

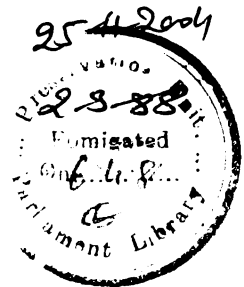
Thursday, 19th September, 1929

THE
COUNCIL OF STATE DEBATES

VOLUME II, 1929

(16th September to 28th September 1929)

SEVENTH SESSION
OF THE
SECOND COUNCIL OF STATE, 1929



SIMLA
GOVERNMENT OF INDIA PRESS
1929

THURSDAY, 19TH SEPTEMBER, 1929—

Member Sworn	79
Bills passed by the Legislative Assembly laid on the Table ..	79
Resolution <i>re</i> Export Duty on Rice—Withdrawn	79—88
Resolution <i>re</i> Grievances of the Non-Gazetted Staff of the Currency Offices in India and Burma—Negatived ..	88—105
Resolution <i>re</i> Free Allowance of Luggage to Passengers on State Railways—Withdrawn	106—13
Resolution <i>re</i> Prevention of Floods—Negatived	114—22
Statement of Business	122—23

MONDAY, 23RD SEPTEMBER, 1929—

Question and Answer	125—26
Short Notice Question and Answer	126—29
Prohibition of Export of Cattle Bill—Introduced	128—30
Resolution <i>re</i> Export Duty on Oil-cakes, Bones, Fish Manure, etc.—Negatived	130—50
Resolution <i>re</i> Reconstitution of the Central and Provincial Legislatures on a uni-cameral and entirely elected basis— Negatived	150—62
Resolution <i>re</i> Construction of a new Central Railway Station at Allahabad—Negatived	163—67
Resolution <i>re</i> Jail Administration in British India—Negatived	167—82

TUESDAY, 24TH SEPTEMBER, 1929—

Questions and Answers	183—207
Bills passed by the Legislative Assembly laid on the Table ..	208
Indian Income-tax (Provident Funds Relief) Bill—Fixing of date for consideration	208—09
Child Marriage Restraint Bill—Fixing of date for consideration	209—11
Provident Funds (Amendment) Bill—Passed, as amended ..	211—17
Indian Soft Coke Cess Bill—Passed	217—19
Indian Boilers (Amendment) Bill—Passed	219
Indian Census Bill—Passed	219—22
Bengal Pilot Service (Centralisation of Administration) Bill— Passed	222—23
Resolution <i>re</i> Fixation of Minimum Wages in certain Trades— Discussion adjourned	224—27
Motion for the Election of a Member to the Governing Body of the Indian Research Fund Association	227—28

WEDNESDAY, 25TH SEPTEMBER, 1929—

Questions and Answers	229—34
Cattle Protection Bill—Introduced	234—35
Resolution <i>re</i> Message Rate System of Charges levied by the Bengal Telephone Corporation, Ltd.—Withdrawn ..	235—44
Resolution <i>re</i> Establishment of a Privy Council in India—Negatived	244—50
Hindu Law of Inheritance (Second Amendment) Bill—Introduced	250—51
Election of a Member to the Governing Body of the Indian Research Fund Association	251

THURSDAY, 26TH SEPTEMBER, 1929—

Transfer of Property (Amendment) Bill—Passed	253—95
Transfer of Property (Amendment) Supplementary Bill—Passed	295—99
Indian Income-tax (Provident Funds Relief) Bill—Passed ..	299—302
Resolution <i>re</i> Fixation of Minimum Wages in certain Trades—Adepted	302—14
Election of a Member to the Governing Body of the Indian Research Fund Association	314

FRIDAY, 27TH SEPTEMBER, 1929—

Questions and Answers	317—19
Short Notice Question and Answer	319—20
Statement laid on the Table	320
Message from the Legislative Assembly	320
Child Marriage Restraint Bill—Consideration adjourned ..	321—82

SATURDAY, 28TH SEPTEMBER, 1929—

Child Marriage Restraint Bill—Passed	383—435
--	---------

COUNCIL OF STATE.

Thursday, 19th September, 1929.

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

MEMBER SWORN :

The Honourable Khan Bahadur Nawabzada Saiyid Ashraf-ud-Din Ahmed, C.I.E. (Punjab : Nominated Non-Official).

BILLS PASSED BY THE LEGISLATIVE ASSEMBLY LAID ON THE TABLE.

SECRETARY OF THE COUNCIL : Sir, in accordance with Rule 25 of the Indian Legislative Rules, I lay on the table copies of the following Bills which were passed by the Legislative Assembly at its meeting held on the 18th September, 1929 :

A Bill further to amend the Transfer of Property Act, 1882, for certain purposes.

A Bill to supplement the Transfer of Property (Amendment) Act, 1929.

RESOLUTION *RE* EXPORT DUTY ON RICE.

THE HONOURABLE RAO SAHIB DR. U. RAMA RAU (Madras : Non-Muhammadan) : Sir, I beg to move the following Resolution which stands in my name :

“ This Council recommends to the Governor General in Council that, in order to determine the propriety or otherwise of the present export duty on rice from the viewpoints both of the producer and consumer in India and Burma, a reference be made to the Tariff Board on the subject, at an early date, for a thorough investigation and an authoritative pronouncement, as suggested by the Taxation Enquiry Committee in paragraph 157 of their Report ”.

Sir, it is a known fact that rice forms the principal staple food of India and is pre-eminently the most important crop in this country, being 35 per cent. of the total cultivated area. This article of food has been subjected to an export duty for a very long time and for some years was the only article on which export duty was levied. The Indian Fiscal Commission have formulated certain conditions for the levy of export duty and they are :

- (1) That export duties should only be levied on articles of which India has a complete or at any rate a partial monopoly.

[Rao Sahib Dr. U. Rama Rau.]

(2) That in any case the rates should be low.

(3) That an export duty should not be utilized for the purpose of protecting an industry.

So far as numbers (1) and (2) are concerned, the Taxation Enquiry Committee have held that rice is not a monopoly of India and still they contend the rate is low and a proper one to impose.

As regards No. (3) one of the members of the Committee, Dr. R. P. Paranjpye, an eminent authority on economics, held the view that export duties are justified in cases where an essential raw material is exported to another country, manufactured there and returned to the country of origin. He was also of opinion that "export duties should be levied for the purpose of discouraging the export of such materials as it is to the interest of the country to retain at home".

Now, what is the position of rice in India as judged by this formula of Dr. Paranjpye? Rice was sold in India in 1857 at 18½ seers per rupee, in 1890, at 12 seers and in 1918 it had come down to 4 seers and it has gone down still lower now. This abnormal decline tells its own tale, and no wonder that people in India are reputed to have hardly one meal a day. That a large quantity of rice is being exported to foreign countries to the detriment of the people here none can gainsay. The yield of rice in India has been varying from 24 million tons to 32 million tons annually during the past ten years, and it may safely be said that every alternate year there has been a failure of crop and famine in some part of the country or other due to floods or drought. The exports during this period were about two million tons every year. If this horrible drain of rice is prohibited, there will be more rice available at a cheap rate and there will be less starvation in the land. India, therefore, needs a protective duty so far as rice is concerned, and that is what Dr. Paranjpye has urged, and it must be even prohibitive if people have to be protected from starvation and death. Burma, however, wants the abolition of the export duty on rice. Being the largest exporter of rice, it does not wish to suffer in competition in the foreign markets with the other rice-exporting countries in the world, such as Siam and Indo-China. The Honourable Mr. W. A. Gray in his budget speech on the 5th March, 1927, in this House urged its abolition on the ground that it is a burden on the producer. But the Honourable Sir Basil Blackett in his reply maintained that it was the consumer who paid this export duty and, therefore, from the point of view of the producer it was in no way harmful. It is said that "doctors differ". Now we find economists also differing. Burma is the largest exporter of rice to other provinces in India also, and Mr. Gray has told us that during the last 20 years India has imported from Burma approximately eight tons of rice for every five tons which she has exported to other countries, from which it is clear that, if there were not a sufficient surplus crop produced in Burma, India could not export rice at all. To allow India therefore to export its rice to foreign countries and herself get her supplies from Burma is in my opinion an economic folly. In the other house on the discussion of the Budget on the 12th March, 1928, the question of the abolition of the export duty on rice was raised by means of a token cut by the Honourable U. Tok Kyi,

Member from Burma. The case for Burma was then ably put forward both by the Mover and the nominated official Member from Burma.

In reply, Sir Basil Blackett observed :

“ We obviously cannot undertake to alter the present position at the present moment, but I am quite willing to agree on behalf of the Finance Department that a special investigation will be made in the course of the year into the question of the incidence of this duty to see whether there is justification for the view that it is not falling on the purchaser abroad and perhaps also the investigator will look into the question how far the duty is the cause or one of the causes of the large numbers of murders that take place in Burma.”

Sir, I do not know if these words have been translated into action yet, and, if not, what causes the delay and whether the Finance Department has made up its mind to move at all in the matter. There is no doubt that Burma's case deserves sympathetic consideration ; but what about India ? In my opinion, India deserves a heavy protective duty, if she wants to save her sons from starvation and death. India's interests clash with those of Burma, and it is necessary that in the interests of both an expert tribunal should decide as to the propriety or otherwise of the imposition of the export duty on rice in India and Burma. It is therefore meet that the whole question be referred to the Tariff Board for a complete investigation, at an early date.

With these words, Sir, I move my Resolution.

THE HONOURABLE MR. V. RAMADAS PANTULU (Madras : Non-Muhammadan) : Sir, I rise not because I have very much to say to this Council on the Resolution itself, because I confess to a want of knowledge on the subject, but to put a few points on which I feel some difficulty to my Honourable friend on the Treasury Bench so as to receive some enlightenment from him before I record my vote one way or the other. My Honourable friend Dr. Rama Rau stated that one of the principles which ought to determine the propriety of an export duty is that the article should be one in which India has a monopoly or at least a partial monopoly. That, I believe, is accepted by everybody. When the Taxation Enquiry Committee made its report they said that India had not a monopoly but only a partial monopoly, but that other countries, like Siam and Indo-China, which also exported rice, themselves imposed an export duty, that the duty was low and its weight was decreasing on account of rising prices ; so they held, on these considerations, that the export duty on Indian rice might stand. They did not recommend an increase of it nor did they recommend its abolition. The question is whether those considerations still hold good to-day.

But now, Sir, I find from the statement made by the Honourable the Finance Member in his Budget speech that even the partial monopoly of India in rice is decreasing. Sir George Schuster said :

“ Exports of rice however have gone down by as much as seven crores as a result mainly of Japan's temporary prohibition of imports of the commodity into the country and to increasing competition of rice-producing countries on the Mediterranean sea-board. And it appears that about a crore of rupees worth of rice was imported into this country last year. If that is so, the question is whether the data of the Taxation Enquiry Committee still hold good. If they do not, I think my friend Dr. Rama Rau's suggestion to increase the export duty on Indian rice—I am not speaking of Burma—should be voted down.”

[Mr. V. Ramadas Pantulu.]

The facts disclosed by Sir George Schuster show that there ought to be no export duty on Indian rice, just as in the case of Burma, or that it ought to be at least reduced. Another factor is the price of rice. If there was a steady decline in the price of rice of late that would also be an argument for reducing the export duty. Therefore I feel somewhat puzzled by the way in which Dr. Rama Rau has put his case for increasing export duties on Indian rice while abolishing them on Burma rice. I rather think the facts as they exist lead to the conclusion that the duty should be abolished in India as well as in Burma. He referred to two considerations which Dr. Paranjpye urged, namely, that in the case of articles which are sent to other manufacturing countries and after being manufactured are sent back to the country of production, some kind of export duty is justified to encourage local manufacture. But certainly rice is not one of those. It is not sent for manufacture and is not brought back as a manufactured article....

THE HONOURABLE RAO SAHIB DR. U. RAMA RAU : It is manufactured into liquor.

THE HONOURABLE MR. V. RAMADAS PANTULU : That must be a very small proportion. It is essentially an article of consumption as food. Anyhow, if I am wrong, I shall be corrected. The second point which Dr. Paranjpye urged was that if it was necessary to retain an article in the country, an export duty of a protective character would be justified. I am not quite convinced that India does not need to export rice, or that she needs all the rice she herself can produce. An increase in the price of rice is not the sole criterion by which you have to judge of the insufficiency or otherwise of rice in this country. It appears to be not a sufficient criterion. I think we have to export our surplus rice which is one of our chief products in order to purchase other necessaries which we import from foreign countries. If the balance of trade is to be in our favour I think we ought not to put any restraint upon the export of raw materials like rice. The duty will hit the producer. These are some of the difficulties which I feel—whether Dr. Rama Rau has made out his case for increasing the duty on Indian rice, whether those conditions which Dr. Paranjpye laid down are satisfied in the case of Indian rice, whether India's monopoly is decreasing, whether the price of rice is not going down and whether the producer of rice in India will not be hurt by an increased duty. These are matters upon which I have no information and I shall be delighted if the Honourable Mr. Burdon will enlighten me on these points. I speak as a layman, but the case seems to me to point to a conclusion other than the one which Dr. Rama Rau has reached in so far as he asks for an increase of duty on Indian rice and to treat it differently from Burma.

THE HONOURABLE MR. E. BURDON (Finance Secretary) : Sir, my Honourable friend from Madras has brought before us this morning a topic of great importance and interest and one that he knows to represent a live issue. My Honourable friend mentioned the undertaking given by Sir Basil Blackett to the Legislative Assembly, the undertaking that an investigation would be made into the question, whether the export duty on rice is in present circumstances being borne by the consumer or borne by the producer. I can assure my Honourable friend that the undertaking is being fulfilled.

It has not yet been completed but it is in process of completion. The Government of India have been examining this matter of the export duty on rice very closely for some time past, and they have been in correspondence on the subject with the Government of Burma who of course are very materially interested in rice cultivation and in the question whether, and if so to what extent, the rice trade and rice cultivation are affected by the export duty. Actually communications have passed between the two Governments since I received notice of my Honourable friend's Resolution.

It will perhaps be convenient if at the outset I give a brief account from the Government side of the course of the recent official discussions. The earlier history is of course well known. The Council is aware that the Fiscal Commission reported that the export duty was moderate, that it was probably falling on the consumer and did not appreciably affect the producer and they raised no objection to its continuance. At a later date the Taxation Enquiry Committee also reported more or less favourably on the continuance of the duty, saying that any alterations in rates must depend on world prices and the situation in other exporting countries, and they ended with the observation that an examination by the Tariff Board would be an essential preliminary to any change. But I must make it clear that this observation of the Taxation Enquiry Committee was in no sense a recommendation that an enquiry by the Tariff Board should be held either then or at any specified time. Then, in 1925, the Burma Government forwarded to the Government of India a Resolution adopted by their Legislative Council recommending that the rice export duty should be allocated to the Local Government as a source of provincial revenue. That, however, raised an entirely different issue, with which we are not immediately concerned to-day. It is of course common knowledge that the recommendation could not be accepted by the Government of India. The next stage came in March 1928 when U. Tok Kyi moved in the Legislative Assembly the reduction of the Customs demand with a view to remove export duties in general, and the duty on rice in particular. This is the occasion to which the Honourable Mover himself referred. The motion was withdrawn on Sir Basil Blackett giving the undertaking which I have already referred to, and I will repeat one observation which he made in that connection, namely, that he would be in favour of reducing or abolishing the duty the moment he was convinced that it was falling upon the producer and not upon the consumer. This was followed by enquiries from the Burma Chamber of Commerce, the Burma Government and U. Tok Kyi himself as to when the investigation would be undertaken. The Burma Legislative Council also passed a Resolution recommending the early abolition of the duty. The Local Government did not express any definite views on this occasion in view of our promised enquiry. Later in 1928 the Government of India addressed the Burma Government on the subject. This was in fulfilment of Sir Basil Blackett's promise, and I will read out to the Council the most important passage from the communication sent. After recapitulating the previous history of the matter, the Government of India said :

“ The Government of India cannot feel sure that a fresh investigation in itself will make any material addition to the actual information at present existing on the subject. In the circumstances, before definitely deciding upon an investigation in pursuance of the promise given by Sir Basil Blackett, it is considered desirable that the views of the Government of Burma on the correctness or otherwise of the conclusions arrived at by the Indian

[Mr. E. Burdon.]

Fiscal Commission and the Indian Taxation Enquiry Committee, should, in the first instance, be ascertained, and that it should be ascertained also whether the Government of Burma think that a further investigation would be fruitful, and, if so, to what points it should be directed. I am accordingly to request that, with the permission of His Excellency the Governor in Council, the views of the Local Government on these two matters may now be stated to the Government of India. If the Local Government dissent from the conclusions of the Fiscal Commission and the Taxation Committee, it is requested that their reasons for taking a different view may be set forth in full detail and supported by a statement of the relevant facts and figures. The Government of India are of course well aware that the position of Burma rice in the markets of the world has in the recent past been adversely affected. But it does not follow that this is attributable to the export duty or to the export duty alone, and it will be important to have the views of the Local Government as to the potency of other factors in the present situation, both foreign and domestic. Finally, the Government of India would be glad to know what results the Government of Burma anticipate would follow from a reduction or abolition of the export duty and the reasons for their anticipation. In particular they would be glad to know to what extent any benefit likely to arise from a reduction in or the removal of the duty would accrue to the cultivator and to what extent it might result merely in an increase of the merchants' profits."

The Government of Burma in a letter, dated the 9th of August, 1929, have submitted their reply. The contents of this letter are far too lengthy and elaborate to admit of any brief summary being given, but it will suffice, I think, to read out one passage, the important passage, in which the Government of Burma state their recommendation :

"The Government of Burma, while not prepared to express a final opinion on what is in essence a problem for economic experts, holds the view that the conclusions of the Fiscal Commission and the Indian Taxation Enquiry Committee, though they may have been justified by the facts and figures available to them, may probably not now hold good. The consideration of the subject by these bodies was, so far as is apparent from the records of their deliberations, not detailed. It must have been attended by the difficulties arising from the disturbance of trade during and after the war : and the developments which have taken place since the advent of more settled conditions were not apparent. There is now a demand by the public of Burma for further consideration of the question ; and the view that the duty is not to the disadvantage of the producer is no longer general. It will be within the knowledge of the Government of India that, on the motion of the representative of the Burma Chamber of Commerce, the Associated Chambers of Commerce of India and Ceylon recently adopted a resolution advocating the immediate abolition of the duty on the ground that it falls entirely on the cultivator. The subject has been discussed in articles in the press as well as in the Legislative Council. I am to submit for the information of the Government of India a pamphlet containing an article by Mr. E. H. Solomon, Lecturer in Economics at University College, Rangoon, which appeared in the "Rangoon Times" in January 1929 and in the Indian Journal of Economics in April 1929. In this article, after an examination of the statistics with reference to economic theory, the conclusion is stated that in the present circumstances the export duty falls almost entirely on the producer ; and that since Burma is the sole effective exporter of the Indian Empire, it falls almost entirely on the producer in Burma.

The difficulties of the rice trade have naturally induced a more critical attitude towards the duty than was prevalent at a time when the trade was more prosperous. The same attitude has developed in regard to other conditions of the trade, for example, freights and the question whether the price of paddy is affected by combinations among millers. In the February 1929 Session of the Burma Legislative Council a Resolution recommending the appointment of a Committee to enquire into the conditions of the paddy and rice trade generally, and in particular regarding the effect of freights and combinations, was adopted ; and this Government has appointed a Committee for that purpose. The Committee will no doubt consider the question of the export duty. But that will not be its sole or main function, and it is doubtful whether the Committee, will be in a position to devote sufficient

time to the subject or to bring to its consideration the necessary knowledge of relevant economic conditions existing outside Burma.

In these circumstances the Governor in Council thinks that a further investigation should be instituted under the authority of the Central Government, to which the proceeds of the duty accrue. That there is a field for further investigation is clearly indicated by the changes in production and trade to which reference has been made. The investigation might be specially directed to an examination of these changes and their causes, and their effect on the incidence of the duty. Some of the important points bearing on the subject have been mentioned above, and other points which require examination will probably become apparent in the course of the investigation. In particular it seems desirable to obtain information regarding the rice export trade in Siam and Indo-China in order to ascertain how far conditions in these countries correspond to the conditions of the Indian trade which suggest that the duty now falls on the producer. If it is found that the duty falls wholly or mainly on the producer, the question of the substitution for it of a cess to be applied to the improvement of the cultivation, milling and marketing of rice and to other objects in aid of the rice cultivator might be considered."

Simultaneously, the Government of Burma have forwarded a note on the rice export duty by Professor Stanley Jevons, Professor of Economics in the University College, Rangoon. Here, again, this is a document which cannot be readily summarised. It will, however, suffice, I think, for our present purposes, if I say that the conclusions arrived at by Professor Stanley Jevons are, like those of the Government of Burma, very cautious. He considers that there is a *prima facie* case for investigating the extent of the benefit which might accrue to the rural population of Burma by the removal of the duty. He is not, however, prepared to say definitely himself that the province would benefit by the removal of the duty unless it can be assured that public expenditure on beneficial services in Burma will not, as a result, be diminished. In other words, he is not able to predicate that the relief to individuals who would no longer pay the tax would be equal to the benefit resulting from the expenditure by the State of the proceeds of the tax spent collectively. Further, he suggests that, if the Government of India abolish the tax, it should be reimposed as a cess by the Government of Burma, the proceeds of which should be utilised for promoting improved cultivation and other cognate purposes. It will be seen, therefore, that the latest developments, so far as the Government of Burma are concerned, support my Honourable friend's proposition to a very considerable extent. But it is necessary to be very precise in these matters, and I must point out that the Government of Burma have not asked that the inquiry should be undertaken immediately or should be undertaken by the Tariff Board.

There is another aspect of the matter which also supports Dr. Rama Rau's proposition. The Government of India themselves recognise that it is impossible to say now quite so confidently as it was possible to say it before that the export duty falls upon the consumer and does not affect the producer. In this connection the following facts and figures may be of interest :

The prosperity of the Burma rice trade depends on two important factors, firstly, the demand for Burma rice from India proper and secondly, the strength of the demand of the world's markets for rice and the extent of competing supplies. During 1928 the total Burma crop amounted to 4,886,000 tons, of which slightly over 3 million tons were available for export. The demand, however, from Europe, America and the Far East was poor, and, if it had not been for India's purchases, which were on a satisfactory scale, Burma's

[Mr. E. Burdon.]

export trade would have seriously suffered. As it was, it fell short of the estimated total of 3 million tons. Prices fell as low as Rs. 367-8-0 for big mills specials, but recovered to Rs. 427-8-0 during September. One important fact is that Burma rice has now to face much severer competition than in former days, and while it is possible to argue that Burma rice may yet do well even if the duty is retained, it is hardly possible to say that the existence of the duty had nothing to do with the difficulties through which the trade has passed. On the other hand, in the current year there has been an improvement in the position. The 1929 crop is estimated at 4,841,000 tons or slightly less than that for 1928, while the surplus available for export is estimated at 2,880,000 tons. The demand from India is less this year than last, but demands from foreign countries have improved, so that by the end of August exports to foreign countries amounted to 1,089,000 tons as compared with only 941,000 tons during the same period of 1928. The price of big mills specials, which fell steadily during the first four months of the year from Rs. 392-8-0 in January to Rs. 370 in April has since recovered to Rs. 420 in August and Rs. 445 during the first week of September. The London price of Rangoon rice, which had fallen to 12s. 7d. per cwt. in May has since recovered to 14s. 3d., indicating a better demand from the United Kingdom.

In overseas markets and particularly those of the United Kingdom and the Continent, much depends on the ability of Burma rice to hold its own in competition with Italian, Spanish and American rice. That, I think, will be of special interest to my Honourable friend, Mr. Ramadas Pantulu, who inquired regarding India's position as a monopolist supplier. Fortunately, there is evidence to show that in the United Kingdom, at all events, the demand for Burma rice is increasing. The Empire Marketing Board assisted this movement by means of an intensive newspaper campaign last July. The High Commissioner, Sir Atul Chatterjee, followed this up by organising an attractive exhibit of Indian rice at the Newcastle Exhibition in August, and by calling attention in a speech, in which he opened the Indian section of this exhibition, to the attractive qualities of Indian rice. One feature of the work of the Empire Marketing Board, which is perhaps not sufficiently known in India, is the advertisement which it gives to Empire products by means of notices posted in all factories of the United Kingdom at which work is being executed to the orders of Empire Governments. For example, the Empire Marketing Board sends to each British factory manufacturing stores to the order of the Government of India or of Local Governments, a notice calling the attention of the work people to the fact that this order has been placed by India and asking the workers to express their gratitude by purchasing Indian products in return. Indian rice figures prominently in these notices.

I have here, as a matter of fact, a few cartons which came from London only a few weeks ago and advertisements which are distributed by the Empire Marketing Board at these various exhibitions where they conduct their activities, and which are designed in order to attract people to buy Indian and Burma rice. Perhaps the Honourable Member would like to see these afterwards.

Now, Sir, I turn to matters which are of special importance from the point of view of the Government of India, and of these, the first is that the

export duty on rice exists for revenue purposes, and that it brings into the Central treasury an annual revenue of about one crore of rupees. The other consideration to which I wish to draw attention is that the tax, as my Honourable friend himself has said, has existed for many years, and for far the greater part of this time has been regarded as an entirely justifiable and harmless impost ; while even now those whose interests are not directly identical with those of the Government of India are not in a position to say that the tax is so harmful that it should be immediately and entirely abolished. As regards the first point which I have mentioned, the revenue of 100 crores, anyone who has studied the Budget of the Government of India for 1929-30, will realise that the Government of India cannot be in a position here and now to say that they could do without the revenue of one crore of rupees at present derived from the export duty on rice. I do not think I need labour this point, as the very full and careful analysis of the financial position given by the Honourable the Finance Member in his Budget speech must be fresh in the memories of all the Members of this Council. I am sure that the Honourable the Mover of the Resolution will himself realise what the implications of the abolition of the export duty might be. These implications are indeed obvious. There would be questions of new taxation to take the place of the old ; there would, as an alternative, be questions of curtailing expenditure on beneficial Central services. A further consideration which I think is specially relevant to the Resolution is that the ordinary requirements of administration make it necessary that such questions should not be gone into, or at any rate finally settled, at this time of the year : they can only be appropriately and effectively dealt with when the dispositions for another financial year are under consideration and the prospects of that financial year can be more clearly viewed. There are, too, certain special circumstances at the present time which make it essential that we should proceed cautiously. It is possible, I understand, that the report of the Statutory Commission will be published before another financial year commences. It may be presumed that the report of the Statutory Commission may portend important changes in the existing financial relations between the Central and Provincial Governments and in the financial settlements, and it has to be recognised that this question of the export duty on rice may become a very important factor in the readjustments which may have to be made as between the Government of India and the Government of Burma.

Now, Sir, with all these considerations before them, the Government of India, having given the matter most serious thought, have come to the conclusion that it is not advisable to have an enquiry by the Tariff Board in the immediate present. The following are the more specific reasons which have led the Government of India to this conclusion. In the first place, as I have shown, the existing trade conditions render it probable that, at the moment, the export duty is not doing much, if any, harm. In the second place, a Tariff Board enquiry, owing to the work which the Board already have in hand, could not commence until next summer, and, further, the Government of India are doubtful, notwithstanding what the Fiscal Commission have said, whether the matter is one which the Board can suitably investigate. In regard to this latter point, the Government of India are still inclined to the view which they expressed at an earlier stage of the discussions, namely, that it is doubtful whether an enquiry by the Tariff Board would add materially to the information which we already possess on the subject. It is possible

[Mr. E. Burdon.]

that the matter might be capable of decision in a more summary manner. In the third place, the Government of Burma, as I have said already, have a Committee investigating the whole question of the rice trade and they may have something to say about the export duty on rice. Finally, as I have said, the Government of India are not, and cannot be, in a position to say that they can do without the revenue which the export duty at present brings in. This is the most material consideration of all. There is a tendency and indeed it is only natural to assume that when a Tariff Board inquiry is set up Government has made up its mind that at any rate it would be in a position to give effect to any recommendation likely to be made, subject of course to the recommendation being approved. This being so I am afraid it would lay the Government of India open to misconception if they were to launch a Tariff Board inquiry now : and accordingly they could not very well do so, without prejudice to the very important interests of which they are the guardians. In all these circumstances, the Government of India would prefer to postpone decision on the question raised in my Honourable friend's Resolution for some months to come. It will be obvious to my Honourable friend that it is not intended, and indeed it would be impossible, to allow the matter to drop. Active consideration of the problem will have to be renewed before very long, and all that the Government of India ask is that they may be permitted to wait a little for a more opportune moment to arise.

In view of what I have said, I hope the Honourable Member will agree to withdraw his Resolution. I think he may rest satisfied that he has achieved a sufficient public service in eliciting the information and the pronouncements which have been made to-day. I need only add that the proceedings of this debate will be communicated to the Government of Burma without delay, and that, if the Government of Burma should make any strong demur to the comparatively short postponement which the Government of India desire, the Government of India will once more consider whether earlier action is feasible.

THE HONOURABLE RAO SAHIB DR. U. RAMA RAU : In view of what the Honourable Member has said, I do not wish to press my Resolution.

The Resolution* was, by leave of the Council, withdrawn.

RESOLUTION *RE* GRIEVANCES OF THE NON-GAZETTED STAFF OF THE CURRENCY OFFICES IN INDIA AND BURMA.

THE HONOURABLE MR. G. S. KHAPARDE (Berar Representative) :
Sir, the Resolution which I propose to move is :

" This Council recommends to the Governor General in Council that he may be pleased to appoint a Committee of official and non-official members to enquire into the grievances

* " This Council recommends to the Governor General in Council that, in order to determine the propriety or otherwise of the present export duty on rice from the viewpoints both of the producer and consumer in India and Burma, a reference be made to the Tariff Board on the subject, at an early date, for a thorough investigation and an authoritative pronouncement, as suggested by the Taxation Enquiry Committee in paragraph 157 of their Report."

regarding the scales of pay, Provident Fund and other service conditions of the non-gazetted staff, both menial and clerical, of the Currency Offices in India and Burma, and to suggest ways and means for their redress."

When I tabled this Resolution I had it in my mind that everybody would ask me why I brought this Resolution here at all. The reason for it is that the people in whose interest I speak now tried all possible remedies, sent deputations, petitions and memorials, but after all, they met with what I may call a wall of negation. They got the reply, "We do not want to look into this matter; this matter has been finally settled; there is nothing more to be done." Having got this reply, from the executive side of the Government of India, these poor people thought that they would try their chance in the legislative portion of the Government of India and see if they can do anything. When they came to me, I looked into their grievances and I went through all their papers and it appeared to me that this was a proper subject to be brought before this Council. For this reason and not with a view to casting any slur on the heads of the Department or to censure them in any way did I bring forward this Resolution. One consideration weighed with me and it is that the Government of India, as it is constituted and as it is worked, is always working under financial stringency. I have not known within my life time any time when Government has said, "Look here, we have got money; and any of you who want it can come here." Government never says that and it never has any money to spare. It has always only just enough, perhaps a little less than the minimum that is required to carry on the administration, and therefore every head of a Department has his eyes carefully upon the expenditure and tries to minimise it as far as he can. So, this consideration of financial stringency does not weigh with me. We have got to knock at the door, and if they cannot do it this year, they can do it next year or at some other time. But you have got to knock. So I undertook to move this Resolution.

Another point is this. The statement that I made here, that they met with a wall of negation may be disputed. Lest it may be disputed I brought this book* with me, and if you look at pages 20 to 27 of it you will find all the petitions submitted by these people and the replies that they got. I am willing to put this book on the table so that any Honourable Member who has any doubt about my statement may see for himself.

(The Honourable Mr. Khaparde made over the book to the official Reporter.)

Then there came a further point. What is it that these people are taking so much trouble about? Their trouble is common nearly to every Government servant, namely, his pay, his allowances, his position and his status in life and other conditions of service. This is a grievance which, I think, is common to the whole staff of the Government of India, and for the matter of that, to the staff of all Empires in the world. I think everybody wants a little more than he gets, everybody wants a little more consideration shown to him. There is nothing wrong in what these poor people ask for. There is the further consideration again arising

* A Brief Statement of the Main Grievances of the Currency Office Staff—prepared by the Bombay Currency Office Association.

[Mr. G. S. Khaparde.]

from the point as to why they want this. They want it because for the last 20 years and more these poor people have been entirely neglected and nothing has been done for them. I will give their history more in detail, as I have put it down ; but I will mention that when subordinates quarrelled and when they submitted petitions and did all the things they could do, then the Government moved a little and complained about financial stringency and the rest. And so it came to this—when a thirsty man comes to you, you give him about half an ounce of water and tell him to slake his thirst, but what you have actually done is to increase his thirst ; you might as well have starved him altogether. But in 1920 they did something. The history of this matter is rather interesting and I have put it down in some detail, but to save time I shall not give you all the items. Until 1908 the Accountant General's office and the Auditor General's office and the office of the Commissioner of Currency were one and the same. One officer held all these posts and looked after the whole thing. Naturally he had a large Department under him. Then, in 1910, it was found that the pay was very inadequate and Government granted what was called a local allowance—that is, these poor people received an increase of three or four or five rupees each. But this local allowance was given to the Accounts Branch only, and the branch which dealt with coins and notes, etc., was altogether omitted. Of course if you throw one bone to two or three dogs, naturally they will quarrel about it, and in this case numerous representations were made about this distinction. But the next date on which anything was done was 1913. Then it was that Mr. (now Sir Frederick) Gauntlett got the allowances given to the Currency Branch. Then the Accountant General's office and the Controller's office got separated from the office of the Currency Commissioner, and the difference in pay, etc., became even more acute from that time. Sir Frederick Gauntlett tried to get them allowances and did what he could, and the matter went on like that till 1914 when the Commissioner of Currency made representations which were accepted by the Government of India and would have been granted, but unfortunately the world war began in that year and the financial troubles became more acute than ever, and nothing could in fact be done till the year 1919. After peace was declared a move was again made and the proposals were accepted by the Government of India. I shall read out a passage from the note of Mr. McWatters, who, I regret to say, is not here ; otherwise he would have corroborated me in all these particulars. The claim of these men was resisted on the ground that the position of these men was not the same as those in the Accountant General's office. The work, it was said, was mechanical and not deserving of any higher pay. In that view the matter was considered by Mr. McWatters who wrote two notes on the subject, one in a letter No. CY 2861/276/21, dated 10th November, 1921, as follows :

“ However much stress may be placed on the mechanical nature of the work of the Currency Office it can hardly be contended I think that the work differs so greatly from that of the Post Office, the Customs Department or the Accountant General's office as to justify such a large discrepancy between the prospects of the clerks concerned.”

—So that after being head of the department for a long time he came to the conclusion that the work was very nearly the same—

“ The rates now shown by the D. C. C. are proposed to allay the existing discontent, but I do not see any justification for even the slight disparity between the scales of local

allowances of the Currency and A. G.'s offices. I recommend therefore that the present scale of local allowances for the clerks should be raised to the level of the scales of the Accountant General's office."

That is what Mr. McWatters wrote on the 10th November. Later, in December of the same year, Mr. McWatters wrote again :

" There is no doubt that the revision which was made in 1920 did not give a very substantial advance to most of the clerks and in addition has been more than swept away by the subsequent rise in the cost of living. Many of the men are in debt and it is impossible for the work to be continued satisfactorily unless a substantial improvement in their condition is made. The undersigned has received representations from practically every Currency Office and personally interviewed two deputations from the Calcutta Currency Office and he is quite satisfied that there is a very strong case for improving the scales of pay."

Now after this was said in 1921 we thought the matter had come to an end and the proposal given effect to. But again this bogey of financial stringency came up and nothing was done till 1925 and for that matter nothing has been done till to-day. Here are these people, clerks, menials, *chaprasis*, *daftris* and people of that kind, and no notice has been taken of them. Nothing has been done for them. I could give you many more details ; of attempts made and afterwards abandoned, and all the time these people are in very serious straits. I can give one instance which is rather heart-rending. There are in these offices people who are called shroffs. They receive notes and give out coin, and it is their job to detect forged notes. Now the detection of a forgery is rather a difficult task, more especially in these days when science is available not only to the honest man and good worker but to the dishonest man and thief. Counterfeit notes are prepared in such a way that these poor devils cannot always detect them, and if any forgery is passed as genuine the man concerned has to make it good. So here you have a man drawing Rs. 60 a month who perhaps has to make good a note of Rs. 100, and at the end of the month he finds himself with nothing left to maintain himself and his family. Similarly, in the case of coins. If he has passed any bad coin he has to make it good. It frequently happens that he works in a defective light, or it may be that he is rushed, but nevertheless every bad coin passed is recovered from him afterwards. So I say that some of these people have hardships which it is hardly possible for them to bear. That is why I have brought their case before you here. After all what is it we ask for ? We do not ask at once for so much increase or so much of this or that. We only say that since the executive side have declared that they can do nothing for us we will try the legislative side and ask for a Committee both of officials and non-officials, and let them look into the matter carefully and come to a conclusion, and we shall be bound by the conclusion whatever it may be. All these people are after all poor Government servants and they cannot afford to give up their jobs. So our prayer taken altogether is nothing very extraordinary.

It may be said, " Why do you go over the heads of the heads of the departments ? " I do so for this reason. There are heads of, 12 Noon. departments who are always in sympathy with their subordinates and when the subordinates approach them for any advance, they say : " Look here, the financial stringency is so great that if I put up any recommendation it is not likely to be passed, and if I put in a recommendation which is not passed it is not very good for me. So, I cannot do anything for

[Mr. G. S. Khaparde.]

you." If, on the contrary, the question is taken up here and talked about and passed in the Council, the head of the department will be pleased, because he wants to do it, but he could not do it. What I do is not against the present or former head of the department. In fact, this is in consonance with their wishes; this is exactly what they want to do, but could not do on account of financial stringency. Financial stringency is not a thing which will disappear in a day or two. It is a war legacy which might last for a century; meanwhile poor people will suffer in this way. I urge this matter before this Council and the principle which I ask for and for which I contend is one with which everybody will agree, namely, same work same pay, equal work equal pay, similar work similar pay; only the last must be a living wage; it cannot be that the last man lives on nothing at all; he must have enough to feed himself. The Accountant General's staff, and the military office people, who do this work, receive certain remuneration. Why not give a remuneration like that? Other branches receive better pay and why should not these people get the same pay? That is our case and that is the case which I wish to submit to the judgment of this Council. I have not brought forward this Resolution by way of appeal but to help really these heads of departments to carry their schemes through. They had the schemes and they had even submitted them to the Secretary of State, but this unfortunate financial stringency came in and everything was upset.

I commend my Resolution for your acceptance.

THE HONOURABLE MR. V. RAMADAS PANTULU (Madras: Non-Muhammadan): Sir, I rise to support this Resolution. I have given an undertaking to my friend Mr. Khaparde that I will try to deal with grievances on which he may not have time to touch. I may be permitted, Sir, to inform this House that I approached this Resolution with a bias against it. My friends on the opposite side sometimes profess to approach Resolutions with a bias in their favour even after they have made up their minds to turn them down. But I assure you, Sir, that I started listening to the grievances of the Currency staff like a bureaucrat trying to discredit the popular views. After listening to them I must say that I was convinced of the existence of certain grievances which require to be redressed. The Honourable Mr. Khaparde has told the House that things in the Currency Department have considerably changed at two or three stages. Honourable Members might like to know a few facts about this ill-paid staff which is doing very important work. There are seven Divisions, seven Currency Divisions. They are, Madras, Bombay, Karachi, Lahore, Cawnpore, Calcutta and Rangoon, and in the headquarters of each of these Currency Circles, there is a Currency Office. Before 1908 the Currency and Accounts Department were under the Accountants-General. I am told that there was no disparity then between the Accounts staff and the Currency staff in the clerical branches; there might have been some disparity but not very much. After the division in 1908 of the Currency and Accounts Departments, the Currency Department was placed under the Controller of Currency and since then they seem to have got into some little trouble. The Currency Department is again divided into two divisions, the general side and the treasurer's side. People on the general side seem to do

more or less the same kind of work as the people on the Accounts side. The Currency clerical staff do not compare favourably with those on the Accounts side and I am told that those who serve on the Currency side suffer in comparison in regard to emoluments, prospects and promotion, with those on the Accounts side. I have got the figures but do not want to make a lengthy statement to the Council; this will serve as an illustration; in the Accounts side the clerks start on Rs. 60 and their pay is Rs. 60—8—140—6—230. The same kind of people in the Currency Offices start on Rs. 60 and their scale is Rs. 60—5—110—6—150. Therefore a man on the Accounts side after 20 years' service, starting with Rs. 60, gets something over Rs. 200; a man starting on the same pay on the Currency side, starting also on Rs. 60, after 20 years of similar service can only get Rs. 150.

THE HONOURABLE MR. E. BURDON: My Honourable friend has omitted the selection grade, which takes him up to Rs. 170. After Rs. 150, the scale is Rs. 150—10—170.

THE HONOURABLE MR. V. RAMADAS PANTULU: Even then it does not improve the position. The selection grade is only for people of particular merit, and even then the selection grade man can go up to Rs. 170 only; he cannot go up to Rs. 230 as a man on the Accounts side could. The disparity still exists. Much of the point in my argument is not taken away by the correction for which I, however, thank my Honourable friend.

Then, Sir, with regard to the men in what is called the treasurer's branch, they seem to be suffering under severe disadvantages which require sympathetic consideration of the Government. To start with, a certain set of people were recruited on the treasurer's side from 1915 on a non-pensionable scale. Till then they had the pension. The promise was that they would get some sort of provision for provident fund. But, Sir, from 1915 to 1919 nothing was done. In 1919 they started a system of provident fund for these people who were recruited on a non-pensionable scale from 1915. It was actually started in 1919. The system of provident fund vouchsafed to them happens to be materially different from the system of provident fund obtaining in other Government offices. Government itself does not make any contribution. Only the employees make the contribution and the Government seems to pay them a bonus at the end of their service which is on the basis of one-twelfth of the yearly salary, provided they satisfy certain conditions. I am aware that at the beginning there was greater hardship, because unless they satisfied the rules for eligibility to pension, they could not get this bonus. A man who died before completing 10 years' service, did not get anything. It is removed now and people do get something in the case of death happening within 10 years of service. However, the whole system still seems to work very prejudicially to the employees. They get no interest as they get no monthly contributions from Government. In the other cases Government pays a monthly contribution and the contributions accumulate; they get interest on it. Therefore at the end of their service, 20, 25 or 30 years, employees in this branch get substantially less than the employees in other Departments where the provident fund system prevails. Therefore I think the question of the provident fund does require looking into. I hope something will be done to remove this grievance.

[Mr. V. Ramadas Pantulu.]

Then, Sir, with regard to the scales of pay of the inferior servants, I took some trouble to go into the figures relating to the Currency Department and compare them with other Departments. There also the grievance seems to be genuine; these inferior servants start on Rs. 20 to 25 and they get a house rent of Rs. 7, while people in the Postal Department, who are by no means well paid, start on Rs. 25 and go up to Rs. 30 by small annual increments, and they get a house rent of Rs. 8/8. So the inferior Currency staff compare very unfavourably with inferior servants in other Departments. I think their case really requires consideration. This House, Sir, will remember that these people live in places which are very costly. Karachi, Bombay, Calcutta, Lahore and Rangoon are exceedingly costly places and poor servants require liberal payment. They cannot be so well off as those who live in the mofussil on the same pay. Then with regard to the clerical staff, too, there seems to be some real grievance. I do not wish to take up the time of the House because the Honourable Member on the opposite side is fully aware of these facts and knows how matters stand. I only wish to say that there is a true complaint which requires looking into.

Then with regard to the shroffs, of whom my friend Mr. Khaparde spoke at length, I have been looking into the very lengthy statements of the sums the shroff are required to make good from time to time. There is the note section and the coin section in which these shroffs work. Those in the note section sometimes have to make good large deficiencies due to overpayment and passing forged and mismatched notes, and such occasions are not rare. Those in the coin section have fifteen different coins to sort and examine and they are made responsible for loss on counterfeit coins and defaced coins and various other things. I find from the monthly statement for 1928 that 31 shroffs in the Bombay office were asked to make good during that year something like Rs. 1,200 and odd. So that every month these poor people have to lose from their pay more than Rs. 100 to make good the losses. With regard to defaced coins, it is difficult to spot them. It is only when the coins go to the Mint and are pronounced defaced it is actually known that they are defaced. Therefore, these people work under great disadvantages and a severe handicap. Their case requires consideration. I am not speaking from theoretical considerations. I myself am in charge of a bank, charged with the duty of checking periodically cash balances and I know what the duties of shroffs are. What we do to relieve them is to give them assistance so that in handing over the notes they pass through two or three hands. But I am told that in the Currency Offices they do not get any help of this kind to detect mistakes. In the case of the shroffs in the coin section what they are asked to is to weigh and examine coins and sort them out into 15 varieties, and then put them into bags with a chit showing the name of the shroff; and he is held responsible indefinitely as it is not known when the particular bag will be sent to the bank and when the fraudulent or defaced coin is detected. The thing is kept hanging over their heads and at the end these men may have to pay large sums. All the time they are doing work of a responsible character. And so, Sir, when they say their scales of remuneration ought to be revised, I think they have made out a good case. I find that, except in Bombay where they start on Rs. 50 and go up to Rs. 80, these shroffs start on Rs. 30 or 40 and go up to Rs. 70. This compares very unfavourably with the pay which similar men get in the banks. For instance, in the Imperial Bank of

India, they get Rs. 70 to Rs. 135 ; in the Central Bank of India, Rs. 70 to Rs. 175 ; in the Bank of India, Rs. 60 to Rs. 125 ; in the National Bank of India, Rs. 60 to Rs. 175 ; and in the Chartered Bank of India, Rs. 60 to Rs. 150. The shroffs who are doing the same kind of work in the banks are much better paid than the shroffs in Currency service. Having regard to the onerous character of the work that they do and the great risks that they are running over it, I feel that their case requires some consideration.

I only wish to say one word with regard to the pension of menials. I am told that, whatever may be the pay of the menial, he only gets a pension of Rs. 4. That is hardly fair. The Government of India has been promising to revise these things when the Local Governments have revised their scales. Now, some Local Governments have done so. Bombay has, for one. But I am told the Government of India now say : let us wait and see what all the other Local Governments do and that they are not bound to follow the example of Local Governments. But in the case of these men, I think Rs. 4 is hardly adequate for the long and faithful service which they rendered in this Department. They should get half pay as pension. To retire a man on Rs. 25 with a pension of Rs. 4 is to make him virtually starve. Therefore, I hope that this matter also will receive the sympathetic consideration of the Government of India.

There are various other grievances which are detailed in the books presented to the House by my Honourable friend, Mr. Khaparde, and I do not wish to take up more of the time of the House. There is just one thing more and that is the case of the supervising and superior staff which seems to be also suffering from real disabilities. The prospects of the people in the lower grades depend on the number and prospects of superior posts available. I am told that the revision of 1924 did not include the superior staff ; the result leads to anomalies ; there is an instance in the Bombay Currency Office in which a clerk in the section draws Rs. 170 while his Supervisor in charge of that section is only in the grade of Rs. 175—10—225. Therefore, the matter requires looking into.

I think, Sir, I have said enough to show that there are grievances. I know the Honourable Member will tell me that the Government are fully alive to the interests of their own servants. I do not deny it. But the Government of India are not always free to do what they believe to be just. The trouble with the Government is that it retrenches in the case of people who are *flourishing* on Rs. 50 to 100 a month but it is liberal towards people who are *starving* on Rs. 4,000. Therefore, I hope more sympathetic considerations will prevail in this case and something will be done to improve the lot of these people in the Currency Department whose grievances so far as I can see are genuine and deserve to be redressed by the Government.

THE HONOURABLE SRIJUT RAMA PRASAD MOOKERJEE (West Bengal : Non-Muhammadan) : Sir, I rise to support the Resolution which has been moved by the Honourable Mr. Khaparde. The facts have already been placed before the Council by the Honourable Mover and Mr. Pantulu who has followed him. There is one general point which I want to place before this Council. Although the grievances of the Currency Department have been before Government off and on during the last few years, and although

[Srijut Rama Prasad Mookerjee.]

Government had originally been saying that they could not interfere, certain modifications have, all the same, been made from time to time. Take, for instance, the case of Provident Funds. When the service was made non-pensionable, a Provident Fund was to have been introduced. Three or four years elapsed before the Provident Fund was actually introduced ; after it was introduced the Currency Department brought to the notice of Government the fact that the scheme as drawn up was not a scheme which could be regarded as a fair or a reasonable scheme taking into account the pensionable system under which the whole staff was originally ; Government then stated that they would not modify the scheme. But later on, modifications have actually been made from time to time. With regard to the scale of pay again, the scale has been modified from time to time, but the modification introduced has been such that the increase is either 8 annas or one rupee or two or three rupees, as the case may be. There has not been any increase which might be called an appreciable increase. The way in which Government have been dealing with the matter during the last few years making improvements by dribbles, one in 1922, then in 1924, and another in 1927, makes the position of the employees far more difficult, and I think the proposition of my Honourable friend Mr. Kharparde to have an inquiry is supported by the attitude of Government itself. If Government had taken up the matter not piecemeal but as a whole and said : these are the scales of pay, these are the increments, these are the different systems of provident funds to be introduced, then once for all the thing would have been settled : the men would have known that this was the ultimate limit to which Government would go. But the way in which Government has been dealing with the matter has been so unsatisfactory, that I think there ought to be a final and definite step taken by Government so as to let the people know what the final decision in the matter is. The grievances that have been formulated by the Association or by the individuals concerned make out certainly a very good case for inquiry. I cannot say personally that all those grievances are real grievances, but the way in which Government has dealt with those grievances shows that there is something in those grievances which ought to be inquired into.

There is one point to which reference has been made by the Honourable Mr. Pantulu, and that is with regard to examination of notes. It is very difficult to find out whether a note is a forgery or not, and it has been brought to my notice that there have been cases where even experts have differed as to whether a particular note was a forged note or a real one, and even when experts differed, the person concerned had been mulcted of his pay. Take, for instance, one case where the superior officer of the staff said that if he had been in the position of the shroff, he would have passed the note and he recommended that the amount ought to be written off. But a still higher officer thought that the shroff should be mulcted of the pay and a poor person who gets Rs. 30, 40 or 50 has to pay Rs. 6, 7 or 8 per month for a year or 18 months or two years. That is certainly a very undesirable state of things. Every employer must give to each employee a pay which would keep him above want and the conditions of service also should be such that if in the ordinary discharge of his duties he does something wrong which is not intentional but unavoidable or purely accidental, then he ought to be leniently dealt with. There are various other matters which ought to be thoroughly gone into by a Committee.

THE HONOURABLE MR. E. BURDON (Finance Secretary) : Sir, I have listened with great interest to the speeches that have been made on this subject, and, in particular, my Honourable friend Mr. Ramadas Pantulu has told me one or two things which I did not know before and which I am very glad to learn. Apart from that, Sir, it is my duty to spare my Honourable friend any possible suspense and come to the point at once. I am afraid—I say it with very great regret—that I must oppose this Resolution. I have very substantial reasons for doing so which I hope he himself will be able to accept as substantial. But I hope it will mitigate his disappointment and make him feel that he has not altogether failed of his purpose when I tell him that as a result of the interest which he and others have been taking in the case of the Currency Office establishments it has quite recently been decided to accede to the representations which have been made from time to time in regard to the establishment of a contributory Provident Fund for the non-pensionable staff in the Currency Offices. In April 1928, when the Honourable Sir Bhupendra Nath Mitra, who was then Finance Member, and I, as Financial Secretary, were on tour together in Bombay, we received a deputation from the Currency Office Association and this particular grievance attracted our attention especially. Since then we have been going into the matter. The questions connected with the establishment of a Provident Fund are not altogether free from difficulty. But the other day, at a meeting of the Standing Finance Committee, it was agreed that a contributory Provident Fund should be established. The terms proposed are that the employee should be compelled to contribute 1/12th of his pay a month, that Government would contribute 75 per cent. of the man's contribution—that is the usual scale—that Government will add interest at the current Provident Fund rate calculated in the usual manner.....

THE HONOURABLE SRIJUT RAMA PRASAD MOOKERJEE : The Government will pay the percentage of the pay ?

THE HONOURABLE MR. E. BURDON : 75 per cent. of the employee's contribution. The Government will add interest at the current Provident Fund rate calculated in the usual manner and, in addition, the employees will probably be allowed.....

THE HONOURABLE MR. G. S. KHAPARDE : Will it be subject to income-tax ?

THE HONOURABLE MR. E. BURDON : No. Deposits in Provident Funds are not subject to income-tax.

THE HONOURABLE MR. G. S. KHAPARDE : They are.

THE HONOURABLE MR. E. BURDON : No.

THE HONOURABLE MR. V. RAMADAS PANTULU : From what date will Government give effect to its decision (of making a contribution of 75 per cent. of the employee's contribution) ?

THE HONOURABLE MR. E. BURDON : I am coming to that, Sir. It may be arranged that the employees should continue to be allowed to subscribe to the General Provident Fund in addition if they wish to do so. There is one further remark which I wish to make in regard to this. While the Standing Finance Committee have agreed to the plan, we propose in addition to consult the Association, the Trades Unions, so to speak of the Currency Office employees

[Mr. E. Burdon.]

in order that we may make quite sure that we have not overlooked any particular point in which they are interested. So much for that.

As regards the Resolution in general, the first objection which I must take to the proposal is a general one. I would submit, Sir, that while very important, and very responsible and very difficult functions have been allotted to the Legislature, these functions do not, here or in any other country, include that of settling the details of administration, and I submit, Sir, that if one part of the machine attempts to do the work of another part, then, in Government as in mechanics, the result must be a breakdown. I am quite sure, Sir, that in the abstract and in general, my Honourable friend will agree with me. I am sure my contention is right. But he will wish to make a special case of the case under discussion, and I say that to make it a special case would be an exceedingly . . .

THE HONOURABLE MR. KUMAR SANKAR RAY CHAUDHURY : In England this is done under the control of the Legislature. The Executive is responsible to the Legislature there.

THE HONOURABLE MR. E. BURDON : Quite so; but that does not alter the proposition that certain functions are allotted to certain people, certain parts of the machinery, and certain functions to others. That is a universal truth. Well, I say that if you make a special case of this, it would be an exceedingly dangerous precedent. Let us assume for the moment that the Resolution is adopted by the Council, the Government accept the recommendation, and appoint a Committee, and that the Committee recommend the grant of some concessions. It does not matter what they are. What will be the further result? Clearly, every establishment under the Central Government would be encouraged to lay its grievances at the feet of some Honourable Member and beg him to move another Resolution to secure an investigation by a different agency. You will find it completely impossible to draw the line. Now, I am sure my Honourable friend will say that Government should not allow their servants to have grievances, to which I can only reply that it is not in human nature for every one to be entirely and absolutely satisfied with his pay and prospects. There are exceptions of which I am one (Laughter) but the general proposition remains nevertheless correct, and I say, Sir, that if you remove all the grievances of public servants you will be apt to find that you have given a very substantial grievance to the general tax-payer. I feel sure that the situation which I have depicted is not a situation acceptable to this Council, and I would ask the Council on this ground alone not to admit my Honourable friend's proposal. If this Council desires to formulate any general principle to regulate the remuneration of public servants, that would be entirely appropriate. But the application of the principle should, I respectfully submit, be left to those who are employed and trained for the purpose and who have experience not merely of one establishment but of many and are thus able to take a comparative view.

My second objection is that Government have satisfied themselves that they have done all that is necessary or practicable to meet the just claims of the personnel in question and that if due regard is to be paid to the public interest they would not be warranted in conceding further benefits or amenities.

I must make it clear that this is not a case in which the Government of India have formed their conclusions merely on perusal of the reports of the Head of the Department, thorough and convincing though these reports have been—for I must hasten to acknowledge that both Mr. Denning and Mr. Taylor as Controllers of Currency have on many occasions investigated the grievances of their staff with the greatest thoroughness and sympathy. But other means also of ascertaining the true facts have been employed. As I said a short time ago, in April 1928 the Honourable Sir Bhupendra Nath Mitra as Finance Member and I as Finance Secretary received a deputation from the Currency Offices Association and discussed exhaustively with them every point which they wished to bring forward. As I have explained, it was on this occasion that my attention was first directed to the question of the Provident Fund as a matter for legitimate complaint which is now in process of being remedied. Later, I had interviews followed by correspondence on the same subject with Dewan Bahadur T. Rangachariar, President of the All-India Currency Offices Union, and I believe I satisfied him on the whole that it was not practicable to expect Government to grant the requests on which he had laid so much stress. And I have examined the case personally on several other occasions in connection with questions to be asked or Resolutions to be moved in this Council or in the Legislative Assembly. The result is, as I have said, that I am satisfied that it would not be right to increase the cost of these Currency establishments by yielding to the demands which have been made. I must remind the Council that the establishments are among the Finance Department's own children and that we should naturally have a friendly feeling for them. But, as I have said, the Finance Department has felt it its duty to deny their petitions.

Now, Sir, I will deal with one or two of the specific grievances alleged. First of all an important thing to remember is the point to which attention has been drawn by two of the previous speakers, namely, that the Currency offices were at one time part of the offices of Accountants-General, and that it is really from the fact of the separation that, to a large extent, the dissatisfaction of the Currency office personnel springs. A frequent complaint is that the personnel in Currency offices are not as well paid as the personnel of the Accounts offices. This is a complaint which I personally have no hesitation in rejecting. I do not deny that the duties performed in Currency offices by clerks are important and require to be carried out by reliable people, but they are entirely different in their nature from the duties carried out by clerks in Accounts offices and are not so difficult. I am quite sure it would be incorrect and extravagant to apply the higher scale of pay to the Currency Offices. In this connection I wish to say one other thing. Honourable Members are probably aware that it is not merely the clerks in Currency Offices who look with envy at the rates of pay drawn by clerks in Accounts offices. A similar complaint comes from clerks in Post Offices, in the Customs and other Departments of the Central Government; and it has been found in those cases that the differentiation is justifiable. The same pressure has not been exercised to support the claim in the case of these other offices, the reason simply being that the Currency Offices were at one time associated with the Accounts offices and consequently

[Mr. E. Burdon.]

they feel the separation : and they feel the differentiation in pay more keenly than the others. Now, Sir, I do not think my Honourable friend the Mover of this Resolution altogether did us justice. He said that these complaints had never been looked into and I trust that Honourable Members will accept the assurance of what I have said to convince them that we have looked into these matters very carefully on more occasions than one. Again, my Honourable friend really *skipped*, if I may say so, the revisions of pay altogether. The omission was, however, repaired by my Honourable friend Mr. Ramadas Pantulu and Mr. Rama Prasad Mookerjee. There were of course revisions of pay in 1920, again in 1922 and in 1924. I must also demur to the suggestion of the Honourable the Mover of this Resolution that the Controllers of Currency really wanted increases of pay and other amenities to be given to their staffs but were afraid to make recommendations to the Government of India. Any body who knows either Mr. Denning or Mr. Taylor will know that they are officials of great independence of character and they would not be deterred by any such consideration from claiming for their staff what they believed to be their just dues. Now, Sir, the grievances that we have investigated are briefly as follows. We are told that the revision of 1924 does not meet the market conditions and barely afforded any relief. The facts are these, that scales of pay were substantially improved in 1924. The maximum pay of clerks was raised from Rs. 100 to 150 in the larger offices, from 100 to 130 in Rangoon, from 80 to 130 in Madras and 80 to 100 in Lahore, Cawnpore and Karachi, and the rate of increment was also raised. As I say, the rates of pay compared very favourably with the rates of pay admissible in other offices of the Central Government in the same places, apart from the Accounts offices. A request has been made that the existing scale should be replaced by a uniform scale for all Currency Offices. I am quite sure that no Member of this House would think it necessary to give the same rate of pay in Calcutta as in Madras and Lahore. Sir, we have heard a good deal about the grievances of the shroffs, but actually what happened to the shroffs was that their rate of pay—I take the Bombay rate—was raised from Rs. 40—2—60 to a scale commencing with Rs. 50 and rising by small increments to Rs. 80 ; proportionately a very substantial increase. We have had no difficulty in recruiting shroffs at these rates of pay, nor have we found that we get unreliable shroffs at these rates of pay. But my Honourable friend Mr. Ramadas Pantulu made a very interesting observation regarding the shroffs which I should like to pursue separately. He told us that the rates of pay of shroffs in banks and business houses are considerably higher. That I must confess had escaped my attention. I am not sure that the actual system and organisation of the Currency Offices is the same as that of banks, and if my Honourable friend will give me further information I shall certainly investigate that point further. My Honourable friend I am sure is aware that to supervise the work of the shroffs we employ treasurers who do work generically of the same character, only of course they carry out the supervision. The rates of pay of these treasurers were raised from a scale commencing at Rs. 500 and rising to Rs. 700 to a scale commencing at Rs. 700 and rising to Rs. 900. I have taken the rates of the Calcutta and Bombay offices.

THE HONOURABLE SRIJUT RAMA PRASAD MOOKERJEE : Are the shroffs or the treasurers responsible for all kinds of notes ?

THE HONOURABLE MR. E. BURDON: There are certain informal arrangements which exist between the treasurers and the shroffs. These arrangements prevail not merely in Currency Offices but in district treasuries all over India. Shroffs are nominees of the treasurers; very often they are their relations and they are brought in by them and very often there is some informal arrangement between them by which they share losses. But obviously it would be very undesirable to diminish in any way the responsibility of the shroff for testing coins which he has to handle.

Now, Sir, my Honourable friend Mr. Pantulu—perhaps he will correct me if I am wrong—said that the pension of menials was only Rs. 4 per mensem and also that their rates of pay were inadequate. I think my Honourable friend was wrong as regards pension, because under the scheme for the temporary increase in small pensions, there is no pension less than Rs. 6 per mensem, payable either by the Central Government or, so far as I know, by Provincial Governments. That temporary increase in small pensions which was originally introduced in 1921 has been continued ever since, and it was only the other day that the Standing Finance Committee of the Legislative Assembly agreed to a further extension of it for another two years. It is the case that the Bombay Government have recently introduced a rule by which pensions of inferior servants shall be equivalent to half pay. Possibly there is some minimum limit. But I think I am right in saying that Bombay is practically the only Provincial Government in India which has found it possible to afford this step. We ourselves have been taking an interest in this subject recently and we have made inquiries from all Local Governments. So far as we are concerned, the inferior servants of the Government of India are entitled to this scale, the “temporary increase” scale, subject to any modifications introduced by the Provincial Governments of the provinces in which they live in respect of inferior servants (on pension) of those Provincial Governments. As regards the rates of pay, the situation is this, the pay of menials in Currency Offices coincides almost entirely with the pay granted by Local Governments to their own servants in the different provinces. This, I may say, is the practice universally followed by the Government of India in all their offices in all parts of India; and I must confess that I can see no reason for departing from this in the case of Currency Offices.

Now, Sir, another grievance, which was not mentioned by Honourable Members, and which we have investigated, relates to rates of work. We were told that the rates of work should be reduced. The rates of work were very carefully investigated by the Controller of the Currency and the rates fixed are not regarded as too high. The hours of work in Currency Offices compare favourably with those in banks and firms in large cities. Efforts have also been made to improve the accommodation, *i.e.*, the buildings in which the work is carried out. We have recently erected a new building at Karachi. Plans for a new office in Lahore have been drawn up and the construction of a new office in Madras is contemplated. These facts which I have just given bear, as I say, upon another grievance which has not been mentioned to-day. There are certain other grievances also as regards leave and holidays. I am sure that Honourable Members will appreciate the fact that Currency Offices must follow the leads of the banks and close only on holidays declared under the Negotiable Instruments Act. They cannot be completely closed on other days, but so far as possible, concessions are made.

[Mr. E. Burdon.]

In conclusion, I can only say that the attention of the Controller of Currency has been very firmly focussed on this matter as a result partly of our own desire to improve the conditions of service of our establishments and as a result also of the interest which has been manifested in this matter by Members of both this Council and also of the Legislative Assembly. I hope, Sir, that what I have said will convince the Members of the Council that it is not really necessary to appoint a Committee to hold a further enquiry such as is suggested by the Honourable Mover.

THE HONOURABLE SIR MANECKJI DADABHOY (Central Provinces : Nominated Non-Official) : Sir, I did not intend to take any part in this debate, but owing to one or two observations which have fallen from my Honourable friend, Mr. Burdon, I feel I cannot allow them to go uncontroverted in this Council. At the commencement of his speech he attacked my Honourable friends Mr. Khaparde as well as Mr. Ramadas Pantulu on the ground that it is no part of the duty of the Legislature to interfere in matters of this kind (Applause), and that the whole question should be left in the hands of the administrative machinery which is empowered and which only is privileged to look into such matters. I beg, with great deference, to differ from him (Applause) in the enunciation of this proposition. It is the first time that I have heard that the Legislature's powers in these matters are trammelled in any way. I quite understand that it is no part of the duty of the Legislature in individual cases of grievances to interfere ; that proposition I am quite prepared to admit ; but the Resolution does not touch individual cases. The whole body of the establishment is concerned. When the whole Department is concerned with the grievance, when it is brought to the notice of the Legislature that there is something intrinsically wrong in the application of the general principle which has been observed in a particular Department, I think it is the right and the privilege of the Legislature to interfere. I know that this has been done in several cases, even in the Mother of Parliaments, I mean the British Parliament. In such general matters they have always the right to interfere. I will give you one illustration. The Government of India have interfered in the case of railway employees because they threatened to strike in a public department. Poor clerks cannot go on strike, and therefore their grievances could not be heard. I do not think you can make any difference between the Railway Department, which is a Government Department, and any other Department, and I therefore disagree with my Honourable friend Mr. Burdon on that point. Again, did we not increase the salaries of the members of the Civil Service and other services on the recommendation of the Lee Commission ? Then, Mr. Burdon further stated that it would cause a dangerous precedent and that, if the Legislature, interferes in the case of one Department of Government, the other servants of Government will also bring forward their case before the Indian Legislature and probably there will be no finality in such matters. I say if the other Departments have real and similar grievances, let them bring them forward by all means, and we, all of us, shall be very pleased to hear them. We shall not inquire into individual cases, as I said, but we shall certainly inquire into matters affecting collectively the interests of the employees in Government service. Then, my Honourable friend asked : " What will be the result of such state of affairs ? " He said : " You will be transferring one grievance

from one class of people to another, namely, the grievances of the poor clerks, whose burdens will be relieved, will be put on the general tax-payer. I for one may immediately tell him that if such a burden is put on the tax-payer, I shall be glad to bear it and I know that Honourable Members of this Council will also very cheerfully acquiesce in that proposition (Applause). That is no explanation, no answer, whatever to this argument. My friend has stated that the Government increased the salaries of these people in 1924 and they have considered with sympathy all the grievances of these classes of employees. We are grateful to Government for having done that, but when these other facts are brought out that since 1924, it must also be acknowledged, the prices of various commodities have also considerably increased.....

THE HONOURABLE MR. H. B. CLAYTON : No.

THE HONOURABLE SIR MANECKJI DADABHOY : In a certain class of cases. The index figure, I do not think, is just the same as in 1924.

THE HONOURABLE MR. H. B. CLAYTON : It has gone down.

THE HONOURABLE SIR MANECKJI DADABHOY : In some cases, but it has increased in certain others. It is a question that needs inquiry, and I do not think the Government is likely to suffer in any way by an investigation being made by officials and non-officials into the grievances of these bodies. If these grievances are unfounded the Committee will so advise. If these grievances are legitimate and proper and require sympathetic attention, I do not see why we should refuse such an inquiry and investigation. I therefore think that the reasons which the Honourable Members have urged for supporting this Resolution are not wholly inadequate.

THE HONOURABLE THE PRESIDENT : If the Honourable Member wishes to speak in reply he should rise in his seat.

THE HONOURABLE MR. G. S. KHAPARDE : Sir, my task has been considerably lightened by what my Honourable friend, Sir Maneckji Dabadhoy, has said. But there are a few considerations I wish to submit. I have noted down only about five or six points. I do not mean to go into those intricate matters of accounts about which my friend is so well informed. But, first of all, he objects to our jurisdiction. He thinks that this Council has no jurisdiction to go into a matter of this kind. I submit our jurisdiction is limited and contained in the rules for the conduct of business, both general and special, and when we send in a Resolution and it passes through the scrutiny of the office, then the President says whether it is in the rules, and after the President has allowed it, I suppose the Viceroy looks into it, and says the Member should be allowed to move the Resolution. After the Resolution has gone through the ordeal of these three examinations, it is too late now for my Honourable friend sitting on my left to say that we have no jurisdiction in the matter. This Resolution has gone through the ordeal of examination by the office, the Honourable the President and His Excellency the Viceroy, so I attach no importance to this objection that has been taken. The next point that was put forward was that all people would similarly bring up their grievances. Well, my reply is that I shall feel very glad, and the more people who bring up their grievances to us and the more we are able to give them justice, the better pleased I shall be. If it was not within your rule it would not have

[Mr. G. S. Khaparde.]

been permitted at all either by the office, or the Honourable the President. And let them come. What is this constitution for? In order that justice may be done to everybody, in all possible ways. If the executive side declines to act in the matter, the legislative side will have to do it. And why not? Is the executive sacrosanct? And why is my friend unwilling that the matter should be submitted to arbitration by official and non-official Members. Has the Department given the final answer? We have brought the answer here. And he says he has done enough. That is just the point that is in dispute. Why not submit it to arbitration by official and non-official Members? Where is the difficulty? Sir Maneckji Dabadhoy has got considerable experience of managing big concerns. Then there are others who have managed and successfully carried out big projects. Why not? It is just as well to have the arbitration. Why should the decision of the executive be final in the matter?

THE HONOURABLE SRIJUT RAMA PRÁSAD MOOKERJEE: The Government should welcome such an arbitration.

THE HONOURABLE MR. G. S. KHAPARDE: They should be glad to see there is no injustice. They will cure it and set it right. Then the third point was taken that everything that can be done has been done. That was the point, I suppose, that my Honourable friend wished to make. But the people believe that it has not been done. And therefore I wish to bring it before this impartial tribunal of officials and non-officials. Where is the harm in that? As an act of great grace and great favour shown, my friend said that Government have given as much as 75 per cent. on what the poor man contributes. I wonder that he claims credit for that. In other departments the Government contributes an equal amount.....

THE HONOURABLE MR. E. BURDON: That is not correct, Sir. There is only one case in which 100 per cent. is given, and that is in the State Railway Provident Fund.

THE HONOURABLE MR. G. S. KHAPARDE: Why not? If this favourable treatment is given to one lot of men, why should it not be given to these poor people? They deserve it more than other people. But he looks upon it as a piece of benevolence when I look upon it as a grievance. The further point was made by my Honourable friend that these things are not done. I remember in this particular place and in this very hall, and Honourable Members who were present will remember it too, the Civil Service came here for an increase in their allowances or something and we had to sanction it. If we had no business at all, how did the Civil Service come to us and how did we grant their grievance?

THE HONOURABLE MR. V. RAMADAS PANTULU: That was the Lee Commission.

THE HONOURABLE MR. G. S. KHAPARDE: No, a little earlier than that. It was in connection with the poor press people—the Government press people. And Sir Thomas Holland who was then fighting me—he used to sit there—said: “After all, the tax-payer has to be taken into consideration, and if we increase the pay of these press men, we the tax-payers will have to pay for it.” Well,

I said, "the increases given to these Civil Service people cost 4 crores, whereas in the case of these poor people it would cost only a few thousand rupees. Why not give four or five thousand rupees to these poor people?" As the thing went—we cannot always command a majority in this House—my proposition failed. But I remember the occasion and therefore I do not think that any objection should be raised now. Well, I believe, Sir, that I have met all the important points that were made. My friend has gone a little further and tried to help me by stating objections to points that I had not made and taking credit for disposing of them. I do not wish to reply to that.

THE HONOURABLE THE PRESIDENT: The question is:

"That the following Resolution be adopted:

'This Council recommends to the Governor General in Council that he may be pleased to appoint a Committee of official and non-official members to enquire into the grievances regarding the scales of pay, Provident Fund and other service conditions of the non-gazetted staff, both menial and clerical, of the Currency Offices in India and Burma and to suggest ways and means for their redress.'

The Council divided:

AYES—16.

Asthana, The Honourable Mr. Narayan Prasad.	Ramadas Pantulu, The Honourable Mr. V.
Dadabhoy, The Honourable Sir Maneckji.	Rama Rau, The Honourable Rao Sahib Dr. U.
Govind Das, The Honourable Seth.	Ray Chaudhury, The Honourable Mr. Kumar Sankar.
Khaparde, The Honourable Mr. G. S.	Sinha, The Honourable Mr. Anugraha Narayan.
Mahendra Prasad, The Honourable Mr. Mookerjee, The Honourable Srijiut Rama Prasad.	Suhrawardy, The Honourable Mr. Mahmood.
Mukherjee, The Honourable Srijiut Lokanath.	Surpat Singh, The Honourable Mr.
Natesan, The Honourable Mr. G. A.	Zubair, The Honourable Shah Muham-mad.
Padshah Sahib Bahadur, The Honourable Saiyed Mohamed.	

NOES—19.

Ashraf-ud-Din Ahmed, The Honourable Khan Bahadur Nawabzada Saiyid.	Maqbul Husain, The Honourable Khan Bahadur Sheikh.
Basu, The Honourable Rai Bahadur Suresh Chandra.	Mehr Shah, The Honourable Nawab Sahibzada Saiyad Mohammad.
Burdon, The Honourable Mr. E.	Muhammad Hussain, The Honourable Mian Ali Baksh.
Charanjit Singh, The Honourable Sardar.	Ryan, The Honourable Mr. T.
Clayton, The Honourable Mr. H. B.	Symons, The Honourable Major-General Sir Henry.
Dutt, The Honourable Mr. P. C.	Thompson, The Honourable Sir John.
Fazl-i-Hussain, The Honourable Khan Bahadur Mian Sir.	Watson, The Honourable Sir Charles.
Graham, The Honourable Mr. L.	Weston, The Honourable Mr. D.
Gwynne, The Honourable Mr. C. W.	Woodhead, The Honourable Mr. J. A.
Latifi, The Honourable Mr. Alma.	

The motion was negatived.

**RESOLUTION RE FREE ALLOWANCE OF LUGGAGE TO PASSENGERS
ON STATE RAILWAYS.**

THE HONOURABLE MR. NARAYAN PRASAD ASTHANA (United Provinces Northern : Non-Muhammadan) : Sir, I beg to move the following Resolution :

“ This Council recommends to the Governor General in Council—

(a) to revise the scale of free luggage allowed to passengers on the State Railways in the following manner

III class	..	..	..	..	..	25 seers.
Intermediate class	..	..	..	..	..	30 „
II class	..	..	..	..	..	40 „
I class	..	..	..	..	..	2 maunds.

(exclusive of bedding, handbags, sticks, umbrellas, etc.) ;

(b) to order that the prescribed free allowance of luggage should always be made, whether the luggage has been booked before beginning the journey or not.”

Sir, I require to say very few words in commending this Resolution to the Council, because I think that if every Honourable Member had the liberty to vote, he would vote for this Resolution. However, I do not place this Resolution on purely selfish considerations, but on the higher consideration of affording relief to the really aggrieved persons. The present scale of free allowance of luggage, as is known already to the Honourable Members, is 15 seers for III class, 20 seers for intermediate class, 30 seers for the II class and 60 seers for the I class. I want only an addition of 10 seers so far as the third, intermediate and II classes are concerned. I have put in the first class as a sop so that all those who travel first class might also vote for the Resolution. So far as I remember, the existing scale of free allowance of luggage has been in existence for more than 40 years, because since I have attained the age of discretion—it is more than 40 years, I think—I have always been learning that this is the scale of free allowance. But during the last 40 years the railway fares have been revised so very often and have been enhanced. I have worked out the rate of fares so far as the East Indian Railway time table is concerned, and I think the same will apply *mutatis mutandis* to all other railways. Taking the average that a passenger travels as 300 miles, the third class passenger has to pay 2½ pies per mile, an intermediate class passenger has to pay 5 pies per mile, a second class passenger 10 pies per mile and a first class passenger 20 pies per mile. Now, to a third class passenger who pays 2½ pies per mile a free allowance of 15 seers is allowed.

Now, taking the rates as given in the East Indian time table the luggage rate comes to 18/25 of a pie for every 15 seers per 300 miles, and for 25 seers it would come to 1-4/25 pies per mile. Therefore, what I now propose, so far as the third class passenger is concerned, will allow him only 11/25 of a pie per mile, making the difference between the 15 seers you already allow him and 25 seers. The 18/25 of a pie per mile which is now allowed may be deemed to be already included in the passenger fare of 2½ pies per mile. Now my submission is that, having increased the fares on the railway during the last 20 years, it is but fair that a greater allowance of free luggage should be allowed. But that is not the only consideration. As has been admitted all round, another consideration is that the standard of living has increased. Even the poor

third class passenger now requires more luggage than it was necessary for him to take 30 or 40 years ago. He requires more clothes and requires to carry other things with him for the purpose of his personal comfort. (*An Honourable Member* : " He is more civilised.") Quite so. I would therefore place it on this ground, that the standard of living having improved in the last 20 or 30 years it is but fair that the scale of personal luggage should be increased. Another consideration is, that once you admit that the railways are bound to carry a passenger a certain distance on the payment of a certain fare, it is surely a fundamental principle that you should allow him some luggage for his personal comfort. Because if you say that the railways are not bound to carry any luggage at all, then surely you can reduce it to an absurdity by saying that the railways are not bound to carry passengers with their clothes on, because clothes and boots are luggage. I remember cases when persons have been detected with excess luggage and they have dodged the railway ticket collector or inspector by opening their box and taking out the clothes and putting on one garment over another. So that a man with three or four coats would wear them all and wrap himself up in five or six shawls, etc., and thereby dodge the railway people. What is really required is that the railways should consider what amount of luggage is required for personal comfort, and if you once admit that you are bound to carry a passenger, you must give him an allowance of so much luggage as is essential for his personal comfort. I think in this year of grace 1929 even for a third class passenger 25 seers should be the minimum. In the same way I have increased the amount in the case of intermediate and second class passengers, but only by 10 seers. As Honourable Members might have noticed, I have divided the Resolution into two portions. In the first, I urge that the scale of free allowance should be raised, and in the second, I urge that this free allowance should always be given whether the luggage has been booked or weighed when beginning the journey or not. I justify that in this way, that if you are bound to carry the passenger with a certain amount of free luggage, the duty of a railway is only that of a carrier and if that amount of luggage is covered by the railway fare, then the railway is legally bound to allow that deduction if the passenger is subsequently found to have exceeded the limit. But I do not rely upon legal technicalities. I say that you penalise *bona fide* passengers who believe that their luggage is not really in excess and are quite unaware that it exceeds the weight admissible by a few *chittaks*. But under the existing practice the railway charges for the entire amount. Then, again, people often have not sufficient time to book their luggage or to get it weighed before beginning their journey. In such a case you do not even provide that when a passenger informs the guard that he had not sufficient time to get his luggage weighed that he should be allowed the free allowance. Therefore, you penalise innocent passengers in this matter. Moreover, I submit that there are often not sufficient facilities provided for the weighing of luggage even at big stations when there is a rush of third class passengers. I do not think that even Allahabad and Benares, which are pilgrim centres, can cope with a rush of two or three hundred passengers in the half an hour or so which is allowed for the purpose before a train comes in. This therefore is a very penal rule which says that a passenger shall not get his free allowance if he has not had his luggage weighed before beginning his journey, and it operates very harshly. I think therefore that the two portions of my Resolution will commend themselves to the Honourable Members of

[Mr. Narayan Prasad Asthana.]

this Council, and I suggest that Government should come to some conclusion agreeable with my suggestions in this matter.

* THE HONOURABLE MR. KUMAR SANKAR RAY CHAUDHURY (East Bengal : Non-Muhammadan) : Sir, I rise to support this Resolution, and the second part particularly, because of the great difficulty in getting luggage booked. In most of the stations, third and intermediate class booking offices are not opened in sufficient time to allow of the purchase of tickets, and there is a great rush in passengers getting their tickets, and luggage cannot be booked before the tickets are purchased. There is hardly any time left for doing that and the railway staff is not sufficient to cope with the work. Therefore, the rules do not provide for the compulsory booking of luggage. If you do not provide for the compulsory booking of luggage, I do not find any reason why you should penalise a person who cannot book his luggage before availing himself of a train. I, therefore, think that the second part ought to receive the support of the House to the fullest extent. As regards offering a sop to first class passengers, I do not follow why, if it is a mere sop, it should be 20 seers in their case, whereas it is 10 seers in the other cases.

THE HONOURABLE MR. G. A. NATESAN (Madras : Nominated Non-Official) : Sir, I hope my Honourable friend Mr. Asthana will forgive me if I speak out my mind. I have been connected with the Madras Railway Advisory Committee for the last three years. More than anything else in my days of struggle I have had to squeeze myself into third class carriages with heavy luggage. One of the commonest complaints and a very proper complaint is that third class compartments are frightfully overcrowded. I would like every Honourable Member here who has really heard this complaint and who is very seriously interested in mitigating, if I may say so, the hardships of third class travelling, to reflect what will be the effect if this proposition authorising increased luggage is carried. In the good old days, people did not carry about their boxes. Now, the poorest man carries a tin box ; sometimes in all conscience it is considerably bigger than one would expect. I know—and it is a matter of daily occurrence—that people are packed like sardines in third class compartments with very heavy luggage in addition, and I challenge any station master to remove any one of the heavy boxes, etc., of luggage. Then, again, unlike in other countries, our people are not accustomed to book their luggage and I am surprised that such an experienced man as my Honourable friend Mr. Asthana should have particularly moved the second clause. If in the first place without solving the difficult problem of overcrowding in third class compartments you should give increased luggage, I consider that probably the remedy will be worse than the disease. It will be adding very greatly to the hardships of the poor travelling public who are packed in third class compartments. With a certain amount of responsibility I can say, whatever may be the unpopularity, that we are not doing rightly by the poor travelling public and we are not really interesting ourselves in the cause of the men whose interests we are to look after. I quite admit that the present system by which a number of people are packed in third class compartments is really a disgrace to any civilised railway administration, and I do hope that every pressure will

* Speech not corrected by the Honourable Member.

be brought to bear on the railway authorities, and particularly on the central authority, to see that this system of crowding a large number of people into one small compartment is put a stop to. I think all our efforts and all the agitation should be concentrated upon that. I hope my Honourable friend Mr. Asthana will consider the situation very carefully. It does not mean that I am not alive to the difficulties and sufferings to which these people are put to ; but there are various Railway Advisory Boards in the provinces, and more than anything else there is the Central Railway Advisory Committee, and it is not at all difficult to put our heads together and try to solve this problem. I admit that it is a real grievance, but the remedy proposed will not solve it. On the other hand, it will add to the hardships. I cannot possibly conceive of a third class compartment, frightfully overcrowded already, being loaded with heavy luggage, as is done in the marriage season. If I felt for a moment that this proposition, if carried, would in any way mitigate the hardship of third class passengers, I should have had no hesitation in voting for it. Having myself been on the Advisory Board for some time, having had the opportunity of travelling in third class compartments with heavy luggage and often obliged to take marriage parties with me, I do think the Resolution will not remove the difficulties which my Honourable friend has in view. I hope that the subject will be discussed and that the Member in charge will give his views on it ; but instead of pressing this Resolution to a division, I would earnestly request in the interests of the very people for the removal of whose hardships we are pleading that this matter be referred to the Central Railway Advisory Committee.

The Council then adjourned for Lunch till a Quarter to Three of the Clock.

The Council re-assembled after Lunch at a Quarter to Three of the Clock, the Honourable the President in the Chair.

THE HONOURABLE MR. J. A. WOODHEAD (Commerce Secretary): Sir, the first part of the Honourable Member's Resolution deals with the scale of free luggage allowed to passengers on State Railways and recommends that the present allowance which varies from 15 seers in the case of third class passengers to 1½ maunds in the case of first class passengers should be increased. The increase suggested is considerable. From the point of view of percentages, in the case of third class passengers it is an increase of 66 2/3 per cent. and in the case of first class passengers an increase of 33 1/3 per cent. At the outset I would place the legal position before the House. Under the Railways Act, the railways are not bound to carry any luggage free. In other words, the free allowance is a concession pure and simple. Although this is the legal position, still it is the universal practice for all railways to give a free allowance of a certain amount which varies according to the class in which the passenger travels. There is also, as unfortunately so often happens, a financial side to the question. The earnings of class I railways in 1928-29 on carrying passengers' luggage amounted to 83 lakhs of rupees. That is a very considerable sum and it not only affords some indication of the loss of revenue which would result from any very large increase in the concession,

[Mr. J. A. Woodhead.]

but also perhaps illustrates in a rather forcible manner the monetary value of the present concession. The matter is, however, under consideration by the Government of India. It was recently investigated by the Railway Board who recognised that the existing free allowances for lower class passengers are somewhat lower than those allowed on other Asiatic Railways. At the beginning of this month the Railway Board brought the matter to the notice of the Indian Railway Conference Association and requested that body to consider whether an increase in the allowances made to lower class passengers would be justified. This Association meets in October, that is, next month. The matter will therefore receive their early attention and consideration, and it is hoped that a decision will be arrived at before the close of this financial year. I should explain in this connection that it is considered essential that there should be one uniform allowance for all railways in India. For instance, it would be most unfortunate from the passenger's point of view if a passenger travelling, say from Bombay to Calcutta by the Great Indian Peninsula and Bengal Nagpur Railways route, was liable to have his luggage re-weighed at his destination simply because the allowance allowed by the Great Indian Peninsula was not the same as that allowed by the Bengal Nagpur Railway. I mention this fact because the concession of a free allowance is not a matter upon which the Government can impose orders on Company-managed or privately owned railways.

The second part of the Resolution recommends that the free allowance of luggage should always be deducted whether the luggage has been booked before the beginning of the journey or not. In this connection, I would repeat again what I said as regards the legal position in connection with the first part of the Resolution. The allowance is a concession, and in these circumstances, it is, I think, reasonable that passengers who desire to avail themselves of the concession should comply with the conditions governing the concession, and that, if they fail to observe those conditions, they should be liable to some penalty. I am also afraid, Sir, that, if the penalty to which a person who is found with luggage in excess of the free allowance is now liable were entirely removed, as has been proposed by the Honourable Mover, passengers would be encouraged to avoid payment for luggage in excess of the free allowance at the starting station because they would know that, even if they were detected in possession of luggage in excess of the free allowance, they would be no worse off than if they had faithfully observed the conditions imposed by the railways.

Attention has been drawn to certain difficulties to which passengers are subject. I am in a position to inform the House that one of these difficulties is under consideration by the Indian Railway Conference Association. Complaints have been received that when luggage is reweighed at the station of destination passengers have sometimes to make an additional payment owing to a difference in the weight recorded at the starting station and that recorded at the station of destination. It was found on inquiry that some railways allowed more latitude than others in regard to what passengers are allowed to take unbooked with them into their carriages, and that all railways did not follow exactly the same rules in respect of weight found in excess at the station of destination. These questions have been recently referred to

the Indian Railway Conference Association and they have been requested to consider the possibility of introducing a uniform procedure on all railways. Another difficulty mentioned was the lack of facilities for weighing passengers' luggage at stations. My information is that, so far as third class passengers are concerned, they do not to a very large extent evade the conditions laid down, and that in fact the delinquents are rather the upper class passengers than the third class passengers. But if complaints are received as regards the inadequacy of facilities for weighing at any particular station, the railway concerned, I am sure, will be pleased to investigate them and if found justified to do every thing possible to improve the position. I regret, Sir, that Government cannot see their way to abolish the penalty imposed on passengers found during the course of their journey or at the station of destination with luggage in excess of the free allowance. It is felt that the removal of this penalty would encourage to a very large extent evasion of the conditions on which the concession is granted. But, as I said, there are two points, in regard to which an enquiry is being made with a view to the introduction of a uniform procedure on all railways, and I am sure that as regards facilities for weighing, if they are insufficient, the railway authorities will be prepared to consider the introduction of improvements.

In these circumstances, Sir, and particularly in view of the statement I have made as regards the inquiry which is to be held into the question whether an increase in the free allowance allowed to lower class passengers would be justified, I hope that the Honourable Mover will see his way not to press this Resolution.

THE HONOURABLE SRIJUT RAMA PRASAD MOOKERJEE: Sir, the

3 P.M.

Resolution, as has been stated by the Honourable Mover, is divided into two parts. With regard to the first part, I am not in agreement with the Honourable Mover, so far as the "sop" to the first class passengers is concerned. I do not think that any relaxation of the rule is necessary so far as first class passengers are concerned. The first class passengers ordinarily book their luggage and they are not in such a financial position as to appreciate this 20 seers extra free allowance given to them. They do not stand in need of it either. It is more in regard to the second and intermediate class passengers that this free allowance is necessary. We find that in the third class, most of the passengers do not book their luggage; not that they do not intend to book their luggage but they are placed in such a predicament that it is impossible for them to book their luggage in advance. The Honourable Mr. Woodhead wanted to know whether there was any paucity of arrangement in any particular station or not. It is not the paucity of arrangement in any particular station that had been referred to by the previous speakers or especially by Mr. Ray Chaudhury. But in every station it is impossible for the present railway staff to cope with the weighing of the luggage if all the passengers were to book their luggage in advance. I put it to the Honourable Member whether it is not within his knowledge that even second class and intermediate class passengers do not book their luggage when that luggage is within the free allowance. Even the Railway authorities do not insist in those stations on that luggage being weighed before being allowed entrance into the compartments. If all the passengers travelling by the railway were compelled to weigh their luggage, the present staff would have to be doubled, if not trebled

[Srijut Rama Prasad Mookerjee.]

in the near future. Because of that condition, the second part of the Resolution which the Honourable Member has moved comes in very appropriately. When it is not possible for the Railway Administration to weigh the luggage in advance, it is not fair to put the passenger in a disadvantageous position because the luggage has not been weighed. On the East Indian Railway, they have now put up notices in big type that heavy luggage will not be allowed within the compartments and that luggage ought to be weighed before it is taken into the compartment. But may I ask in how many cases have passengers with small trunks or big suit cases—within the minimum allowed by the railway company—been compelled to weigh them before the beginning of the journey? I have travelled almost all over India and I may say that nowhere does the railway company insist on each bit of luggage being weighed before a passenger is allowed entrance into the platform. The law has remained a dead letter and therefore the second part of the Resolution ought to be passed.

Some time ago, on the Eastern Bengal Railway, instructions were issued that all luggage, where luggage had not been previously booked, be weighed at the Sealdah station. That was followed for a few months only, and when it was found by the railway company to be an impossible position to which they had reduced the whole thing it has now been discontinued. The same lax system is in vogue on the East Indian Railway, the Eastern Bengal Railway, the Assam Bengal Railway, the Bengal Nagpur Railway and certain portions of the Great Indian Peninsula Railway. This I can say from personal experience during the last few years. It has also been stated by the Honourable Mr. Natesan that if we allow 25 seers in place of 20 seers in the case of third class passengers, then we would be making their life in the compartment much more inconvenient than what it is now. Here again I can speak from my personal experience, because I have travelled in all the different classes, from the first to the third, and I know what conveniences or inconveniences are suffered by the passengers in the different classes. It is only in the case of long journey passengers that third class passengers take heavy luggage, not in the case of short journey ticket holders. Even in the case of long journey ticket holders, there is the upper bunk where the luggage is stocked. And because of the difficulty to which I have already referred, and to which other Honourable Members have referred, the third class passengers have not got the opportunity of booking their luggage before they are admitted into the compartments. Sir, in the Howrah or a few other stations there is day and night booking allowed, but in the case of other stations, way-side stations according to the rule, the booking office should be opened half an hour or 15 minutes before the arrival of the train, but that is a rule which is followed, rather in the breach, and it is only when the first signal is given five minutes or ten minutes before the arrival of the train that the booking clerk opens the booking office, and it is absolutely impossible for him to issue the tickets and then to weigh the luggage and issue the luggage tickets again. Because of these difficulties I think that some allowance ought to be made in the case of the third, intermediate and second class passenger, and the second part of the Resolution ought to be accepted. The Honourable Member in charge has stated that the matter is being considered by the proper authorities. But, I take it, the proper authority which he has referred to is not the authority for the State Railways but for the Company-managed Railways.

THE HONOURABLE MR. J. A. WOODHEAD : Both the State and Company-managed Railways.

THE HONOURABLE SRIJUT RAMA PRASAD MOOKERJEE : So far as Government is concerned the State-managed Railways come directly under Government, and Government may take immediate steps in the matter if they think a step ought to be taken. They ought not to wait for the opinion which may be expressed by the other body. It is conceded that there are different rules in vogue on different railways and that ought not to continue, but when there are already different rules, let the State-managed Railways introduce this equitable rule ; and then Government and the public can say to the Company-managed Railways—here on the State-managed lines Government have introduced this new rule, let the Company-managed Railways follow suit.

THE HONOURABLE MR. NARAYAN PRASAD ASTHANA : Sir, my task has been very much lightened by the reply which has been given to the Honourable Mr. Natesan by my friend Mr. Rama Prasad Mookerjee. The question of overcrowding is quite irrelevant so far as my Resolution is concerned. There are other remedies for that evil—the running of more trains and the addition of more carriages, etc. But so far as the question of overcrowding is concerned, it has nothing to do with the free allowance of luggage. What I want is that a more liberal allowance should be given. I do not want that all luggage should be carried into the compartment itself. In regard to the remark that this is merely a concession, I think if the Government were to say to the Assembly that they were not going any longer to permit this allowance of 15 seers which they at present allow, I think the Assembly would see to it and cut down the Railway Budget to a much greater extent and would also see that railway fares were substantially reduced. So that the argument that it is a mere concession to carry this 15 seers and that the people have no right in the matter, is not an argument which will appeal to this House. Now, the financial loss, as I have already submitted, would amount to very little. I am only asking for 11/25 of a pie per mile. But the Government Member in charge has stated that the whole question is being discussed and is being brought before the Railway Conference Association, and the Railway Board itself has moved in the matter. Therefore, I think it would be better if the subject were not further discussed just now and that the views of the Railway Conference Association be ascertained. As to the second clause of my Resolution, I hope that the Government in their calmer moments will reflect upon the justice of the case. So, with the permission of this House and with your permission, I would beg leave to withdraw this Resolution for the present.

The Resolution* was, by leave of the Council, withdrawn.

* This Council recommends to the Governor-General in Council—

(a) to revise the scale of free luggage allowed to passengers on the State Railways in the following manner:—

III class	25 seers.
Intermediate Class	30 seers.
II class	40 seers.
I class	2 maunds.

(Exclusive of bedding, handbags, sticks, umbrellas, etc.);

(b) to order that the prescribed free allowance of luggage should always be made, whether the luggage has been booked before the journey or not.

RESOLUTION *RE* PREVENTION OF FLOODS.

*THE HONOURABLE MR. KUMAR SANKAR RAY CHAUDHURY (East Bengal: Non-Muhammadan): Sir, the Resolution which I am moving relates to the formation of a Committee for investigating the causes of repeated floods which occur in different parts of India year after year. It runs as follows :

“ This Council recommends to the Governor General in Council to form a Committee of experts and representative public men from the Legislature as well as outside to enquire into the causes of repeated floods in different parts of India and to suggest means for their prevention.”

That floods are gradually getting more and more frequent cannot, I think, be controverted. According to the statement furnished to me the other day by the Honourable Mr. Gwynne we had as many as 30 serious floods in different parts of India during the last five years. Some time ago a similar Resolution was moved in the Assembly but I do not understand how the Government could meet it with the answer that floods were a provincial subject ; for, if I accept the remarks of Sir Clement Hindley made on the occasion about the causes of floods, I must be pardoned if I say that the causing of floods is an Imperial subject. If the Central Government takes care to prevent if possible, at any rate to lessen, the chances of floods taking place in future the Local Governments may with their limited resources be spared the trouble of mitigating their effect and the people of the country be saved from the ravages thereof. Now, what, Sir, are the causes of floods ? Sir Clement Hindley in his speech in the Assembly on the subject ascribed them to several factors, some natural and some artificial. The natural causes according to him were primarily sudden and excessive rainfall and secondarily the rising of the river beds, the sudden shifting of the river beds and the conjunction of the rivers. Among the artificial causes he enumerated the diversion of water for irrigation purposes and the raising of embankments for irrigation, road and railway transport. The diversion of water for irrigation purposes no doubt causes stagnation of water on cultivated fields, but they certainly cannot be called floods, and whatever might be the effect of it upon the health of the people, it is intended to serve a beneficial purpose. It not only helps agriculture, but to some extent retains humidity in the atmosphere which I shall try to show by and by helps the prevention of floods as well. I therefore feel that Sir Clement Hindley was not justified in casting a slur upon it, but perhaps his object in mentioning it was to fasten some responsibility for the floods upon the people themselves. As regards the natural causes, I think they may all be reduced to one as the prime cause of floods, the others being merely the effects thereof. The chief cause to my mind, and perhaps the Government will agree with me, as did Sir Clement Hindley, is the sudden and unequal distribution of the rainfall. River beds rise because the uneven flow of water in the rivers throughout the year renders their currents sluggish and incapable of driving away the silt to the seas. They are thus settled in the beds and gradually accumulating choke the flow of the river. Any sudden rainfall after some time brings about a swollen condition of the river which not only causes floods, but makes the river either break its barrier or force a new passage for itself. If rainfall were evenly distributed

* Speech not corrected by the Honourable Member.

throughout the year all rivers flowing into or out of one another would have arranged amongst themselves the function of the drainage of the country. But as the rainfall is not evenly distributed, whenever there is sudden heavy rain all the rivers get suddenly swollen and cannot furnish a quick outlet for the water and consequently there is an overflowing of the country. We have experiences of such floods in the streets of Calcutta even on account of the inefficiency of the drainage system. The natural causes of floods thus primarily are, first, the uneven distribution of the rainfall and, secondly, the insufficiency of the drainage system. Of the two, the first is essentially a Central subject, meteorology being one of the Central subjects. The other though a provincial subject naturally comprises several provinces and cannot as such be tackled by any one of them. Last year a Resolution was moved in this very Council for making the waterways of India a Central subject. But although the Government are having the Government of India Act altered from time to time to suit their convenience in political matters and matters relating to the services, they cannot make any move when the welfare of the people of India is concerned. They have however made an inroad upon provincial matters when constituting a Central Board of Road Development, but that was perhaps due not so much for the development of the roads as for the development of the foreign trade in motor cars, considering how it was brought about by the English commercial representatives in the Legislatures here. Coming now to the artificial causes which are merely subsidiary, I would observe that railway embankments, which is a Central subject, is the next in importance in contributing to the causation of a flood. Sir Clement Hindley was very vehement about section 11 of the Railways Act taking particular care to ensure the provision of sufficient waterways. But the mere provision of a rule is, I think, hardly sufficient, when one of his own engineers, Rai Bahadur Rala Ram, had to admit in his report on the North Bengal flood, the deficiency of waterways in certain parts of the Eastern Bengal Railway (*vide* paragraphs 39, 44 and 48). Paragraph 39 runs as follows :

“ Having described in detail the effects of the flood on the different sections of the railway and the country adjacent to it, the next point to consider is whether any portion of the flooding can be ascribed to the insufficiency of waterways in the railway banks. It is difficult to give a definite reply to this question, but there can be no doubt in arriving at the conclusion that the main line between Tilakpur and Jamalganj and the Bogra line between Santahar and Kahaloo does not possess adequate waterway to deal with the exceptionally abnormal flood caused under the peculiar circumstances prevailing in the last week of September 1922 .”

Again in paragraph 44, he goes on :

“ The comparative flatness of the flood surface gradient down stream of the Sara Serajganj line indicates that the waterway through that line is not quite adequate to deal with an extraordinary flood like the present one. ”

Again in paragraph 48 referring to that line he says :

“ But even so it is clear that more waterway is necessary on that line.”

The Orissa Flood Committee report, on the other hand, has depicted in graphic terms the evil effects of roads and irrigation barriers across the drainage level of the country and has recommended the wholesale destruction of a large number of these embankments.

[Mr. Kumar Sankar Ray Chaudhury.]

These are matters for which the Government of India had been responsible for more than a century. The only tangible effect of the Reform has been that that Government have shaken off all responsibilities about these matters from their shoulders and the legacy left to the Provincial Governments is too onerous for them to bear. But as these subjects are reserved and not transferred, I venture to state that the ultimate responsibility for them still rests on the Government of India and it behoves them to see that the Local Governments properly discharge their functions, or, if that be not possible, to take upon themselves the discharge of these functions, if not directly, at any rate by taking the initiative in the matter as they have already done in the case of the Roads Development Committee and I hope and trust that the Government will see their way to move in the matter.

Layman as I am, it is not my proper sphere to express any opinion about the cause of the unequal distribution of the rainfall throughout the year. It is therefore with great diffidence that I offer my suggestions about it. Apart from sudden rainfalls due to cyclones and other sudden causes over which men have no control, I think the rainfall over the plains of India is getting year after year more and more unevenly distributed and scanty, and one of the reasons for it, to my mind, is the gradual denudation of the forests in India.

Deserts are rainless not because of want of clouds in the sky which can freely move about in the air, but because, on account of the sandy soil, they are treeless. Trees serve to protect the surface of the earth from the rays of the sun and keep it moist, so that the humidity of the air over it is also much greater than over arid regions and when clouds arrive over it, the saturation point is soon reached and rainfall occurs. Humidity over treeless sandy tracts is almost nil and clouds fly past over them without giving any rain till they are checked by the neighbouring hills where they gather and accumulate to cause a sudden inundation. The history of the floods in India nowadays is thus not the history of excessive rains over the plains, but of sudden and excessive rains in the submontane tracts. This to my mind accounts for the floods in the North-West Frontier Province, the north-east of India and the southern coasts of India, while the central parts are suffering from almost perpetual droughts. The Government of India have an Inspector General of Forests in their employ, but he also serves as the President of the Forest Research Institute; he, I am told, finds his duties in the latter capacity bulk larger than those in the former.

As the subject is very technical, I propose that the Committee should be composed not only of representatives of the public but should contain a sufficient number of meteorological, forest and drainage experts and commend the Resolution for the acceptance of the House.

THE HONOURABLE MR. T. RYAN (Industries and Labour Secretary): Sir, this Resolution contemplates the appointment by the Governor General in Council of a Committee of experts and others to enquire into the cause of repeated floods in different parts of India and to suggest means for their prevention. The subject is not now being discussed by any means for the first time. Attention has been drawn to it on several occasions in recent years and I should like to refer briefly to some of these discussions. A Resolution was moved in

the Legislative Assembly in September, 1924, for the appointment of a Committee of experts for the same purpose. The matter was then, as the Honourable Member has indicated, discussed very exhaustively by Sir Clement Hindley, who was followed by Sir Atul Chatterjee, on behalf of the Government. It is true that they opposed the Resolution, but not because the Government of India failed in any way to realise the seriousness of floods and their consequences. Essentially their objection to the acceptance of the Resolution was, and I am afraid still is, notwithstanding what the Honourable Member has said, that this is really primarily a matter for Local Governments. Furthermore it was believed, and the Government still believe, that the problem and the conditions affecting it vary so greatly from province to province that it would be of very little practical use to have an all-India Committee for such an enquiry; and such an enquiry would require many years to complete. In the course of the discussion of 1924 the Government spokesmen emphasised the readiness of the Government of India to help Local Governments by the loan of experts and otherwise, if desired; and promised to communicate on the subject with Local Governments. They also specifically recognised their own responsibility for any damage that might be occasioned by railway embankments; and in connection with that point they emphasised the fact that there existed a definite provision in the rules regarding the construction of railways to ensure the fullest consideration of local conditions and consultation with local officers; and also attention was drawn to the fact that when, notwithstanding these directions, adequate waterways were not provided by railways, remedial measures could be adopted. On that occasion, the Resolution, which was moved by the Honourable Mr. Das, was withdrawn in view of the information and the assurances given by the Government representative, although, I must admit, the Honourable Mr. Das was not quite completely satisfied.

Again in March, 1926, the matter came up in discussion in the Assembly on a motion for the reduction of a grant. On this occasion it was dealt with by the Honourable Sir Bhupendra Nath Mitra, who explained that the Government of India had, as they had promised in 1924 to do, addressed the Local Governments, explaining to them that while the questions of protection from and prevention of floods were provincial matters, the Government of India were anxious to assist to the utmost of their power whenever they had reason to believe that excessive floods were due to railway works; whenever assistance was required to obtain co-ordination between the different provinces or between a railway and local authorities, or when technical advice was required which was not locally available. The Honourable Sir B. N. Mitra explained at that time that no request for assistance had been received, but that in the case of certain railway works which were believed to have contributed to floods, the matter had been settled by the Local Government in direct consultation with the railway authorities.

Now, Sir, the Government of India still take the same view. The question is really one for the Local Governments concerned and it is not one in which the Government would feel justified in setting up a central committee of inquiry in the absence of any general demand for it from the Provincial Governments. At the same time the Council may be assured that the Government of India's offer of such assistance as they can give and as may be desired is no empty form. In 1927 the matter was again taken up by the Government of India who wrote

[Mr. T. Ryan.]

to the major Local Governments recalling the correspondence of 1924 to which I have already alluded. The letter was a brief one. With your permission I should like to read a few sentences from it. This is the letter of 1927 to all major Local Governments. After the preamble, it goes on :

“ The recent disastrous floods in various parts of India have again drawn prominent attention to this subject and the Government of India are anxious to do everything which lies in their power to assist Local Governments in investigating it. They are fully aware that many, if not most, of the causes of the floods which have occurred are local in their nature and that Local Governments have been devoting serious attention to this subject, on which their own engineers, owing to their local experience, are in many ways the most competent to advise.

It has, however, been suggested that a central enquiry into this question might have advantages in so far as some of the causes may have their origin in provinces other than those in which the floods have occurred, and also because a central enquiry might result in the study of the problem on broader lines and might utilise and correlate the experiences gained in more provinces than one. I am directed, therefore, to enquire whether His Excellency the Governor in Council considers that a useful purpose would be served by the appointment by the Government of India of a Central Committee to examine this subject, or whether he considers that local enquiries (where the need for them has been shown) would be more useful.* * *

If local enquiries are preferred, it would seem to the Government of India to be worth considering whether by adjustment of the personnel engaged in those enquiries, the experience of one province could not be made available to others, and they would be glad to assist in his direction, if desired.”

I think, Sir, that the issue of that letter, not as the result of any immediate pressure upon them, showed that the Government of India were fully alive to the importance of the subject and to the desirability of giving any assistance they could usefully give. It was quite plain from the replies received from the Local Governments that there was a practically unanimous opinion that a central inquiry would be of no real use. There was only a single Local Government that registered a contrary opinion ; and the idea was accordingly dropped. I suggest that it is inconceivable, if it were really thought that there was any ground for the belief that a central inquiry would be valuable, that in the face of that letter no Local Government should have asked for it.

At the same time I may say that advantage has been taken in recent years in particular cases of the Government of India's offer of assistance. Thus the Consulting Engineer's services were made available in 1928 for service on the Expert Committee of Inquiry appointed by the Government of Bihar and Orissa into floods in Orissa. The same officer subsequently made an extensive tour in Assam and furnished a very full report to the Government of that province ; and recently the Government of India (as I informed the Honourable Member recently in answer to a question) have been addressed by the Government of Bengal regarding the appointment of a Committee of Inquiry in Bengal with a view to the reorganisation of the Irrigation Department in that province ; and they are prepared to comply with the request for the loan of their Consulting Engineer's services and to give some assistance in obtaining other experts. I may mention also that, while the Government of India see nothing to be gained from the appointment of an all-India Committee of Inquiry, there does already exist a standing expert committee in the shape of the Central Board of Irrigation. This is a body consisting of all the

Irrigation Chief Engineers and the Consulting Engineer to the Government of India, and of it a sub-committee can readily be found to advise any particular province which may desire a special investigation into flood problems.

Floods are usually due, as the Honourable Member has recognised, to heavy continuous rainfall. This cannot in fact be controlled by any human power. I believe there was a theory at one time, but that it is no longer accepted, that the existence of forests and vegetation has considerable effect on rainfall. That theory is no longer accepted, I am advised by competent authority, though such a condition does certainly affect the flow of the water which falls, and so has a direct bearing on floods. So far as I know, there is no body of evidence to suggest that the responsibility for floods lies at the door of the forest authorities; and I may remind the Council that the administration of forests also is a provincial subject—a transferred one in the case of two provinces. The deciding factor in the causation of floods is not so much the amount and duration of rainfall as its relation to preceding rain and the nature of the soil and its vegetation. If general rain has fallen, so that the ground already holds its maximum capacity and the rivers are already full, a relatively small further amount of rain may cause serious floods which it would not otherwise occasion.

Reference has been made to the Meteorological Department, which the Honourable Member has rightly observed is a Central Government department. This Department, as at present constituted and equipped, is concerned only with the amount and duration of rainfall. It can and it does forecast heavy rain and issue warning to the officers concerned from 24 to 48 hours in advance. I believe that in general such warnings are regarded by those concerned as timely and sufficient. We have also under the Government of India certain experts who are specially concerned with the questions involved in this matter, one of whom the Honourable Member mentioned, the Inspector General of Forests, as well as the Consulting Engineer and the Director General of Observatories, who is in charge of the Meteorological Department. In view of this discussion and of the Honourable Member's observations, these officers will again exchange their views on this question of floods, and if any suggestion should emerge which may seem likely to be of value to the Local Governments, it will be communicated to them with reference to the discussion. But I must not be understood as suggesting that this is offered as an equivalent to or in substitution of an inquiry such as the Honourable Member suggests. It will be simply an informal discussion between the Government of India's experts concerned; but there is little reason, I fear, to expect that it will produce more than negative results by confirming the views already held by the Government of India on this matter. Still, the consultation, for what it is worth, will take place.

There are a few observations which were made by the Honourable Member, to which I should like very briefly to refer. He has referred to the rise of the levels of river beds. But I think—certainly so all the expert information in my possession indicates—that this is really a local problem and is due simply to local action in building embankments to protect the neighbouring country from floods.

THE HONOURABLE MR. KUMAR SANKAR RAY CHAUDHURY: Are there not embankments by the sides of the great rivers in India?

THE HONOURABLE MR. T. RYAN : I refer to the embankments by the sides of the rivers. I may perhaps read a few words on that subject recorded by the present Consulting Engineer to the Government of India, Mr. D. G. Harris, a very experienced engineer :

“The general regime of a river is determined by its normal conditions and when, as occasionally happens, abnormal conditions occur (i.e., rainfall far above the average) and the trough of the river overflows, flooding over the surrounding country is inevitable, and no engineering operations, which can be included as within the bounds of financial possibility, can prevent it. The only possible means is that known as double embanking, which entails the construction of flood banks on either side of the river so as to increase the trough capacity. If these embankments are placed close to the ordinary trough, the almost certain result is that the bed of the river will silt up, the normal flood level will become higher and higher, the banks will have to be raised, and so on *ad infinitum* until, eventually, a position is reached where the river bed is above the level of the ground, and a catastrophe, on a scale far greater than any natural flood would cause, becomes inevitable. If, on the other hand, the flood embankments are built at a distance, possibly some miles away from the main river, this result can be obviated, but the expense of acquiring the necessary land between embankments becomes so enormous that this solution must usually be ruled out on financial grounds.”

THE HONOURABLE MR. KUMAR SANKAR RAY CHAUDHURY : I do not think he refers to the existence of any embankments. All that he refers to is, what would happen if embankments are made by the side of the rivers.

THE HONOURABLE MR. T. RYAN : This is what happens if this method of preventing or guarding against floods is adopted.

THE HONOURABLE MR. KUMAR SANKAR RAY CHAUDHURY : It does not refer to the existence of embankments by the sides of rivers.

THE HONOURABLE MR. T. RYAN : I do not quite follow the Honourable Member. I do not know whether he is suggesting that such embankments do not in fact exist.

THE HONOURABLE MR. KUMAR SANKAR RAY CHAUDHURY. : Yes, that is what I mean. He refers to the fact of embankments being made, not that the embankments exist.

THE HONOURABLE MR. T. RYAN : I believe it to be the fact that such embankments have been made and that such embankments do exist. I do not know whether I have followed the Honourable Member's point.

THE HONOURABLE MR. KUMAR SANKAR RAY CHAUDHURY : I do not think he refers to any such embankment there in the paper which you have just read.

THE HONOURABLE MR. T. RYAN : He was not speaking of any specific case. He was explaining the general position with regard to this method of flood prevention.

THE HONOURABLE MR. KUMAR SANKAR RAY CHAUDHURY : He was referring to embankments being made.

THE HONOURABLE MR. T. RYAN : The Honourable Member has further referred to the action of the Government of India in connection with roads. Well, I am afraid that I must refrain from following him in that particular discussion since the question of roads and the relations between the Imperial

and the Provincial Governments in respect of them is not conclusively settled yet. It is, I believe, likely to come up for further discussion elsewhere at an early date, but from the origin of the action taken by the Government of India with regard to roads to which the Honourable Member has alluded, if he has correctly described it, I should doubt whether that is a model he would advise should be followed in other cases.

Mention was also made of the observations made by an experienced engineer, Rai Bahadur Rala Ram, who recognised the validity of complaints against railways. I have recently had occasion to consult the Railway Board on this subject, and I have no doubt, Sir, that if there is any validity in this suggestion that railways do not provide sufficient waterways, it is only a matter to be represented to be remedied, and as far as I could ascertain, when cases arise, as they have sometimes arisen, of complaints of the existing waterways being inadequate, it is generally found quite possible to arrive at a satisfactory solution by local action between the Local Government officials and the local railway authorities. I cannot see that the demand for an all-India Committee of enquiry can possibly serve any useful purpose in that connection. I think the letter that I have read, and what I have said . . .

THE HONOURABLE SRIJUT RAMA PRASAD MOOKERJEE : Has no further step been taken by Government on the report of the engineer, Rai Bahadur Rala Ram ? The report was submitted in 1922.

THE HONOURABLE MR. T. RYAN : Submitted to whom, Sir ?

THE HONOURABLE SRIJUT RAMA PRASAD MOOKERJEE : It was submitted through the Local Government and sent to the Railway Board at that time.

THE HONOURABLE MR. T. RYAN : I am afraid I am not able to say definitely. I do not know whether my Honourable friend Mr. Woodhead has any information on that.

THE HONOURABLE MR. J. A. WOODHEAD : No, Sir, I have no information.

THE HONOURABLE MR. T. RYAN : I cannot say definitely. I presume action was taken. No doubt we could furnish the Honourable Member with information later with regard to that point. I think I have shown, Sir, that the Government of India are far from indifferent, and that they have given, and are ready to give, all the assistance that they reasonably can in this matter. A central Committee of enquiry would be enormously expensive having regard to the time that it would take. It would take years to investigate the problem throughout the length and breadth of India and there is an absolute and universal consensus of opinion on the part of Local Governments, on whom it has been almost pressed, that it would be useless. In these circumstances, I trust the Council will not endorse the Resolution of the Honourable Member.

*THE HONOURABLE MR. KUMAR SANKAR RAY CHAUDHURY : Sir, I shall be very brief in my reply. The Honourable Mr. Ryan referred to an absence of general demand. With regard to that, my submission would be that the fact that such a Resolution has been brought thrice in the Legislature

* Speech not corrected by the Honourable Member.

[Mr. Kumar Sankar Ray Chaudhury.]

indicates that there is clearly a public demand. No doubt, the Local Governments have not supported that demand, but the interests of the country require that such an enquiry should be held, especially when there is a demand as expressed by three Resolutions brought in the Legislature on behalf of the public. The Government themselves acknowledge that such an enquiry is necessary. The Honourable Mr. Ryan has already told the House that the experts are going to discuss this question....

THE HONOURABLE MR. T. RYAN : I trust I made it clear that it is not such an enquiry as the Honourable Member has indicated.

THE HONOURABLE MR. KUMAR SANKAR RAY CHAUDHURY : I am coming to that. If the experts are going to discuss this point, is it not better that they should hold a local investigation before they can come to any decision ? Otherwise, that discussion will have no practical effect. If they are really going to discuss the matter, it is better that they should hold some investigation, and if such an investigation is desirable in order to gain public confidence, it is better that some public men should also be taken in. There is the Central Board of Irrigation, but that is primarily concerned with irrigation matters, and it is not the function of that body to go into the question of the rainfall. But, however, as all these departments are going to meet together and discuss the matter, I submit it will be better if they hold some local investigation. I do not know how long it will take, but I do not think it can take a very long time, and it would be better if some representatives of the public were associated with them and a local investigation took place instead of a private discussion in an office. Then, the Local Governments, of course, can only take remedial measures. The cause of the floods has been admitted by Sir Clement Hindley to be in the hands of the Central Government (Laughter), meteorology being one of the Central subjects. It is therefore the primary duty of the Central Government to initiate an enquiry into the matter.

THE HONOURABLE SIR MANECKJI DADABHOY : Appeal to the Celestial Government !

THE HONOURABLE MR. KUMAR SANKAR RAY CHAUDHURY : With these words, Sir, I commend my Resolution to the acceptance of the House.

THE HONOURABLE THE PRESIDENT : The question is :

“ That the following Resolution be adopted :

‘ This Council recommends to the Governor General in Council to form a Committee of experts and representative public men from the Legislature as well as outside to enquire into the causes of repeated floods in different parts of India and to suggest means for their prevention ’.”

The motion was negatived.

STATEMENT OF BUSINESS.

THE HONOURABLE KHAN BAHADUR MIAN SIR FAZL-I-HUSAIN (Leader of the House) : Sir, with your permission I should like to make a statement regarding the probable course of business for the next week. On Monday, the 23rd September, 1929, non-official business ballotted for that day will be

taken up. On Tuesday, the 24th, motions will be made for taking into consideration and passing the Provident Funds (Amendment) Bill. Motions will also be made for taking into consideration and passing the four Bills passed by the Legislative Assembly copies of which were laid on the table on Monday, the 16th September, namely :

The Indian Soft Coke Cess Bill ;

The Indian Boilers (Amendment) Bill ;

The Bengal Pilot Service (Centralisation of Administration) Bill ; and

The Indian Census Bill.

A Resolution will also be moved regarding the ratification of the Draft Convention and Recommendation regarding the machinery for fixing the minimum wages in certain trades adopted at the Eleventh International Labour Convention. Wednesday, the 25th, will be devoted to non-official business. On Thursday motions will be made for taking into consideration and passing the Transfer of Property (Amendment) Bill and the Transfer of Property (Amendment) Supplementary Bill. The further course of business will depend on events elsewhere.

The Council then adjourned till Eleven of the Clock on Monday, the 23rd September, 1929.

CORRIGENDUM.

On page 79 of the Council of State Debates, Vol. II, No. 4 (Thursday, 17th September, 1929), against the name of the Honourable Khan Bahadur Nawabzada Saiyid Ashraf-ud-Din Ahmed, C.I.E., *for* the word "Punjab" *read* "Bihar and Orissa".