Bakhsh Shah, Mukhdum Syed.
 Ranga Iyer, Mr. C. S.
 Ray, Mr. Kumar Sankar.
 Reddi, Mr. K. Venkataramana.
 Roy, Mr. Bhabendra Chandra.
 Samiullah Khan, Mr. M.
 Sarfaraz Hussain Khan, Khan
 Bahadur.
 Shafee, Maulvi Muhammad.
 Singh, Mr. Gaya Prasad.
 Sinha, Mr. Ambika Prasad.
 Sinha, Kumar Ganganand.
 Syamacharan, Mr.
 Tok Kyi, Maung.
 Venkatapatiraju, Mr. B.
 Vishindas, Mr. Harchandrai.

The motion was negatived.

Mr. President: The question under debate is that clause 2 stands part of the Bill.

Mr. R. K. Shanmukham Chetty (Salem and Coimbatore *cum* North Arcot: Non-Muhammadian Rural): Sir, I am quite sure I am voicing the opinion of the Honourable Members of this House when I say that it is not the intention of this House to overthrow this Bill altogether without considering its merits. But our contention is that in a big House like this it is not possible to consider carefully the *pros* and *cons* of the Bill and to measure its defects if there are any and remedy them by making suitable amendments. Unfortunately for us we were not quite on the alert when the motion for taking this Bill into consideration immediately was put to the vote by the Chair. Therefore, I appeal to the Mover of this Bill to consider the real difficulty of this House and I would request him to be pleased to withdraw this Bill under Standing Order 50 for the present and bring it again so that it might be referred to a Select Committee and taken into consideration.

Mr. President: The House has just decided that it will proceed with the consideration of the Bill. We are now on clause 2. It is perfectly open to the Honourable Member to speak on that but it is not open to him to propose dilatory motions.

Mr. R. K. Shanmukham Chetty: I am only appealing to the Honourable Mover.

The Honourable Sir Malcolm Hailey: As I said before in explaining our position, we did not regard this matter as one of great urgency, and, if Members of the House had asked for its reference to a Select Committee, we should not have opposed the motion. I think that our attitude on the subject is sufficiently clear from the fact that I was quite prepared to accept the proposal to defer discussion on the Bill in order that Members might think out any amendments that might be necessary and discuss these across the floor of the House. Now may I say that I myself, not to use any more contentious word, regard it as unreasonable on the part of the House that they should not accept even that proposal, for they could have had a week, nay if they wished 10 days or a fortnight in which to study the Bill, prepare their amendments, and take the voice of the House on them. Surely, we have some right to claim that the House is not in a reasonable mood in a matter when it acts in that way. Now no dilatory motion, as the Honourable the President has said, is possible at this stage of the proceedings. Some of my friends opposite have told me of their real difficulties in the matter; they have explained that it was through a lack of attention perhaps or a failure to notice exactly what was happening that they did not rise to propose a Select Committee. It is suggested that we should withdraw the Bill and re-introduce it with a motion for reference to a Select Committee. If you, Sir, have no objection after the vote of the House, I am quite prepared on my part to take that course. I take it, not because I think that there is anything in the merits of the Bill that demands it, or because I think that the House can take great credit for the attitude it has adopted, but because I am determined that on our side we shall never be lacking in the quality of sweet reasonableness.

Mr. E. B. Howell: Sir, I beg to ask for leave to withdraw the Bill.

Mr. President: The question is:

“That leave be given to withdraw the Bill to amend the Indian Passport Act, 1920, for certain purposes.”

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 12th February, 1924.