

Wednesday, 19th September, 1927

THE

# The Council of State Debates

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*(11th September to 26th September 1928)*

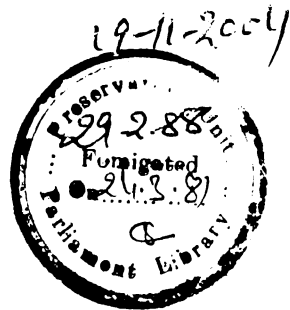
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FIFTH SESSION

of the

SECOND COUNCIL OF STATE

1928



CALCUTTA: GOVERNMENT OF INDIA  
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# COUNCIL OF STATE.

Wednesday, 19th September, 1928.

The Council met in the Council Chamber at Eleven of the Clock, the Honourable the President in the Chair.

## QUESTIONS AND ANSWERS.

### DISCONTINUANCE OF THE PRESENT LINE BETWEEN BAKULAHA AND REOTE RAILWAY STATIONS ON THE BENGAL AND NORTH WESTERN RAILWAY.

116. THE HONOURABLE MR. ANUGRAHA NARAYAN SINHA (on behalf of the Honourable Mr. Mahendra Prasad): Will the Government be pleased to state if it is a fact:

- (a) that there is a proposal to discontinue the present railway line between Bakulaha and Reote Railway stations on the Bengal and North Western Railway in the district of Ballia?
- (b) that a new line is to be opened between the said two villages which will pass through villages Madhubani and Goniha Chapra within police station Bairia, District Ballia and that land has been acquired for the purpose?
- (c) that the land of tenants was taken and construction begun in the year 1925 but that up to this time the price has not been paid to the owners of the land?
- (d) if the answer to (c) be in the affirmative, what steps do the Government propose to take in the matter?

THE HONOURABLE SIR GEOFFREY CORBETT: (a) and (b) A proposal to this effect was sanctioned in July 1925.

(c) and (d) The information which the Honourable Member requires is being obtained from the Agent of the Railway.

### PERMANENT TOWN INSPECTORS OF POST OFFICES ATTACHED TO FIRST CLASS HEAD POST OFFICES IN THE BENGAL CIRCLE, ETC.

117. THE HONOURABLE MR. V. RAMADAS PANTULU (on behalf of the Honourable Mr. Kumar Sankar Ray Chaudhury): Will the Government be pleased to furnish:

- (a) the names of the permanent Postal Town Inspectors attached to the first class head post offices in the Bengal Circle who were holding such posts on the 31st August 1927, showing against each the length of his permanent service from the date of his permanent appointment as a Town Inspector to the date of his removal from the permanent post of Town Inspector to the post of a clerk after 1st September 1927;

- (b) the names of the officials who have been newly appointed as Town Inspectors in the Bengal Circle after 1st September 1927 showing against each the length of his permanent service as Inspector, town or sub-divisional, and also the total length of his service in the Postal Department ;
- (c) a serial statement showing the Nos. of the Rules of the Post Office Manual, Vol. 2, the duties relating to which are done by the Postal Muffasil Inspectors in the Bengal Circle but are not done by the Postal Town Inspectors, Calcutta ;
- (d) a statement of the duties which are done by the Postal Town Inspectors of Calcutta but are not done by the Postal muffasil Inspectors in the Bengal circle.

TOWN INSPECTORS OF POST OFFICES IN CALCUTTA.

118. THE HONOURABLE MR. V. RAMADAS PANTULU (on behalf of the Honourable Mr. Kumar Sankar Ray Chaudhury): Will the Government be pleased to state :

- (a) whether it is a fact that for the special nature of duties imposed upon the town Inspectors of Calcutta under the authority of "N. B." above rule 345 of the Post Office Manual, Volume 2, corresponding to those of the Muffasil Inspectors it was customary, before the introduction of the time-scale of pay, to reserve the higher grades of pay, viz., Rs. 80 and 100 for Calcutta ;
- (b) whether it is a fact that the posts of Postal Town Inspectors in Calcutta were actually filled up in all cases by the selection of the Presidency Postmaster irrespective of seniority or pay or examination ; and
- (c) the names of the officials who were selected during the graded scale on Rs. 80 and continued from that time to the date of their reversion to clerical posts after 1st September 1927 ?

119. THE HONOURABLE MR. V. RAMADAS PANTULU (on behalf of the Honourable Mr. Kumar Sankar Ray Chaudhury): Is it a fact that the passing of the departmental examination was not a condition, precedent or subsequent to appointment to the post of a Postal Town Inspector in Calcutta, both before and after the introduction of the time-scale of pay ?

120. THE HONOURABLE MR. V. RAMADAS PANTULU (on behalf of the Honourable Mr. Kumar Sankar Ray Chaudhury): (a) Have Government received representations controverting so far as the Postal Inspectors of Calcutta town are concerned the statements regarding increased work and responsibility contained in the revised Orders of Government, dated the 16th September, 1927 appearing in the *Labourer*, dated November 1927 ?

(b) Is it a fact that the postal town Inspectors of Calcutta proved their fitness by performing those duties in practical work ?

THE HONOURABLE MR. A. G. CLOW : Sir, with your permission, I propose to answer questions Nos. 117, 118, 119 and 120 together. These arise

from the operation of orders issued by the Government of India in August and September 1927 and of an interpretation of these, issued with the approval of the Government of India, by the Director General, Posts and Telegraphs, in February 1928. These orders related to the revision of the pay and duties of Town Inspectors attached to first class Head Post Offices. They have resulted, in some cases, in the displacement of some of the officials who, on the date from which the orders originally took effect, namely, the 1st September 1927, were the actual incumbents of the posts named. In other cases the existing incumbents have been retained in their appointments. The orders to which I have referred necessarily left to the heads of administrative Postal Circles the final decision as to the application in individual cases of general principles which had been laid down. The decisions reached have given rise to a number of representations addressed to the Director General and to the Government of India from different Service Associations and individuals interested. These representations have received the most careful consideration of the Director General whose recommendations are now before the Government of India and will receive their close attention, together with the various points raised by the Honourable Member in these questions.

#### INDIAN SUCCESSION (AMENDMENT) BILL.

THE HONOURABLE MR. NARAYAN PRASAD ASHTHANA (United Provinces Northern : Non-Muhammadan): Sir, I beg to move that the Bill further to amend the Indian Succession Act, 1925, as passed by the Legislative Assembly, be taken into consideration.

In commending the Bill to the favourable consideration of the House, I have to add but few words. The Bill is intended to remove the doubts which have arisen on account of the conflict of rulings between the Calcutta and the Allahabad High Courts and also to remove the hardship and injustice which is done in certain cases where the debt is a very large one, while the property covered by the debt or to be realised in execution of that debt is comparatively small.

It is a notorious fact that among Muhammadans the dowers are fixed at very large amounts while the estate of the husband is small compared with the dower; and after the death of the wife her heirs, if they want to sue for the dower debt, then, according to the Allahabad High Court, they have to pay court-fees on the entire amount; while according to the Calcutta High Court, they have to pay only upon the amount which they consider could be realised from the estate of the deceased. Moreover, in certain other cases, where the mortgaged property is of very small value while the debt with interest comes to a very large amount, the heir is ruined by having to take a certificate and to pay the court-fees on the entire amount of the debt. It is to remove these hardships that this Bill was introduced into the Legislative Assembly and was passed there so as to enable the heir to obtain a succession certificate of a part of the debt.

Sir, I beg to move that the Bill be taken into consideration.

The motion was adopted.

Clause 2 was added to the Bill.

Clause I was added to the Bill.

The Title and the Preamble were added to the Bill.

THE HONOURABLE MR. NARAYAN PRASAD ASHTHANA : Sir, I beg to move that the Bill, as passed by the Legislative Assembly, be passed.

The motion was adopted.

THE HONOURABLE THE PRESIDENT : Yesterday afternoon the Council adopted a motion for the election of a panel from which members of the Standing Committee for the Department of Commerce are to be nominated. I now have to announce that nominations to the panel will be received up till 11 o'clock in the morning on Friday, the 21st September ; and I shall thereupon announce when the election will take place, if one be necessary.

With reference to the other motion adopted by the House yesterday, namely, that it should proceed to elect three representatives to sit on a Committee with the Indian Statutory Commission, I would remind Honourable Members that nominations are to be receivable by the Secretary up till noon to-morrow. It is possible—I can say no more than that at present—that the election may take place on Friday. If I should so direct, I shall take care that every Honourable Member receives notice thereof some time on Thursday afternoon.

The Council will now adjourn till Friday, 21st September, at 11 o'clock in the morning.

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The Council then adjourned till Eleven of the Clock on Friday, the 21st September, 1928.

*Corrigendum.*

On page 183 of the Council of State Debates of the 18th September, 1928, (Volume II, No. 4) line 27 from the top *for* the words "the April 30th" *substitute* "April 1930".

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