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LEGISLATIVE ASSEMBLY DEBATES

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(6th September to 20th September 1927)

FIRST SESSION

OF THE

THIRD LEGISLATIVE ASSEMBLY, 1927



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Legislative Assembly.

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THE HONOURABLE MR. V. J. PATEL.

Deputy President :

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MR. K. C. NEOGY, M.L.A.

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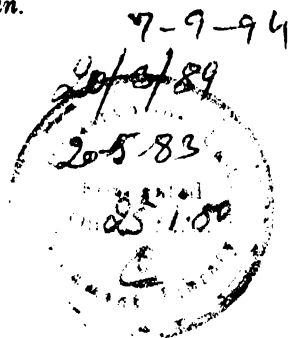
MAULVI MUHAMMAD YAKUB, M.L.A., *Chairman.*

MR. K. C. NEOGY, M.L.A.

MR. JAMNADAS M. MEHTA, M.L.A.

LIEUT.-COLONEL H. A. J. GIDNEY, M.L.A.

MR. C. DURAISWAMY AYYANGAR, M.L.A.



CONTENTS.

	PAGES
TUESDAY, 6TH SEPTEMBER, 1927—	
Questions and Answers	3979—89
Short Notice Question and Answer	3989—91
Unstarred Questions and Answers	3991—93
Demands for Supplementary Grants	3993—95
Draft Convention and Recommendation of the International Labour Conference regarding Inspection of Emigrants on Board Ship, etc.—Motion to ratify the Draft Convention and accept the Recommendation adopted	3995—4003
The Indian Emigration (Amendment) Bill—Introduced	4004
The Indian Tariff (Cotton Yarn Amendment) Bill—Discussion on the Motion to consider and the Motion to circulate adjourned	4004—41
Statement of Business	4041—42
WEDNESDAY, 7TH SEPTEMBER, 1927—	
Member Sworn	4043
Questions and Answers	4043—58
Motion for Adjournment—Retrenchment by the Bengal Nagpur Railway of Workmen employed in the Workshops at Kharagpur—Ruled out of Order	4058—60
Message from the Council of State	4060
Bills passed by the Council of State laid on the Table	4061
Indian Tariff (Cotton Yarn Amendment) Bill—Passed as amended	4061—4118
THURSDAY, 8TH SEPTEMBER, 1927—	
Member Sworn	4119
Message from the Council of State	4119
The Indian Tariff (Amendment) Bill—Passed as amended	4119—50
The Bamboo Paper Industry (Protection) Bill—Passed	4150—56
The Indian Securities (Amendment) Bill—Passed as amended	4156—61
The Volunteer Police Bill—Withdrawn	4161—79
Statement of Business	4179—82
The Criminal Law Amendment Bill—Time for the Presentation of the Select Committee's Report extended	4182

CONTENTS—*contd.*

	PAGES.
TUESDAY, 13TH SEPTEMBER, 1927—	
Member Sworn	4168
Questions and Answers ..	4183—4229, 4231—33.
Short Notice Questions and Answers ..	4229—31
Unstarred Questions and Answers	4233—41
Motion for Adjournment—The Gold Standard and Reserve Bank of India Bill—Leave granted	4242
Appointment of Munshi Iswar Saran to the Library Committee	4242
Resolution <i>re</i> Indianization of Half the Cadre of Officers of the Indian Army—Adopted as amended	4242—75
Resolution <i>re</i> Manufacture and Sale of Khadi—Discussion adjourned	4275—77
Motion for Adjournment—The Gold Standard and Reserve Bank of India Bill—Adopted	4277—92
WEDNESDAY, 14TH SEPTEMBER, 1927—	
Questions and Answers	4293—4321
Unstarred Questions and Answers	4321—25
Motion for Adjournment—Serious Situation in the Bengal Nagpur Railway Workshops at Kharagpur—Leave granted	4325
Presentation of the Report of the Public Accounts Committee ..	4325
The Criminal Law Amendment Bill—Presentation of the Report of the Select Committee	4325
Statement laid on the Table	4325—31
Appointment of a Committee to consider the Question of Residence and Accommodation for Members of the Indian Legislature	4332—35
The Indian Income-tax (Second Amendment) Bill—(Amendment of Sections 2, 23, 28, etc.)—Motion to circulate adopted ..	4335—36
The Indian Forest Bill—Passed	4336—44
The Transfer of Property (Amendment) Bill—Introduced ..	4344
The Transfer of Property (Amendment) Supplementary Bill—Introduced	4344—45
The Indian Income-tax (Amendment) Bill—Passed	4345—46
The Indian Lighthouse Bill—Passed	4346—51
The Indian Succession (Amendment) Bill—Passed	4352—53
The Presidency-towns Insolvency (Amendment) Bill—Passed ..	4353—54

CONTENTS—*contd.*

	PAGES.
The Cantonments (Amendment) Bill—Passed	4355
The Indian Emigration (Amendment) Bill—Passed	4355—59
Resolution <i>re</i> Censorship of Cinematograph Films—Discussion adjourned	4359—77
Motion for Adjournment—Serious Situation in the Bengal Nagpur Railway Workshops at Kharagpur—Adopted	4377—4402
THURSDAY, 15TH SEPTEMBER, 1927—	
The Societies Registration (Amendment) Bill—Amendment made by the Council of State agreed to	4403—05
The Hindu Child Marriage Bill—Referred to Select Committee	4405—57
FRIDAY, 16TH SEPTEMBER, 1927—	
Short Notice Question and Answer	4459
Message from the Council of State	4459
Bill passed by the Council of State laid on the Table	4459
The Criminal Law Amendment Bill—Discussion on the considera- tion of Clauses adjourned	4459—4520
MONDAY, 19TH SEPTEMBER, 1927—	
Questions and Answers	4521—69
Unstarred Questions and Answers	4569—74
Message from the Council of State	4574
The Criminal Law Amendment Bill—Passed as amended	4575—4612
Appointment of Members to the Committee to consider the Question of Residence and Accommodation for Members of the Indian Legislature	4613
The Hindu Child Marriage Bill—Constitution of the Select Com- mittee	4613—14
The Aden Civil and Criminal Justice (High Court Jurisdiction Amendment) Bill—Passed	4614—15
The Inland Bonded Warehouses (Amendment) Bill—Intro- duced	4616
The Indian Divorce (Second Amendment) Bill—Passed	4616
The Assam Labour and Emigration (Amendment) Bill— Passed	4617
Resolution <i>re</i> Ratification of the Draft Conventions concerning (1) Seamen's Articles of Agreement, and (2) Repatriation of Seamen—Adopted	4617—25
Resolution <i>re</i> Recommendations concerning (1) The Repatriation of Masters and Apprentices, and (2) The General Principles for the Inspection of the Conditions of Work of Seamen— Adopted	4626—29

CONTENTS—*concl'd.*

	PAGES.
Resolution <i>re</i> Censorship of Cinematograph Films—Discussion adjourned	4629
TUESDAY, 20TH SEPTEMBER, 1927—	
Member Sworn ..	4631
Questions and Answers ..	4631—59
Message from the Council of State	4659
Resolution <i>re</i> Manufacture and Sale of Khadi—Withdrawn ..	4659
Resolution <i>re</i> Pensions of the employees of the Telegraph Department—Withdrawn	4659—64
Motion <i>re</i> Privileges and Status of Members of the Legislative Assembly—Adopted	*4665—69

LEGISLATIVE ASSEMBLY.

Tuesday, 20th September, 1927.

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

MEMBER SWORN :

Mr. Thomas Ryan, C.I.E., M.L.A. (Department of Industries and Labour : Nominated Official).

QUESTIONS AND ANSWERS.

Mr. President : Maulvi Badi-uz-Zaman.

Mr. Abdul Latif Sahib Farookhi : With your permission, Sir, I shall put the question on behalf of the Honourable Member.

Mr. President : The Chair regrets that it cannot grant the permission.

Mr. Abdul Latif Sahib Farookhi : He has told me about it.

Mr. President : He may have told the Honourable Member, but he has not intimated it to the Chair.

‡1162*.

‡1163*—1165*.

CASE INSTITUTED BY MR. MACLAREN, A FOREMAN IN THE BENGAL NAGPUR RAILWAY WORKSHOPS AT KHARAGPUR, AGAINST MEWARAM, A FITTER.

1166. ***Mr. M. K. Acharya :** 1. (a) Has the notice of Government been drawn to a criminal complaint filed recently before the first class magistrate of Midnapore, by Mr. Maclaren, a foreman in the Kharagpur Workshops (Bengal Nagpur Railway), against Mewaram, a fitter, charging the latter with defamation and assault ?

(b) Has the magistrate found the complaint to be false, and acquitted the accused on both the charges ?

2. (a) Have the Bengal Nagpur Railway Company helped Mr. Maclaren by defraying the cost of the case referred to in the preceding question ? And if they have, what was their justification ?

(b) After the adverse findings of the magistrate against Mr. Maclaren, have the Bengal Nagpur Railway authorities taken any action against Mr. Maclaren ? Have they recovered the cost of the suit from him ?

(c) Is Mr. Maclaren still in the service of the Railway Company ?

(d) What was his pay at the beginning of the year ?

† Not put at the meeting, but the question and answer thereto will be found at pages 4656—57 of these proceedings.

‡ Vide pages 4655—56 of these proceedings.

3. Have the railway authorities revised their order dismissing Mewaram ? Do the Railway Company think of recompensing him for the assault and dismissal to which he had been subjected ?

Mr. A. A. L. Parsons : 1. Government have received no report of the case mentioned in the Honourable Member's question.

2. and 3. Government have no information, but enquiries will be made.

ASSAULTS BY EUROPEANS ON INDIAN WORKMEN IN THE BENGAL NAGPUR RAILWAY WORKSHOPS AT KHARAGPUR.

1167. ***Mr. M. K. Acharya :** (a) Is it a fact that there had been several cases of assault similar to the one referred to in the preceding question on Indian workmen in the Kharagpur Workshops ?

(b) Were the following among several cases, brought to the notice of the Agent :

(i) Mr. W. N. Smith's assault on Madan Mohan Das :

(ii) Mr. A. L. Rhind's assault on Narayana Rao :

(iii) Mr. Harting's assault on Nayadhar : and

(iv) Mr. Round's assault on Sukhlal ?

(c) Did the Agent publish in the Bengal Nagpur Railway Gazette of the 19th February 1927 that "undoubtedly such cases do occur..... but any proved cases of physical violence or gross and excessive abuse will be promptly dealt with" ?

(d) What prompt action in this judiciously proved case, Mr. Maclaren and Mewaram, has the Agent taken against those who have assaulted Mewaram or got him dismissed ?

Mr. A. A. L. Parsons : Government have no information, but enquiries will be made.

CASE OF MR. A. HOLGUETTE, A COMMERCIAL INSPECTOR OF THE EAST INDIAN RAILWAY.

1168. ***Lieut.-Colonel H. A. J. Gidney :** (a) Has the attention of the Government been drawn to the case of Mr. A. Holguette, a Commercial Inspector of the East Indian Railway, who was forced to resign his appointment, because of a false charge brought against him, and who, after months of correspondence was reinstated by the Agent, with a complete acquittance on all the charges and was given a compensation of Rs. 10,000 ?

(b) Is it a fact that the Agent held that Mr. Holguette had not had a fair trial and that he had been punished without regard to the evidence and that there had been a gross miscarriage of justice, due entirely to incapacity or carelessness, or both on the part of the Divisional Superintendent, Mr. Rutherford ?

(c) Is it also a fact that the report against Mr. Holguette was submitted by two officers, Messrs. Kirk and Ghose ?

(d) Is it a fact that Mr. Rutherford in recognition of the fact that Mr. Holguette's activities stopped fraud at Howrah and gained for him

the ill will of interested parties, granted Mr. Holguette a special bonus, and secured for him an extension of service, giving him a first class recommendation as a thoroughly qualified and reliable official ?

(e) Is it not a fact that the report against Mr. Holguette was such that the Agent immediately ordered Mr. Holguette's reinstatement as soon as he saw it ?

(f) Is it not a fact that Mr. Rutherford specially commended Messrs. Kirk and Ghose on their report ?

CASE OF MR. A. HOLGUETTE, A COMMERCIAL INSPECTOR OF THE EAST INDIAN RAILWAY.

1169. *Lient.-Colonel H. A. J. Gidney : (a) Is it a fact that the party who brought the charge of bribery against Mr. Holguette, a Commercial Inspector of the East Indian Railway, has since confessed that the whole business was a put up job ?

(b) Is it a fact that the case was brought to the notice of the Railway Board who agreed with the Agent's action and directed that all responsible in the case should be dealt with from a disciplinary point of view ?

(c) Is it a fact that Mr. Holguette was not given a charge sheet showing what charges were against him and was not allowed to be present at the enquiry, so that he could cross-examine witnesses ?

SELECTION OF MR. RUTHERFORD FOR THE APPOINTMENT OF DIVISIONAL SUPERINTENDENT, HOWRAH, EAST INDIAN RAILWAY.

1170. *Lient.-Colonel H. A. J. Gidney : Is it a fact that Mr. Rutherford was an officer junior to many others and was selected over the heads of other senior officers for the appointment of Divisional Superintendent ? Is it a fact that three of the four officers selected for these appointments were members of the same family ?

DISCIPLINARY ACTION TAKEN AGAINST CERTAIN OFFICIALS OF THE EAST INDIAN RAILWAY IN CONNECTION WITH THE CASE OF MR. A. HOLGUETTE, A COMMERCIAL INSPECTOR.

1171. *Lient.-Colonel H. A. J. Gidney : (a) Is it a fact that the case against Mr. Holguette cost the Government a large sum of money approximating to Rs. 15,000 ?

(b) What action has been taken against Messrs. Kirk and Ghose for their incorrect finding against Mr. Holguette ? Is it a fact that these officers are now officiating in the senior grade ? Do Government propose to punish them ?

(c) What action has been taken against Mr. Rutherford ? Do Government propose to remove him or take any action against him ?

(d) Is it a fact that while Messrs. Rutherford and Robertson were persistent in forcing Mr. Holguette out of the service, they had before them the opinion of the Railway's lawyer, that the finding against Mr. Holguette was wrong in facts and unjust and untenable ?

DISCIPLINARY ACTION TAKEN AGAINST CERTAIN OFFICIALS OF THE EAST INDIAN RAILWAY IN CONNECTION WITH THE CASE OF MR. A. HOLGUETTE, A COMMERCIAL INSPECTOR.

1172. ***Lieut.-Colonel H. A. J. Gidney** : (a) Will Government please state whether the Agent has taken any disciplinary measures against all those officers and men who were responsible for the miscarriage of justice referred to in the preceding questions, as ordered by the Railway Board ? If not, are Government prepared to institute an inquiry and insist on the punishment of all responsible for this treatment of a subordinate ?

(b) Will Government please state whether they are prepared to institute a committee of inquiry into all discharges and dismissals that are traceable to and for which Mr. Rutherford, Divisional Superintendent, Howrah, has been responsible since he was placed in his present important appointment ?

Mr. A. A. L. Parsons : With your permission, Sir, I propose to reply to questions Nos. 1168 to 1172 together.

Government have received no report from the Agent on the matter mentioned in the Honourable Member's questions and do not propose to make any enquiries from him ; they can trust the Agent of the East Indian Railway to have taken such action as may be required.

Lieut.-Colonel H. A. J. Gidney : Will the Honourable Member kindly inform me whether the Railway Board is in receipt of a report on this matter or has any words of it ; whether the entire file has been sent to the Railway Board and whether the Railway Board issued an order to the Agent of the East Indian Railway to punish those responsible or not ?

Mr. A. A. L. Parsons : I have already answered all these questions in the answer I gave to the main question. Government have received no report from the Agent on the matter and do not propose either to make enquiries or to issue any order on the subject.

EMPLOYMENT OF SOLDIER CLERKS IN THE ARMY HEADQUARTERS.

1173. ***Mr. A. H. Ghuznavi** : (a) With reference to the reply to starred question No. 1111, on the 22nd March, 1927, relative to the employment of 25 per cent. soldier clerks in the branches of Army Headquarters, will Government please give a definition of the term " military character " ?

(b) Is it a fact that the 75 per cent. civilian clerks employed in the branches of Army Headquarters also do the same nature of work as is done by a soldier clerk ?

(c) If so, wherein lies the difference in the nature of work performed by a civilian clerk and that of a soldier clerk ?

(d) Is it a fact that the work in the Equipment and Ordnance Directorate of the Q. M. G.'s Branch and that of the Artillery Directorate of the M. G. S. Branch is of the highest technical nature of all other work in the different branches of Army Headquarters ?

(e) Is it a fact that the civilian clerks employed in these directorates have been very highly spoken of by the different Directors from time to time ?

(f) If the answers to (d) and (e) above, are in the affirmative, wherein lies the justification to exempt soldier clerks from passing the prescribed test of the Staff Selection Board ?

(g) Is it a fact that soldier clerks in most cases do not even possess the minimum educational qualifications ?

(h) Are Government aware that there is a widespread discontent amongst the civilian clerks of the Army Headquarters that while they are required to qualify for the appointments in different divisions, soldier clerks are exempted from the necessary examination ?

(i) Is it a fact that on this account, civilian clerks apply very often for transfer and better appointments elsewhere ?

(j) Is it also a fact that soldier clerks are recruited above first division clerks already in the office ?

(k) If so, why ?

Mr. G. M. Young : (a) It is difficult to suggest a more comprehensive definition of work of a military character than is contained in those words. The phrase however includes work that requires military knowledge and an acquaintance with matters concerning the discipline, environment and conditions generally attaching to a soldier's life, as well as work which requires special knowledge gained, as a rule, in particular military services or departments.

(b) The answer is, broadly speaking, in the negative. Soldier clerks are more suitable for certain kinds of work than civilian clerks.

(c) Does not arise.

(d) No, Sir. No technical qualifications are required of clerks in these branches.

(e) Yes, Sir, but no more than in other branches of Army Headquarters.

(f) These soldier clerks must possess the First Class Army School Certificate, which Government have accepted as a sufficient qualification for such clerks.

(g) and (h). The answer is in the negative.

(i) I have no information to this effect, but civilian clerks in Army Headquarters may be trusted, like anyone else, to apply to better themselves if they see a chance.

(j) No, Sir, these soldier clerks are recruited on the same principle as civilian clerks and take their place, on entry, at the bottom of the officiating roll. After entry, promotion is governed by selection according to merit and suitability.

(k) Does not arise.

†1174*—1175*.

† Not put at the meeting, but the questions and answers thereto will be found at pages 4657—58 of these proceedings.

STARTING OF AN URBAN UNIT OF THE INDIAN TERRITORIAL FORCE IN
CALCUTTA.

1176. *Mr. K. C. Neogy : (a) With reference to the Government Resolution on the Indian Territorial Forces Committee Report, will Government be pleased to state whether it is intended to start an Urban Unit in Calcutta ?

(b) Have Government received any representation from the Indian Association of Calcutta on the subject ?

Mr. G. M. Young : (a) The answer is in the negative, at present.

(b) The answer is in the affirmative.

REMISSION OF CUSTOMS DUTY ON SCIENTIFIC INSTRUMENTS AND CHEMICALS
IMPORTED FOR THE USE OF EDUCATIONAL INSTITUTIONS.

1177. *Mr. K. C. Neogy : (a) Have Government received any representation suggesting remission of customs duty on scientific instruments and chemicals imported for the use of educational institutions ?

(b) Are Government in a position to state approximately the amount of revenue involved in granting such a remission ?

The Honourable Sir George Rainy : (a) Yes.

(b) No.

ROUTE OF THE IMPERIAL AIRWAYS TO CONNECT INDIA WITH GREAT BRITAIN.

1178. *Mr. Gaya Prasad Singh : (a) Is it a fact that the Government state the latest development, if any, in the plan of Imperial Airways to connect India with Great Britain, through Egypt and Iraq ?

(b) Is it a fact that there is a proposal of a line through Constantinople, which, if agreed upon, would shorten the journey by about 48 hours ?

(c) Has the Persian Government given consent to take the air route through Persian territory ? If not, what alternative route is in view ; and what progress has been made in the matter ?

The Honourable Sir Bhupendra Nath Mitra : (a) and (c). Certain difficulties have arisen over the route originally selected, and the Company is investigating the possibility of an alternative route along the southern littoral of the Persian Gulf.

(b) I have no information.

CERTAIN LETTERS IN THE "VETERINARY RECORD" BY PROFESSOR GAIGER
AND COLONEL A. K. WALKER.

1179. *Lieut.-Colonel H. A. J. Gidney : (a) Has the attention of Government been drawn to a letter in "Veterinary Record", dated 30th July, 1927, by Professor Gaiger as also to another letter in the same paper

by Colonel A. K. Walker, I.V.S. (Retired), dated August 6th, 1927 ? If so, are the facts as stated in Colonel Walker's letter true ?

(b) If they are true, will Government be pleased to state what action it proposes to take to remedy this condition ?

Mr. A. B. Dalal : (a) The Government of India have seen the letters. The only statement in Colonel Walker's letter the strict accuracy of which is admitted by the Government of India is the one referring to the abolition of the post of Inspector General, Civil Veterinary Department.

(b) Does not arise except in the case of the post of Inspector General. The Government of India are not prepared to consider the question of reviving the post, especially now that the subject is provincial transferred, unless the Royal Commission on Agriculture recommend it and adduce strong reasons in support of their recommendation.

REFUSAL OF PASSPORTS TO EMPLOYEES OF INDIAN FIRMS IN HONG KONG.

1180. ***Mr. Gaya Prasad Singh :** (a) Will Government be pleased to state if they have refused passports to certain *bona fide* employees of Indian firms in Hong Kong, and to the families of Indian residents there ? If so, why ; and in how many cases have passports been refused this year ?

(b) Are Government aware that the merchants' agreements with many of their assistants in Hong Kong, have either expired, or are about to expire, and as the assistants cannot be detained there against their will, and others from India are not allowed to take their place by the refusal of passports, the Indian trading community in Hong Kong is subjected to great hardships ?

(c) Have Government received any representation on this subject either from the Hindu Merchants' Association of Hong Kong, or from any other quarter ?

The Honourable Mr. J. Crerar : (a) No such case is traceable. If, however, the Honourable Member has any particular case in mind and will give me the facts, I will have enquiries made.

(b) and (c). No.

EMPLOYMENT OF UNPASSED MEN IN THE OFFICE OF THE PUBLIC SERVICE COMMISSION.

1181. ***Maulvi Muhammad Yakub :** (a) Is it a fact that according to rule only passed candidates are eligible for employment in the Government of India Secretariat, attached and subordinate offices ?

(b) Is it a fact that the Public Service Commission have themselves broken the rules by employing two unpassed candidates in permanent posts ?

(c) Is it a fact that one of them never qualified himself for any division, is not educationally qualified to appear for any division, was only a second division clerk in the Finance Department and has been taken as an upper division assistant in the office of the Public Service Commission ?

(d) Is it a fact that the Public Service Commission have on their list many passed upper division assistants and stenographers awaiting employment and that the employment of the two unpassed candidates have prejudiced their preferential claim ?

(e) Will Government please explain why these two unpassed candidates were employed and whether they propose to revert them to make room for passed candidates whose names are already on the Public Service Commission list and who have not been employed in permanent posts ?

The Honourable Mr. J. Crerar : (a) Yes, except in very special cases of appointments requiring technical or special qualifications.

(b) Both the appointments in question fall within the exception referred to.

(c) It is true that the clerk in question was only a second division clerk in the Finance Department, but he had 18 years' permanent service before he was appointed to the office of the Public Service Commission. Having been made permanent before the late Staff Selection Board came into existence, he was not required to qualify by examination for the second division, and as he was selected for the post of cashier it was not necessary for him to qualify for the upper division.

(d) The Public Service Commission have on their lists upper division assistants and stenographers awaiting employment but, in the circumstances explained, these assistants and stenographers have no preferential claim to the appointments in question.

(e) The circumstances have already been explained. Government do not propose to take the action suggested by the Honourable Member.

TOTAL EXPENDITURE INCURRED IN CONNECTION WITH THE GOLD STANDARD AND RESERVE BANK OF INDIA BILL.

1182. ***Mr. Ram Narayan Singh :** (a) Is it not a fact that the Government of India only in compliance with the orders from the Secretary of State for India withdrew the Gold Standard and Reserve Bank of India Bill from the consideration of the Indian Legislative Assembly ?

(b) If the answer to the above be in the affirmative, will the Government be pleased to lay on the table all the correspondence between the Government of India and the Secretary of State for India since the very conception of the idea of the Gold Standard and Reserve Bank for this country ?

(c) Will the Government be pleased to state an approximate amount of total expenditure (all payments made to the officials, President, Members of the Assembly and the staff by way of salaries and allowances of every kind calculated in proportion to the number of days and hours devoted to the work in connection with the Bill either in the Assembly or outside it, in India and elsewhere, price of articles used, postage, etc., etc.), incurred by the Government in connection with the Bill ?

The Honourable Sir Basil Blackett : Parts (a) and (b). I would refer the Honourable Member to my statement in the House on the 8th instant and to my speech on the adjournment motion on the 13th instant. The

Government of India are not prepared to lay on the table the correspondence with the Secretary of State.

Part (c). The total expenditure incurred on account of travelling and daily allowances to Members of the Joint Committee at Bombay and Calcutta and of the office staff on account of travelling allowance, etc. (excluding pay) amounts approximately to Rs. 26,000. No additional expenditure was incurred on establishment, the work in connection with the Bill having been performed by the ordinary staff. The details for postage, etc., are not available.

Mr. Ram Narayan Singh : Sir, I do not want to put questions Nos. 1183 and 1184.

CONSTRUCTION OF THE NEW RAILWAY LINE FROM BARKAKHANA TO RANCHI.

1185. ***Mr. Ram Narayan Singh** : (a) Will the Government be pleased to state the progress hitherto made with regard to the construction of the new railway line from Barkakhana to Ranchi (Central India Coalfields Railway) ?

(b) What is the probable date of its completion ?

Mr. A. A. L. Parsons : (a) and (b). A survey of the line has just been made, and the report is expected to be ready this month. Government will decide whether the line should be built after examination of the survey report.

NUMBER OF STUDENTS IN THE MINING COLLEGE AT DHANBAD.

1186. ***Mr. Ram Narayan Singh** : (a) Will the Government be pleased to state the present number of students in the Mining College at Dhanbad ?

(b) How many of them are Biharis ?

(c) How many of them are natives or old residents of the Chota Nagpur Division ?

The Honourable Sir Bhupendra Nath Mitra : (a) Forty-five.

(b) One student is a resident of Bihar, but not a Bihari by birth.

(c) None.

ADMINISTRATION OF THE INDIAN ARMS ACT IN BIHAR AND ORISSA.

1187. ***Mr. Ram Narayan Singh** : 1. Are the Government aware of the facts (a) that the policy pursued by the Government of Bihar and Orissa in the matter of granting agricultural or other licences for guns for protection of life and property from wild animals is hopelessly unsatisfactory and too narrow and (b) that as a result of this harmful policy, there is every year a great loss of human lives and property (including valuable cattle) in the whole of the Province in general and in the Division of Chota Nagpur in particular ?

2. Do the Government propose to draw the attention of the Local Government of Bihar and Orissa to these facts and to ask them kindly to be more liberal in their policy mentioned above with special reference

to the condition of the Chota Nagpur Division which is full of deep forests with wild animals ?

The Honourable Mr. J. Orerar : (1) The Government of India have no reason to suppose that the facts are as suggested.

(2) The Government of India do not consider that there are grounds for the action suggested.

Mr. Ram Narayan Singh : Will the Government of India make enquiry as to the allegations I have brought to notice ?

The Honourable Mr. J. Orerar : I am afraid I cannot add anything to the reply already given.

DEPUTY DIRECTOR GENERAL OF ARCHÆOLOGY, EXPLORATION BRANCH.

1188. ***Maulvi Muhammad Yakub :** (a) Will the Government kindly state the drawings and photographs prepared and published by the officer appointed as Deputy Director of Archæological Exploration in any publication of the Department or refer to them ?

(b) Will the Government be pleased to state what original research work apart from epigraphical notes has been contributed by this officer to the departmental literature during the last six years ?

(c) Will the Government kindly state the number of unexplored and unknown ancient ruins brought to light by this officer before he was considered fit to hold his present post ?

(d) Will the Government be pleased to state if it is a fact that an officer of vast experience in Near Eastern Archæology has been brought out from England and placed under an officer of less experience in the Exploration Branch of the Archæological Survey ?

Mr. A. B. Dalal : (a) Drawings and photographs in the Archæological Department are prepared by draftsmen and photographers respectively. In the publications of the Department, therefore, there are no drawings or photographs prepared by the officer in question.

(b) During the last six years this officer has contributed to departmental reports articles on the subjects mentioned in the statement placed in the Library.

(c) During the last 23 years this officer has either assisted in or personally supervised excavations on the sites mentioned in the statement placed in the Library.

(d) No.

INDUS VALLEY PRE-HISTORIC SCRIPT.

1189. ***Maulvi Muhammad Yakub :** Will the Government be pleased to state :

(a) Since when the peculiar Indus Valley pre-historic script has been before the Indologists of the Archæological Department, and

(b) How far has their knowledge of oriental languages helped them to decipher this writing ?

Mr. A. E. Dalal : (a) Specimens of the peculiar pre-historic script of the Indus Valley have been before Indologists for the last 55 years.

(b) Their knowledge of oriental languages has not helped them to decipher the writing.

STAY OF MISS MAYO, AUTHOR OF "MOTHER INDIA" AS A GUEST OF A SUPERINTENDENT OF THE C. I. D. AT LAHORE.

1190. ***Mr. Gaya Prasad Singh :** (a) Is it a fact that Miss Mayo, the author of "Mother India", was the guest of a Superintendent of the C. I. D. at Lahore, during her visit to this country, and that an Inspector of the C. I. D. was deputed to help her in making enquiries and acquaintances ?

(b) Is it a fact that an official of the Intelligence Department, Government of India, arranged for her stay in Lahore, with the Superintendent of the C. I. D., or helped her in any other way ?

(c) Do Government propose to institute an enquiry, and place the facts before the House ? If not, why not ?

The Honourable Mr. J. Crerar : (a) No.

(b) No.

(c) I have placed the facts before the House and no enquiry is necessary.

MISS MAYO'S BOOK "MOTHER INDIA".

1191. ***Pandit Hirday Nath Kunzru :** (a) Has the following telegram from Bombay published in the *Leader* of the 7th instant come to the notice of Government :

"A special message to the 'Hindustan', a local Gujerat daily, says that many of the British Members of Parliament have been provided with free copies of Miss Katherine Mayo's book 'Mother India'."

(b) If the information contained in the message is correct, will Government state whether free copies of "Mother India" have been distributed by or at the instance of the British Government ? If so, have the British Government made themselves responsible for the statements made in the book ?

(c) Are Government aware that "Mother India" is regarded by Indians as a malicious and filthy libel on the people of this country ?

(d) Have Government informed the British Government that a free distribution of this book by them would create deep and universal resentment and indignation in this country ?

The Honourable Mr. J. Crerar : (a) and (b). I invite attention to the answer I gave to Mr. M. S. Aney's question on the subject on the 19th September 1927. The British Government have neither caused the book to be distributed nor made themselves responsible for any statement contained in the book.

(c) Government have seen articles on the subject in the Public Press.

(d) The fact is obvious and it is unnecessary to bring it to the British Government's notice.

Mr. K. C. Neogy : Is the Honourable Member aware that this publication has accentuated racial feeling in India to a very great extent ?

The Honourable Mr. J. Crerar : That, Sir, is a matter of opinion.

Pandit Hirday Nath Kunzru : May I ask the Honourable Member, Sir, whether the British Government have borne any portion of the cost involved in the distribution of the book ?

The Honourable Mr. J. Crerar : Not a penny, Sir.

Mr. Gaya Prasad Singh : May I know, Sir, if the Publicity Bureau of the Government of India have received any complimentary copies of the book ?

The Honourable Mr. J. Crerar : No, Sir ; they have not.

Mr. Sarabhai Nemchand Haji : Will Government kindly inquire as to who it is that has distributed these copies to the Members of Parliament in London ?

The Honourable Mr. J. Crerar : That, Sir, is not the concern of the Government of India.

Pandit Hirday Nath Kunzru : Are Government prepared to contradict the distorted statements contained in the book in view of the racial feeling that has been accentuated by it in India ?

The Honourable Mr. J. Crerar : I think that matter could better be dealt with by a non-official agency.

Pandit Hirday Nath Kunzru : Do not Government think it worth their while to correct the misstatements and exaggerations contained in that book in view of the fact that it has been circulated in other countries and is being used as a sort of propaganda against this country ?

The Honourable Mr. J. Crerar : As I have already replied, Sir, that is a matter which can be much more effectively dealt with by a non-official agency and by those who have the most direct knowledge of the matters dealt with in the book.

Mr. K. C. Neogy : Does the Honourable Member admit that this book contains untruths and exaggerations ?

The Honourable Mr. J. Crerar : That, Sir, is asking for an expression of opinion.

Mr. K. C. Neogy : Is not the good name of the people of India a matter of concern for the Government ?

The Honourable Mr. J. Crerar : Certainly the matter is one in which the Government of India naturally take interest.

Mr. N. M. Joshi : Do not the Government of India maintain a propagandist in countries like America who could be asked to correct the misstatements contained in Miss Mayo's book ?

The Honourable Mr. J. Crerar : We have no propagandist agencies in America.

Mr. Varahagiri Venkata Jogiah : May I know, Sir, if the Government of India propose to proscribe the book ?

Mr. A. Rangaswami Iyengar : May I know, Sir, whether the Government of India do expend some money out of the revenues of India on propaganda work in America ?

The Honourable Mr. J. Crerar : No, Sir.

Mr. K. Ahmed : Are Government aware that the *Manchester Guardian* has made the observation and has given the advice to the people of India that it is better for them to counteract the effects of the book and that it is good for the English people to forget them ?

The Honourable Mr. J. Crerar : I remember seeing something in the *Manchester Guardian* somewhat vaguely and remotely resembling what the Honourable Member has said.

Dr. A. Suhrawardy : Will the Honourable Member kindly inquire as to how many Members of this House have read Miss Mayo's book, "Mother India" ?

The Honourable Mr. J. Crerar : I suggest that that question should be addressed to other Members of this House and not to myself.

Dr. A. Suhrawardy : Is the Honourable Member aware that Miss Mayo's book contains extracts from the debates of this House ?

The Honourable Mr. J. Crerar : Yes, Sir.

Dr. A. Suhrawardy : Will the Honourable Member kindly inquire whether Mr. Coatman was responsible for supplying the appalling statements and figures to the Honourable Member who moved the Bill regarding Hindu child marriages ?

The Honourable Mr. J. Crerar : I do not think, Sir, that question arises.

Mr. Ram Narayan Singh : Are Government prepared to proscribe the book ?

The Honourable Mr. J. Crerar : Quite apart from any legal considerations that might arise, I think that it would be very ill advised from the Honourable Member's own point of view to proscribe the book.

Mr. K. C. Neogy : Are Government taking any legal opinion in the matter ?

The Honourable Mr. J. Crerar : No, Sir.

Mr. M. Ruthnaswamy : Are the Honourable Members opposite in favour of proscribing the book ?

Mr. Ram Narayan Singh : Are Government prepared to take legal opinion in the matter as to whether the book is fit to be proscribed or not ?

The Honourable Mr. J. Crerar : The legal position is so clear that it is unnecessary to do so.

- REPORT RELATING TO EDUCATIONAL FACILITIES FOR THE CHILDREN OF RAILWAY EMPLOYEES.

1192 ***Pandit Hirday Nath Kunzru :** Will Government lay the report of the special officer appointed to enquire into the educational facilities available to children of railway employees on the table ?

Mr. A. A. L. Parsons : They will consider the question.

Mr. Gaya Prasad Singh : The question is : Will Government lay the report on the table ? There is nothing to be considered.

Pandit Hirday Nath Kunzru : May I know, Sir, whether the ten days' notice of this question was not enough to enable Government to consider this question ?

Mr. A. A. L. Parsons : Certainly not, Sir. While the Assembly is sitting, the Members of the Railway Board have not found time to read the report themselves.

Pandit Hirday Nath Kunzru : Are Government aware that in answer to a question of mine in March last regarding the expenditure on railway schools, Sir Charles Innes said that the matter was being inquired into by a special officer ? How are Honourable Members to get that information unless the report is laid on the table ?

ESTABLISHMENT OF A LOCAL ADVISORY COMMITTEE FOR THE GREAT INDIAN PENINSULA RAILWAY AT JHANSI.

1193. ***Pandit Hirday Nath Kunzru :** (a) Has the Great Indian Peninsula Railway any Advisory Committee in the United Provinces ?

(b) If not, are Government prepared to take steps to have an Advisory Committee established at Jhansi ?

Mr. A. A. L. Parsons : (a) No.

(b) The subject is under consideration.

Pandit Hirday Nath Kunzru : Is the matter being discussed with the new Agent of the Great Indian Peninsula Railway ?

Mr. A. A. L. Parsons : I mentioned the matter to Mr. Russell when I was down in Bombay recently and asked him to look into it ; and I understand that he is looking into it. Jhansi, however, is not, I believe, a particularly important station from the railway point of view and I am not sure if they will establish an Advisory Committee there.

Pandit Hirday Nath Kunzru : Is it not a fact that it is the most important station on the Great Indian Peninsula Railway in the province from which I come and that it has got a railway workshop ?

Mr. A. A. L. Parsons : I am not sure if it is the most important station.

ISSUE OF OCCASION CHEQUE PASSES TO EUROPEAN AND ANGLO-INDIAN EMPLOYEES OF THE NORTH WESTERN RAILWAY.

1194. ***Pandit Hirday Nath Kunzru :** (a) Is it a fact that on the North-Western Railway " occasion cheque passes for short distances may be issued under the rules to European and Anglo-Indian employees and to their families living at road-side stations, to enable them to attend places of worship, entertainments, institutes, railway or Auxiliary Force sports " ?

(b) Are the same facilities afforded to Indian employees ? If not, what steps do Government propose to take to put a stop to the racial and religious discrimination involved in this rule ?

Mr. A. A. L. Parsons : (a) and (b). I am enquiring and will let the Honourable Member know the result.

Pandit Hirday Nath Kunzru : What is it that the Honourable Member is inquiring into—the accuracy of the statement or the prevalence of the practice referred to in the question ?

Mr. A. A. L. Parsons : I am inquiring in order to obtain information to answer the Honourable Member's question which I do not at present possess.

Pandit Hirday Nath Kunzru : There are two parts of the question, (a) and (b). Which part is the Honourable Member inquiring into ?

Mr. A. A. L. Parsons : I am inquiring about both the parts of the question, as both ask for information.

Pandit Hirday Nath Kunzru : May I take it that Government are not sure whether the statement contained in part (a) of my question is correct ?

Mr. A. A. L. Parsons : I am sure the Honourable Member would be the last to make a statement in a question : if he had done so, you, Sir, might have disallowed it.

Mr. M. S. Aney : Why is it that the Government were not able to make the necessary inquiries in the ten days they had at their disposal ?

Mr. A. A. L. Parsons : The inquiries which have been made have not so far produced the necessary information. Therefore I was obliged to give a reply in the terms in which I have given it. As soon as I obtain the information, I will furnish it to the Honourable Member and if other Members are interested in it, I will lay it on the table.

Mr. K. C. Neogy : Is it a fact, when Government generally find it rather inconvenient to answer a question, that they complain of shortness of time or that they say they want to make more enquiries ?

Mr. A. A. L. Parsons : I should not be prepared to admit that the Government ever finds it inconvenient to answer questions. In this particular case, I was not able to get the information in time.

Lieut.-Colonel H. A. J. Gidney : Did Government find it inconvenient to answer my question because they thought it was extremely undesirable to do so ?

Mr. A. A. L. Parsons : They thought it undesirable to do so in view of the terms in which that question was framed.

Pandit Hirday Nath Kunzru : May I ask the Honourable Member whether the rule referred to in question No. 1194 is not contained in the pamphlet entitled " Rules for the issue of free passes and privilege ticket orders, North-Western Railway " ?

Mr. A. A. L. Parsons : The Honourable Member's information, I am afraid, is in greater detail than mine.

ISSUE OF CHEQUE PASSES ON THE NORTH WESTERN RAILWAY TO CHRISTIAN
MINISTERS OF RELIGION.

1195. ***Pandit Hirday Nath Kunzru :** (a) Are Government aware that on the North Western Railway " cheque passes may occasionally be

issued by Divisional Superintendents to ministers of religion to minister to the spiritual wants of railway employees at places where the services of clergymen are not ordinarily available" ?

(b) Are similar facilities given for the satisfaction of the spiritual wants of Hindus and Muhammadans ? If not, what is the ground for the preference shown to Christians ?

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

(b) I am enquiring and will let the Honourable Member know the result.

CLASSIFICATION OF ANGLO-INDIAN AND INDIAN EMPLOYEES OF THE EAST INDIAN RAILWAY.

1196. ***Pandit Hirday Nath Kunzru :** Is it a fact that the non-European employees are divided into two classes, A and B, by the East Indian Railway and that while Anglo-Indians are assigned to class A Indians are assigned to class B ?

Mr. A. A. L. Parsons : The answer is in the negative.

INDIAN REPRESENTATION ON THE EAST AFRICAN ROYAL COMMISSION.

1197. ***Pandit Hirday Nath Kunzru :** (a) Have Government seen newspaper reports to the effect that Sir Hilton Young will preside over the East African Royal Commission and that Sir George Schuster and Mr. J. H. Oldham will be its members ? Are they now in a position to state who will represent India on the Commission ?

(b) Are they aware that H. H. the Aga Khan has strongly urged that the Government of India should press for the nomination of two Indian members to the Commission ?

Mr. G. S. Bajpai : (a) Government have seen press reports to the said effect, but have received no authoritative information yet regarding the personnel of the Commission.

(b) Government have seen reports in the Press to that effect.

Pandit Hirday Nath Kunzru : Are Government able to say who will represent India on the Commission ?

Mr. G. S. Bajpai : No, Sir.

Mr. B. Das : Have the Government recommended any Indian ?

Mr. G. S. Bajpai : I answered a question on this subject which was asked the other day by Sir Purshotamdas Thakurdas. My answer was that the Secretary of State for India had been asked to nominate a representative, not the Government of India.

Pandit Hirday Nath Kunzru : Are Government in a position to assure the House that the representatives of India will at least be Indians ?

Mr. G. S. Bajpai : It is not possible for the Government of India to give any assurance on that subject, seeing that the nomination rests not with the Government of India, but with the Secretary of State for India.

Pandit Hirday Nath Kunzru : Are they themselves still pressing the matter on the attention of the Secretary of State ?

Mr. G. S. Bajpai : That is so, Sir.

Mr. K. Ahmed : Do Government propose to recommend the name of an Indian to the Secretary of State ?

Mr. G. S. Bajpai : If my Honourable friend were more audible and less inarticulate, I would attempt to answer his question. (Laughter.)

Mr. K. Ahmed : Do Government propose to take steps to recommend the names of two or three Indians to the Secretary of State for India to serve on the Commission ?

Mr. G. S. Bajpai : I think, Sir, the Honourable Member is merely repeating the views which were expressed by this House on the 18th August. The Government of India are in full possession of the views of this House, and they have taken such action as it was in their power to take.

Mr. K. Ahmed : Can Government give any undertaking that they will fulfill their promise of nominating an Indian to the Commission ?

Mr. G. S. Bajpai : The Government merely promised to forward the proceedings of this House to the Secretary of State for India. That promise has been carried out.

Mr. K. Ahmed : I am asking that the Government of India should make a recommendation and should not be merely content with sending the proceedings. Isn't it an evasive reply ?

STOPPAGE OF RECRUITMENT TO THE LOCAL TRAFFIC SERVICE OF STATE RAILWAYS.

1198. ***Pandit Hirday Nath Kunzru** : (a) Has recruitment to the Local Traffic Service been stopped or not ?

(b) Is it a fact that the Agents of State Railways have recommended the abolition of the service ?

(c) Were the Local Traffic Service men classed as Indians holding superior appointments when the Lee Commission enquired into the position of Indians in the higher services ?

Mr. A. A. L. Parsons : (a) Recruitment to the Local Traffic Service from outside has been held in abeyance.

(b) Government have received no recommendations from the Agents of State-worked Railways to this effect.

(c) They were shown in the sanctioned cadre and actuals of the Superior Traffic establishment as India-recruited, the fact that they belonged to the Local Traffic Service being explained.

Pandit Hirday Nath Kunzru : If they were shown as belonging to the superior establishment, when will Government take steps to promote such men as are in the Local Traffic Service to the superior grade ?

Mr. A. A. L. Parsons : I am afraid I am unable to answer that question. I gave information in reply to another question a few days ago as to the position of the Local Traffic Service, pointing out that there

were considerable difficulties in amalgamating it with the superior service which we hoped to overcome but did not expect to overcome very quickly.

Pandit Hirday Nath Kunzru : Am I to understand that the Government accept the principle that it will sooner or later promote these men to the higher grade in which they were supposed to be included when the Lee Commission came here ?

Mr. A. A. L. Parsons : No, Sir. I do not think I can go as far as that.

Pandit Hirday Nath Kunzru : How is it then that they were included in the superior grade when the Lee Commission came here ?

Mr. A. A. L. Parsons : They were recruited to the Local Traffic Service and in a particular statement which was laid before the Lee Commission, they had to be shown either as superior or inferior. They were shown in that statement actually as superior but it was clearly explained therein that they were local traffic service men. There is no question of the Lee Commission having been misled on that point.

Lieut.-Colonel H. A. J. Gidney : Will the Honourable Member kindly state whether the Government of India are addressing the Secretary of State as to the retention or otherwise of these Local Service men ?

Mr. A. A. L. Parsons : As far as I remember, I do not think the Railway Board have addressed the Secretary of State for India on the subject. They have not yet formulated their own proposals, nor am I certain that this is a matter which would require to go to the Secretary of State.

Pandit Hirday Nath Kunzru : May I take it, Sir, that in the meanwhile no new recruits are being appointed to the Local Service ?

Mr. A. A. L. Parsons : That is in the reply which I gave. As far as I know we are not now taking anybody into the Local Service, but I am not quite sure whether we did not take some men a short time ago. Certainly our intention is not to take any more men into it.

STATUS AND PROSPECTS OF MEMBERS OF THE BAR APPOINTED TO INDIAN CIVIL SERVICE POSTS.

1199. ***Pandit Hirday Nath Kunzru** : (a) Are members of the Bar who are appointed to superior judicial posts classed as belonging to the Indian Civil Service or not ?

(b) What is their position with regard to appointment to higher posts ?

The Honourable Mr. J. Crerar : (a) Members of the Bar appointed direct to listed posts on the Indian Civil Service cadre do not become members of the Indian Civil Service. They enjoy, however, the status of members of an all-India Service.

(b) They are eligible on their merits for all judicial appointments borne on the cadre of the Indian Civil Service except the High Court Judgeships reserved for members of that service under section 101 (4) of

the Government of India Act. They are, however, eligible, if duly qualified, for all High Court Judgeships not so reserved.

Pandit Hirday Nath Kunzru : Are Government aware that in some of the highest appellate courts some posts are reserved, either by rule or by convention, for members of the Provincial Civil Service ? Are the members promoted from the Bar eligible for any of these posts or will they have to take their chance in connection with the posts which are not reserved for members of the Indian Civil or Provincial Services.

The Honourable Mr. J. Crerar : I must ask for notice of that question.

FUNCTIONS AND DUTIES OF THE OFFICERS OF THE BUREAU OF PUBLIC INFORMATION.

1200. ***Pandit Hirday Nath Kunzru** : (a) Will Government be pleased to state the functions and duties of the officers of the Bureau of Public Information ?

(b) Is it one of their duties to furnish information to private individuals ? If so, can their assistance be asked for in the collection of material on any subject ?

(c) Does the supply of such information constitute a principal part of their work ?

The Honourable Mr. J. Crerar : (a) The Honourable Member is referred to the reply given to question No. 305 by Mr. O'Donnell on the 1st March 1921.

(b) and (c). This has not been prescribed as one of their duties, but, as I think the Honourable Member is aware, they do everything in their power to furnish information to private individuals on any subject that can reasonably be regarded as coming within the scope of the Bureau.

Mr. K. C. Neogy : Is it a part of the duty of this Department to furnish information to American tourists ?

The Honourable Mr. J. Crerar : The Department is prepared to give information so far as matters on public record are concerned to all persons who desire to study the conditions of the country. I may add they are equally prepared to obtain similar facilities for Indian travellers who desire to visit European countries.

Mr. K. C. Neogy : Will the Government kindly state whether this Department institutes any enquiry as to what use the materials placed at the disposal of the travellers would be put to ?

The Honourable Mr. J. Crerar : The matter supplied is all contained in public documents. Under no circumstances, is any access given to confidential documents.

Mr. K. Ahmed : Is it a fact that one of the functions of this Department is to spend money on secret service ?

The Honourable Mr. J. Crerar : No, Sir.

Pandit Hirday Nath Kunzru : May I ask for an answer to part (c) of my question ? What proportion of their work consists in the supply of information either to Indians or Europeans ?

The Honourable Mr. J. Crerar : I am afraid I should have to make a more extensive examination of the records of the Department than I have been able hitherto to do to give any arithmetical reply to that question.

Pandit Hirday Nath Kunzru : Will the Honourable Member give an approximate answer ?

Lieut.-Colonel H. A. J. Gidney : Is it not a fact that it is the duty of this Department to supply information to the public ?

The Honourable Mr. J. Crerar : On matters coming within the scope of their functions.

Mr. K. C. Neogy : Is it a part of the duty of the officers of this Department to canvass for votes in this House ?

Mr. K. Ahmed : Are the Government aware that there is a strong feeling among the elected Members of this Assembly that they are not allowed to criticise the functions or actions of the officers of the Bureau of Public Information ? It has been referred to by successive Home Members from Sir Malcolm Hailey onwards that this Department has to do some secret service which is beyond the sphere of the Members of this Assembly to enter into. (Laughter.)

FUNCTIONS OF THE BUREAU OF PUBLIC INFORMATION IN CONNECTION WITH THE VIEWS AND POLICIES OF GOVERNMENT.

1201. ***Pandit Hirday Nath Kunzru :** (a) Is the Bureau intended to explain and popularize the views and policies of Government when they are in conflict with Indian views and policies.

(b) Are its officers freer from Government control than other Government servants because they are the agents of Government for official propaganda ?

The Honourable Mr. J. Crerar : (a) I would refer the Honourable Member to the answer I have given to part (a) of his question No. 1200.

(b) The officers of the Bureau, like all Government servants, are governed by the Government Servants' Conduct Rules.

Pandit Hirday Nath Kunzru : May I know if they are allowed to write to newspapers in this country ?

The Honourable Mr. J. Crerar : Yes, Sir, in so far as subjects which are within their function are concerned.

Mr. Gaya Prasad Singh : Is this Department in any way analogous to the C. I. D. ?

Mr. M. E. Jayakar : Are they propagandists of Government views ?

The Honourable Mr. J. Crerar : No, Sir.

Mr. M. S. Aney : Will Government once for all place on the table a statement showing the proper functions of this Department for the information of all ?

The Honourable Mr. J. Crerar : That, Sir, is contained in my reply to question No. 1200.

Mr. K. C. Roy : Is it a fact that the functions of this Department were defined by the Committee over which Sir Tej Bahadur Sapru presided ?

The Honourable Mr. J. Crerar : There was an Advisory Committee appointed and there is still an Advisory Committee in existence.

Mr. K. C. Roy : Will the Government be pleased to lay on the table the report of the Sapru Committee so that Members may know exactly what the functions of this Department are ?

Mr. M. Ruthnaswamy : Are any other Government servants allowed to contribute to newspapers ?

The Honourable Mr. J. Crerar : Subject to the Government Servants' Conduct Rules, they are.

Mr. A. Rangaswami Iyengar : Sir, may I know how many meetings of this Advisory Committee have so far been held and what have been its proceedings ?

The Honourable Mr. J. Crerar : I must ask for notice of that.

Mr. Gaya Prasad Singh : Will the report of that Committee be laid on the table ?

The Honourable Mr. J. Crerar : I will consider that.

Pandit Hirdav Nath Kunzru : May I know whether the information communicated to the Press by these officers is published over their own signatures or as editorial paragraphs and leaders ?

The Honourable Mr. J. Crerar : Newspapers rarely publish articles over the writers' signatures.

Mr. Gaya Prasad Singh : We should like to hear Mr. Coatman !

Mr. M. Ruthnaswamy : Will the Honourable Member give us some idea of the restrictions imposed on Government servants by the Government Servants' Conduct Rules in regard to their contributions to the Press ?

The Honourable Mr. J. Crerar : I would invite the attention of the Honourable Member to the rules themselves.

Pandit Hirdav Nath Kunzru : May I know if these officers write to newspapers in England and America ?

The Honourable Mr. J. Crerar : Yes, Sir ; contributions are not limited to the Press in this country.

Pandit Hirdav Nath Kunzru : May we know, Sir, on what occasions the Publicity Department during the last 12 months contributed articles to the foreign press ?

The Honourable Mr. J. Crerar : I think, Sir, that is a notice question.

Mr. K. C. Neogy : Are these contributions made solely in the interests of India ?

The Honourable Mr. J. Crerar : Yes, Sir.

Mr. K. C. Neogy : Do the officers concerned get any remuneration for their contributions ?

The Honourable Mr. J. Crerar : I think that in the majority of cases, at any rate, the contributions are purely honorary.

Pandit Hirday Nath Kunzru : Do they write under instructions from Government or on their own initiative ?

The Honourable Mr. J. Crerar : Under general instructions, in particular cases, on their own initiative.

MESSING ARRANGEMENTS OF MEMBERS OF THE UNIVERSITY TRAINING CORPS OF THE UNITED PROVINCES WHILE IN CAMP.

1202. ***Pandit Hirday Nath Kunzru** : (a) Is it a fact that members of the United Provinces University Training Corps have been informed that they will be supplied with uncooked rations in accordance with the scale fixed for Indian soldiers and given 2 as. 6 p. a day during the next annual camp ?

(b) Are Indian soldiers supplied with sugar and fuel free of cost as part of their rations and will the members of the University Training Corps have to pay for both these things out of their daily allowance of 2 as. 6 p. ?

(c) Will the various detachments also have to pay the cooks which they are required to bring with them out of the daily allowance referred to above ? If so, why ? Will the new arrangement cost Government more than the contract system under which the University Training Corps were fed till last year ?

(d) Is it a fact that the scale of rations fixed for the University Training Corps is lower than that fixed for British soldiers ? If so, how do Government justify this difference.

Mr. G. M. Young : Government have no information of the details mentioned by the Honourable Member. Arrangements for the messing of members of the University Training Corps while in camp are left entirely to the University authorities concerned, to whom Government make a lump sum grant for the purpose.

Pandit Hirday Nath Kunzru : Do I understand that the sum contributed this year is the same as that which was contributed last year ?

Mr. G. M. Young : The sum is Rs. 3,500 for 15 days' training.

Pandit Hirday Nath Kunzru : May I know whether the sum this year is the same as last year ? I have not been able to hear the Honourable Member.

Mr. G. M. Young : I don't know, Sir. There is a fixed sum which is Rs. 3,500 for 15 days' training. I believe it was the same last year as it is this year.

Pandit Hirday Nath Kunzru : May I know in this connection, Sir, whether in accordance with the recommendations of the Auxiliary Force and Territorial Force Committee, the University Training Corps is to be regarded as a provincial or an urban unit ? The point of my question is that the Auxiliary and Territorial Forces Committee recommended that members of urban units should be paid extra messing charges at the rate of 5½ annas per day.

Mr. G. M. Young : I am not prepared to go into the general questions of urban and provincial units. As regards the present question, Government have no information of the details ; they make a lump sum grant to the Universities and the Universities use it according to their own discretion. No complaints have been received from any University so far that this grant is inadequate.

Pandit Hirday Nath Kunzru : Whose duty will it be to carry out the recommendations of the Auxiliary and Territorial Forces Committee, if not that of the Central Government ?

Mr. G. M. Young : I do not see how that question arises.

Pandit Hirday Nath Kunzru : Is it not the fact that while the Auxiliary Force and Territorial Force Committee, whose recommendations have been accepted, recommended that 5½ annas per day should be paid as an extra messing charge, the members of the Corps only receive 2½ annas per day now ?

(No answer was given.)

Pandit Hirday Nath Kunzru : With regard to part (d), will Government enquire why the rations supplied to the members of the University Training Corps are on a lower scale than that applicable to Indian soldiers ?

Mr. G. M. Young : No, Sir ; Government do not propose to enquire into any of these details. As I have already informed my Honourable friend, the arrangements for the messing of the University Training Corps while in camp are left entirely to the University authorities concerned. Government make a lump sum grant. If the sum is insufficient, doubtless the Universities will make representations to that effect.

Pandit Hirday Nath Kunzru : Is the Honourable Member aware that the arrangements are made not by the University authorities but by the Adjutant ?

Mr. G. M. Young : No, Sir ; I am not aware of that.

Pandit Hirday Nath Kunzru : Will the Honourable Member be good enough to enquire into that ?

Mr. G. M. Young : No, Sir. The arrangements are left entirely to the Universities : the Adjutant has no instructions from Government to make the arrangements instead of the Universities.

Pandit Hirday Nath Kunzru : If the lump sum grant is not raised by Government, how is the University going to give 5½ annas per day as recommended by the Auxiliary Force and Territorial Force Committee ?

ISSUE OF RIFLES TO THE UNITED PROVINCES UNIVERSITY TRAINING CORPS.

1203. ***Pandit Hirday Nath Kunzru :** When do Government propose to issue rifles to the United Provinces University Training Corps ?

Mr. G. M. Young : The Honourable Member is referred to part (b) of my answer to his starred question No. 514.

Pandit Hirday Nath Kunzru : May I know whether since that question was answered, Government have taken any steps to supply rifles to the University Training Corps ?

Mr. G. M. Young : Government were taking steps when my Honourable friend asked his question. They are still taking steps.

Pandit Hirday Nath Kunzru : Have they taken any further steps, or are they still at the same stage ?

Mr. G. M. Young : They are proceeding with the same steps, Sir.

PROPORTION OF LEWIS GUNNERS IN UNIVERSITY TRAINING CORPS.

1204. ***Pandit Hirday Nath Kunzru** : Is it a fact that every Indian infantry battalion is supposed to consist of 75 per cent. riflemen and 25 per cent. Lewis gunners ? Does this rule apply to the Indian Territorial Force or the University Training Corps ? If not, why not ?

Mr. G. M. Young : The proportion mentioned in the first part of the question is approximately correct. The answer to the second part is in the negative. The University Training Corps are not supplied with Lewis guns because they are not liable for military service. The period of training for other units of the Indian Territorial Force is not long enough to permit of instruction in the use, mechanism and tactical handling of Lewis guns. The first essential is to train men fully in the use of the rifle.

Pandit Hirday Nath Kunzru : Did the Auxiliary Force and Territorial Force Committee recommend any difference between the training given to the University Training Corps and to the Indian Defence Force simply because they recommended that the University Training Corps should not be liable for general service ?

Mr. G. M. Young : I understand the Honourable Member to be asking me questions on the contents of the Report of the Auxiliary and Territorial Forces Committee of which he appears to have a copy in his hand. I have not.

Pandit Hirday Nath Kunzru : May I ask, since it concerns the Honourable Member's Department, whether there need be any difference between the training given to the University Training Corps and the training given to the Indian Defence Force simply because the University Training Corps is not to have any liability for general service ?

Mr. G. M. Young : That, Sir, is a question of opinion.

Pandit Hirday Nath Kunzru : May I ask whether it is not a question of fact, the matter being entirely in the power of the Government of India ?

Mr. G. M. Young : As I heard the Honourable Member's question, it was not a question of fact.

Pandit Hirday Nath Kunzru : May I know whether there is any warrant in the Auxiliary and Territorial Forces Committee's recommendations for making any distinction between the training given to the University Training Corps and the training given to the Indian Defence Force ?

OFFICIAL ASSISTANCE TO MISS MAYO IN COLLECTING MATERIALS FOR HER BOOK "MOTHER INDIA".

1163. *Mr. M. S. Aney : (a) Has the attention of the Government of India been drawn to Miss Mayo's book "Mother India" and the numerous statements regarding India and Indian people contained therein ?

(b) Is it a fact that Mr. Coatman, Head of the Publicity Department of the Government of India, was associated with Miss Mayo in collecting materials for her book ?

(c) Is there any truth in the rumour that Miss Mayo was in some way or other subsidised by the Scout Service Funds ?

(d) Is it a fact that Mr. Coatman saw the proofs of the book ?

(e) Will the Government find out and disclose the names of such officials as helped Miss Mayo in the collection of materials of that book or in writing it ?

The Honourable Mr. J. Crerar : (a) Government have seen the book.

(b), (c) and (d). There is no truth whatever in these suggestions and I should like to repudiate them emphatically. I would also refer the Honourable Member to the Foreword to the book itself, in which the author expressly states that she submitted the manuscript of the book to no one connected with official life.

(e) Government have no reason to suppose that any official gave Miss Mayo any assistance beyond what is given to any member of the public.

ISSUE OF A CONTRADICTION TO THE NUMEROUS ALLEGATIONS CONTAINED IN MISS MAYO'S BOOKS "MOTHER INDIA" AND "ISLES OF FEAR".

1164. *Mr. M. S. Aney : (a) Will the Government be pleased to state whether they have issued any instructions to the Head of the Publicity Department to promptly issue any book or pamphlet to give an authoritative contradiction to any of the numerous allegations contained in the two books of Miss Catherine Mayo "Mother India" and "Isles of Fear" ?

(b) If not, will the Government be pleased to say whether they propose to do so hereafter ?

(c) If not, why ?

The Honourable Mr. J. Crerar : (a) and (b). Government have not given and do not propose to give such instructions.

(c) They do not consider that such instructions would serve any useful purpose.

Mr. K. C. Neogy : Do Government attach any importance to the resentment that has been caused among the public by this book ?

The Honourable Mr. J. Crerar : Government have naturally observed that with interest and concern.

Mr. K. C. Neogy : Are Government in sympathy with the statements that have appeared in this book ?

The Honourable Mr. J. Crerar : That, Sir, is rather too general a question for me to reply to either affirmatively or negatively.

Mr. M. R. Jayakar : Does that book represent the opinions of Government on the culture and traditions of Indians ?

The Honourable Mr. J. Crerar : I have already explained that Government accept no responsibility for what has appeared in this book.

Mr. K. C. Neogy : Is the Government attitude one of neutrality in this matter ?

(No answer.)

Mr. K. C. Neogy : Do Government possess any opinion on the statements contained in the book ?

The Honourable Mr. J. Crerar : The Honourable Member is asking for an opinion.

Mr. K. C. Neogy : Do Government possess any opinion at all ? That is not a question of opinion, but of fact.

Mr. B. Das : Are Government going to proscribe that book ?

Mr. K. Ahmed : In view of the fact that there is great commotion and disorder in the House and in the country, do Government propose

Mr. President : Order, order.

Mr. K. Ahmed : The question arises, Sir, and I am entitled to put supplementary questions. May I know under what rule or standing order the Chair rules me out of order ?

Mr. President : Order, order. Mr. Aney.

DATE OF APPOINTMENT OF MR. BOOTH AS POSTMASTER GENERAL IN THE PUNJAB.

1165. ***Mr. M. S. Aney :** (a) When was Mr. Booth first appointed to assume charge of the post of Postmaster General in the Punjab ?

(b) For what time during the aforesaid period has he been at Lahore and Simla, respectively ?

(c) Is the Postmaster General provided with Government quarters both at Lahore and Simla and, if so, at what rent per annum ?

Mr. H. A. Sams : (a) 23rd March, 1922.

(b) For 7 and 5 months respectively in a year.

(c) No.

QUESTIONS NOT PUT, WITH ANSWERS TO THE SAME.

REVERSAL OF THE JUDGMENT IN THE RAJPAL CASE.

1162. ***Maulvi Badi-uz-Zaman :** (a) Are the Government aware of the decision of the test case in the *Vartman* case delivered by the Division Bench of the Lahore High Court ?

(b) Are the Government aware that Indian Muslims throughout the country have censured the Rajpal judgment in the strongest possible language ?

(c) Are Government aware of the feelings of Muslims in this matter, to the effect that they can never be satisfied unless the Rajpal judgment which has been the cause of serious disturbance in the country is reversed ?

(d) Do the Government propose to take steps to set aside the Rajpal judgment delivered by a single bench consisting of Mr. Justice Dalip Singh of the Lahore High Court ?

(e) Do the Government of India propose to instruct the Local Government to take further action against one Rajpal, the publisher of *Rangila Rasul* ?

The Honourable Mr. J. Crerar : (a) Yes.

(b) and (c). Government have seen reports of meetings and resolutions.

(d) and (e). No.

REBATES OFFERED BY HEAVY STEEL MANUFACTURERS OF THE UNITED KINGDOM ON JOISTS AND OTHER MATERIALS.

1174. ***Mr. Jamnadas M. Mehta :** (a) Has the attention of Government been drawn to Reuter's telegram from London, dated 1st September 1927, stating that 28 firms of heavy steel manufacturers of the United Kingdom are offering a rebate from 2nd September of seven shillings six pence per ton on joists and five shillings per ton on other materials ?

(b) Have Government considered the effect of this step on the Indian steel industry ? And do Government propose to take any further steps to protect the industry ?

The Honourable Sir George Rainy : The Government of India have seen the telegram referred to, but a British official wireless message of the same date states that the rebate will be given only to home consumers. If this is correct, the rebate should have no effect on the Indian steel industry.

APPOINTMENT OF ASSISTANT ACCOUNTANT IN THE CALCUTTA PORT TRUST.

1175. ***Mr. Jamnadas M. Mehta :** (a) Are Government aware of the strong feeling of resentment in commercial and other circles in Calcutta against the contemplated appointment of a European as the Assistant Accountant in the Calcutta Port Trust ?

(b) Have Government received any protests from public bodies in this behalf ?

(c) What steps do Government propose to take in order to prevent their policy of Indianisation being departed from by the Calcutta Port Trust ?

The Honourable Sir George Rainy : (a) and (b). The Port Commissioners, Calcutta, have invited applications from fully qualified Chartered Accountants, European or Indian, and not from Europeans only. Government have seen protests in the Indian Press against the qualification demanded, and have received representations on the subject from the Indian Chamber of Commerce, the Marwari Association, and the Bengal

National Chamber of Commerce, Calcutta, and the Indian Merchants Chamber, Bombay.

(c) Under section 34 of the Calcutta Port Act, appointment to this post, which carries a monthly salary of less than Rs. 1,000, does not require the previous sanction of Government. The Government of India have, however, requested the Government of Bengal to forward the representation of the Indian Chamber of Commerce to the Port Commissioners for their careful consideration.

SHORT NOTICE QUESTION AND ANSWER.

INDIAN DELEGATION TO THE 11TH SESSION OF THE INTERNATIONAL LABOUR CONFERENCE.

Mr. Sarabhai Nemchand Haji : With your permission, Sir, I beg to ask two questions of which the Honourable Member for Industries and Labour has been good enough to accept short notice.

1. (a) Will the Government please state the clauses of the Treaty of Versailles under which they have made the following statement in a recent communiqué regarding the nomination of the Indian Delegation to the 11th Session of the International Labour Conference to be held in Geneva in 1928 " in selecting the Delegates for Employers and Labour the Government of India will attach due importance to the recommendations made by organised representative associations of employers and employed ?

(b) Do the words " organised representative associations " cover non-Indian national organisations in India ?

(c) If so, will the Government please state how they reconcile it with the definite findings of the Credentials Committee of the Ninth Session of the Conference that " the representation of a country at the General Conference should be a national one " ?

2. Will the Government please state if they propose to send to the next International Labour Conference as many Advisers of the Employers' and Workers' Delegates as are provided for by the Treaty of Versailles.

The Honourable Sir Bhupendra Nath Mitra : 1. (a) Article 389.

(b) In the view of the Government of India important organizations composed of employers or workers in India cannot be debarred from participation on racial grounds.

(c) In precisely the same way as the Credentials Committee reconciled the opinion quoted by the Honourable Member with their recommendation that Sir Arthur Froom's credentials should be validated by the Conference.

2. Government have not yet considered the question.

Mr. Sarabhai Nemchand Haji : With regard to 1 (c) of the statement of the Honourable Member that the Credentials Committee accepted the nomination of Sir Arthur Froom, is it true that the Credentials Committee laid down that that nomination of Sir Arthur Froom was valid for the purpose of that particular conference which was a shipping conference ?

The Honourable Sir Bhupendra Nath Mitra : I would refer the Honourable Member to the proceedings of that Credentials Committee. He was present at Geneva and tried his best to persuade them to accept his opinion in regard to Sir Arthur Froom's nomination. He failed in his efforts.

MESSAGE FROM THE COUNCIL OF STATE.

Secretary of the Assembly : Sir, the following Message has been received from the Council of State :

“ I am directed to inform you that the Council of State have, at their meeting held on the 19th September, 1927, agreed without any amendments to the following Bills which were passed by the Legislative Assembly on the 14th September, 1927 :

A Bill further to amend the Cantonments Act, 1924, for certain purposes.

A Bill to amend the Indian Emigration Act, 1922, for a certain purpose.

A Bill further to amend the Indian Income-tax Act, 1922, for certain purposes.

RESOLUTION *RE* MANUFACTURE AND SALE OF KHADI—*contd.*

Mr. President : The House will now resume further discussion of the following Resolution moved by Mr. Ram Narayan Singh on the 13th September 1927 :

“ This Assembly recommends to the Governor General in Council to start Khadi (hand-spun and hand-woven clothes) depôts in each provincial capital with branches in each district therein for the manufacture and sale of Khadi under the entire management of the local Provincial Congress Committee and to set apart at least a sum of one crore of rupees for the purpose in the next annual Budget.”

Mr. Ram Narayan Singh (Chota Nagpur Division : Non-Muhammadan) : With your permission, Sir, I beg to state that this Khadi Resolution is a very important one and its importance requires that there ought to be a large attendance in the House and a good many Members ought to take part in this discussion. As the House has grown rather thin, I am afraid, full justice will not be done to the subject. I, therefore, beg leave of the House to withdraw the Resolution. My friends have also advised me to do so. I beg to add one thing more.....

Mr. President : The Honourable Member is not entitled to make a speech on a motion that leave be given to him to withdraw his Resolution.

The Resolution was, by leave of the Assembly, withdrawn.

RESOLUTION *RE* PENSIONS OF THE EMPLOYEES OF THE TELEGRAPH DEPARTMENT.

Mr. K. O. Neogy (Dacca Division : Non-Muhammadan Rural) : With your leave, Sir, I will move the Resolution that stands in the name of the Honourable Mr. Jamnadas Mehta, and runs as follows :

“ That this Assembly recommends to the Governor General in Council to be pleased to revise the rules and regulations relating to the pensions of the employees of the Telegraph Department to make them equitable and just by providing :

- (1) that an employee rendering 21 years' net service, i.e., excluding any kind of fundamental leave, shall, on being invalided, be in receipt of half the average pension ;

[Mr. K. C. Neogy.]

- (2) that an employee rendering 25 years' net service as above shall receive a retiring pension of five-eighths of average pay and in addition a bonus of one year's pay ;
- (3) that an employee rendering 30 years' net service shall receive five-eighths of average pay and in addition a bonus of 15 months' pay."

Sir, I regret the circumstances which have not enabled my Honourable friend Mr. Jamnadas Mehta to be present in this House to move the Resolution himself. I do not propose to take the House into any very great details in regard to all the items mentioned in this Resolution, but I will beg of them to extend their sympathy to the general principle which underlies this Resolution and which I think can be stated in a very few words. The conditions of service in the Telegraph Department are particularly hard, and in view of that fact the pension rules should be relaxed for the benefit of the members of that particular branch of the public service. Sir, there are three very serious statements made in support of this contention. The first is that in the majority of cases the members of the telegraph service die before they reach the age of retirement. The second is that in about 90 per cent. of cases the officers after retirement do not live beyond five years to enjoy their pension. The third is that, although theoretically a telegraphist is held to be entitled to full pension after 30 years' service for all practical purposes he puts in 37 years of active service having regard to the fact that he does not enjoy any holidays. I do not vouch for the accuracy of these allegations, and all I can say is that when they are made they are certainly serious enough to merit an inquiry at the hands of Government. Sir, it may be that service conditions in certain other branches of the public service may be quite as onerous as in the Telegraph Department ; and if that be so, then the enquiry that I suggest might not necessarily be confined to the Telegraph Department. However, Sir, that raises a very wide issue which, I am afraid, will not fall within the scope of the department of which my Honourable friend Sir Bhupendra Nath is in charge. I mention this point particularly because the Honourable Member in charge is responsible for the administration of the Labour Department which concerns itself with the welfare of the working classes generally, and as the Honourable Member particularly is responsible for the administration of such humanitarian measures as the Workmen's Compensation Act and other measures of a similar character, I naturally expect a greater degree of sympathy from him than from other Members of Government when I put forward this claim for an inquiry. If, as a matter of fact, service conditions in any particular branch of the public service really cut short a man's natural span of life, then surely it is a case in which these conditions and pension rules should be suitably revised. I do not think I need say anything more to commend this suggestion of mine to the Government, but before I sit down, I want to make it clear that it is not my intention to press this Resolution, and that I am perfectly willing to withdraw it if my Honourable friend Sir Bhupendra Nath Mitra can hold out a hope that an inquiry into the facts I have mentioned will be made.

Mr. N. M. Joshi (Nominated : Labour Interests) : Sir, while supporting this Resolution, I wish to confine myself to the case of the telegraph peons and to what is called the line staff. Sir, the employees belonging to the Telegraph Department other than the telegraph peons and the line staff and other menials in the offices at least get their pension on

a superior scale according to the Civil Service Regulations, but unfortunately the telegraph peons and the line staff are considered to belong to an inferior service and not to what is called the superior service and get pension on an inferior scale. I have spoken on this point in this House several times, and I take this opportunity again to bring to the notice of the department concerned that there is no justification for making this distinction. They consider the postmen to belong to the superior service, while the telegraph peons who do the same kind of work are considered to belong to the inferior service and are therefore given inferior rates of pension. I hope, Sir, the department will see their way to do justice to the telegraph peons and the line staff belonging to this department. Sir, in the case of the telegraph peons, as my Honourable friend Mr. Neogy has pointed out, there are special conditions why they should not only get pension according to the superior Civil Service Regulations, but according to a scale better than the ordinary regulations. Sir, about two or three years ago I asked a question in this House whether Government will make inquiries as to why the telegraph peons die earlier than other employees of the Government do. The Government of India at that time refused to make an inquiry. I hope, Sir, in the interests of their poor employees the Government of India will not persist in refusing to make an inquiry into the fact whether the telegraph peons die a somewhat premature death.

Sir, there is another difficulty in the case of these telegraph peons. These peons are examined periodically by doctors, and if they are found unfit, they get a much smaller pension than they would ordinarily get. I hope, Sir, the Government of India will either do away with the medical examination of the telegraph peons or that they will introduce medical examination for their superior servants as well. It is not only the telegraph peons and the inferior staff who suffer in health by old age or by any other reason. There are many superior officers who do not maintain a uniform state of health throughout their service. If these superior officers are also examined periodically, I am quite sure a fair proportion of them will have to be retired every year.

Sir, unfortunately, these telegraph peons and the line staff are considered to belong to the inferior staff, and the trouble with the Government of India is that, when a body of men are stamped as belonging to an inferior service, they do not find time to listen to their grievances and to remedy them. These telegraph peons are considered to be menials. The question of these menial servants was placed before Government several times by us through questions, and for the last four years I have been receiving one stereotyped reply, namely, that the question is being considered by the Government of India. Sir, since I first asked this question about the pension of menials, the Lee Commission has sat and reported, and most of the superior officers have got concessions in pay, prospects, leave rules and passage, and various other concessions. But, Sir, during all these years the Government of India are still considering the question of the pension of menials. I do not know when they will find time to look into this question.

Then, Sir, there is one more point on which I should like to say a few words. As these menials and telegraph peons are said to die prematurely, it is better that in their case the Government of India should

[Mr. N. M. Joshi.]

introduce a provident fund system instead of the pension system, or let these people be given the choice between pension and provident fund. Sir, even in the case of the provident fund, the Government of India are indifferent. Questions have been asked several times, and every time the Government of India say that the question is being considered. Sir, I wish you to tell me whether there is any other method by which you or I can make the Government of India move in the case of these poor people.

Sir, there is only one more point on which I should like to say one word. The Government of India give pensions to their superior servants on a superior scale. As a matter of fact, I feel, Sir, that if any distinction is to be made between the superior and the inferior servants, there should be a discrimination in favour of the inferior servants. The superior servants are paid very generously by the Government of India.

It is quite possible for the superior service who get Rs. 2,000 a month or Rs. 3,000 a month or Rs. 80,000 a year to save something out of their pay for their old age.

12 Noon.

But it is not possible for a man who gets Rs. 10, or 15 or 20 a month to save anything out of the small pay to make provision for his old age. I therefore feel, Sir, that the Government of India will show some sense of justice and bring the pension scales of inferior servants to at least the ordinary scales of civil servants. I hope, Sir, that the Government of India will inquire into this matter and will not take up much more time to do justice to the bulk of their employees.

I support this Resolution.

Mr. B. Das (Orissa Division : Non-Muhammadan) : Sir, before I heard my Honourable friend Mr. Neogy I was determined in my mind that I would oppose this Resolution. This Resolution reminds me of another Bill which we have made into an Act, namely the Cotton Yarn Protection Bill. The millowners were agitating for protection. This is in the same line. The vested interests clamour for more and more help. The vested interests of the telegraphists are here demanding special scales of pay and pension which, if the Government were to introduce in one department, they would have eventually to concede in other departments and from what we know of the Honourable the Finance Member he will not permit any extra money going into the pockets of the employees of the Government of India. But I would like to confine my remarks to this Resolution. It has given my friend Mr. Joshi an opportunity to air the grievances of peons and menials on whose behalf he can speak with great authority, and in case the Honourable the Industries and Labour Member is going to consider sympathetically the concession of these pension rules, he will have to concede first Mr. Joshi's point and then the interests of the telegraphists in Bombay and Calcutta. But in my opinion and in the opinion of many Members in this part of the House, some people are getting fat salaries and fat benefits which the Indian element in the Telegraph Department have always been deprived of and they have always admitted this. With these remarks, I hope the Honourable Member for Industries and Labour will give Mr. Neogy such an assurance as will satisfy him and enable him to withdraw his motion.

The Honourable Sir Bhupendra Nath Mitra (Member for Industries and Labour) : Sir, I confess I find myself in the same difficult position in which my Honourable friend Mr. Neogy found himself placed. He tried to persuade this House to support a measure without being sure of the facts of which he was talking. His main point was that he had heard somewhere and from somebody that the mortality among the telegraphists was higher than that in any other branch of the public service.

Mr. N. M. Joshi : Telegraph peons.

The Honourable Sir Bhupendra Nath Mitra : My friend Mr. Neogy was referring to telegraphists. He was on quite a different track from my Honourable friend Mr. Joshi. Now, Sir, the information which we have managed to collect shows that the mortality among telegraphists during the period of their service is no greater, and certainly not substantially greater, than the mortality in the rest of the public service. Well, that throws out the most important of my Honourable friend's hypothetical assumptions. That being so, Sir, so far as the particular body of people with whom he was dealing are concerned, the question of special concessions does not arise. And that is the only answer I have to give to my Honourable friend Mr. Neogy. My friend Mr. Joshi tried to bring within the purview of this limited Resolution certain other grievances of other people in whom he takes a great interest ; and here again, as he had not had the time to work out his case, he placed before the House a number of misstatements.

Mr. N. M. Joshi : I did not.

The Honourable Sir Bhupendra Nath Mitra : As I listened to his speech, I was amused, when I heard that a telegraph line man belonged to the inferior service and that the scale of pension for the inferior service was something outside the scope of the Civil Service Regulations.

Mr. N. M. Joshi : May I explain, Sir, that the pension given to these menials may be within the scope of the Civil Service Regulations, but the pensions given to them are on a smaller scale than the pensions given to what is called the superior service. That is my grievance.

The Honourable Sir Bhupendra Nath Mitra : That may be so. But their scale of pay also is lower than the scale of pay of various officials in superior service. But that is not the proposition we were dealing with. The Resolution is confined to the grievances of a certain class of telegraph employees. It does not cover the wider ground of the pensions of all the inferior servants of the Government of India. If my Honourable friend Mr. Joshi wants to discuss that proposition on the floor of the House, it is open to him to bring forward a separate Resolution.

Mr. N. M. Joshi : May I point out, Sir.

Mr. President : Order, order. I cannot allow the Honourable Member to go on interrupting the speaker now and again.

The Honourable Sir Bhupendra Nath Mitra : Now, Sir, in view of the facts which I have set forth, I should advise the House very strongly to negative the particular Resolution which has been brought forward by my Honourable friend Mr. Neogy. I have nothing further to add on the subject.

Mr. N. M. Joshi : May I say, Sir, one word ?

Mr. President : The Honourable Member has no right to make a second speech.

Mr. N. M. Joshi : I am not making a second speech.

Mr. President : Will the Honourable Member resume his seat ?

Mr. K. C. Neogy : Sir, I do not think my Honourable friend, Sir Bhupendra Nath Mitra, was quite kind to me when he assumed that I was referring to certain gossip which I had heard in the bazaar when I made those statements. As a matter of fact, I had in my hand a statement prepared on behalf of a responsible trade organisation representing the Telegraph Department and the three points that I mentioned find place in this particular memorandum. Sir, I do not know why my Honourable friend is particularly keen on throwing out this Resolution. I never expressed my intention to press it on the House at all, and this strikes me as being rather unkind on his part. I should have thought that he would give a little more time to this question and make a more thorough inquiry than it has been possible for him to make into the allegations to which I have drawn attention. Admittedly he himself is not very sure of his ground, because I should have expected him to give me slightly more definite details with regard to the mortality statistics in the Telegraph Department. As the Honourable Member is in charge of the Labour Department, surely it is not wrong on our part to expect him to be a little more sympathetic. When an allegation is made in regard to the higher rate of mortality in this particular branch, surely it is the duty of the Honourable Member in charge to make a thorough investigation into the allegations. And before he is in a position to satisfy this House that there is nothing absolutely in that allegation, he should not ask this House to negative this Resolution. Sir, I beg leave of the House to withdraw my Resolution.

The Resolution was, by leave of the Assembly, withdrawn.

Pandit Thakur Das Bhargava (Ambala Division : Non-Muhammadan) : Sir, for certain reasons I am constrained to submit that I do not wish to move this Resolution to-day, and I beg leave to withdraw it.

Mr. V. V. Jogiah (Ganjam *cum* Vizagapatam : Non-Muhammadan Rural) : I too, Sir, beg leave to withdraw my Resolution.

Rumar Gangnand Sinha (Bhagalpur, Purnea and the Santhal Parganas : Non-Muhammadan) : In view of the fact that there is a very thin attendance in the House I do not want to risk my Resolution. † I shall bring it up later on.

* "This Assembly recommends to the Governor General in Council that the policy of the railway administration in India be immediately Indianized, and further recommends that the Railway Board should have a majority of Indians and no future appointment should go to a non-Indian until the majority is secured to and maintained for Indians."

† "This Assembly recommends to the Governor General in Council to take steps, at an early date, to constitute the contiguous Telugu-speaking areas in the Madras Presidency into a separate Province for all legislative, administrative and judicial purposes."

‡ "This Assembly recommends to the Governor General in Council that he may be pleased to take immediate steps to stop the exportation out of India of sacred objects and of Indian antiquities, manuscripts, works of ancient art and such other things as are either national heirlooms and are objects of national pride or are necessary for a proper understanding and appreciation of India's past and for the study and reconstruction by Indians of the history of ancient and mediæval India."

MOTION *RE* PRIVILEGES AND STATUS OF MEMBERS OF THE
LEGISLATIVE ASSEMBLY.

Maulvi Muhammad Yakub (Rohilkund and Kumaon Divisions :
Muhammadan Rural) : Sir, I beg to move the motion which stands in
my name and which runs as follows :

“ That this Assembly do appoint a Committee under the Chairmanship of the
Honourable the President and consisting of the Honourable Members named below, to
enquire into the privileges and status of Members of this Assembly and to make recom-
mendations :

- (1) The Honourable the Home Member.
- (2) The Honourable Sir Bhupendra Nath Mitra.
- (3) Mr. K. C. Roy.
- (4) Nawab Sir Sahibzada Abdul Qaiyum.
- (5) Pandit Motilal Nehru.
- (6) Lala Lajpat Rai.
- (7) Mr. M. A. Jinnah.
- (8) Mr. Shanmukham Chetty.
- (9) Pandit Madan Mohan Malaviya.
- (10) Sir Purshotamdas Thakurdas, and
- (11) the Mover.”

Sir, the motion which I am moving to-day before the House ought to
have been brought before the House long before this.

Mr. President : Is the Honourable the Home Member in charge of
this motion on behalf of Government ?

The Honourable Mr. J. Crerar (Home Member) : I am prepared to
deal with the matter, Sir.

Maulvi Muhammad Yakub : In fact, the subject matter of this
motion ought to have formed the subject of inquiry by the Southborough
Committee and the status and privileges of Members of this House should
have been formulated in the form of regulations as soon as the Legislative
Assembly came into being. As a result of their not being so formulated
in the form of such regulations we, the Members of this House, are
deprived of all the privileges which are enjoyed by the Members of other
Parliaments within the British Empire, nor do we possess any rights,
privileges or status in the public life of the country or on ceremonial
occasions as Members of the Legislative Assembly. Even the name of the
Legislative Assembly has been removed from the Warrant of Precedence.
It is for this reason, Sir, that I consider it necessary to move the present
motion before the House. The Muddiman Committee on their own
initiative took up this question, but there being no material before them,
they were unable to go into the details of the question. The Muddiman
Committee in their report have said :

“ It has not been suggested to us from any source that Legislatures in India should
be provided with a complete code of powers, privileges and immunities as is the case
with most of the Legislatures in other parts of the Empire.”

Notwithstanding this, Sir, the Muddiman Committee made certain recom-
mendations. They made three recommendations. First they recommended
that Members of the Legislative Assembly should be exempted from serving
as jurors and assessors, secondly, immunity from arrest and imprison-
ment for civil causes during meetings of the Legislature in question and
for periods of a week before and after such meeting, and their third

[Maulvi Muhammad Yakub.]

recommendation was that the corrupt influencing of votes within any of the legislative bodies by bribery, intimidation and the like should be made a penal offence. But this should not be dealt with, as at present, as a question of privilege. All these three recommendations have now been put on the Statute-book in the form of rules and regulations, but as the Muddiman Committee themselves said, these recommendations were not really in the nature of privileges of Members of the House. There are several other questions which have come up before the House during the last few years in which the necessity of such regulations has been very keenly felt by the House. For instance, Sir, one Honourable Member of this Assembly after having been duly elected by his constituency and after having received an invitation from His Excellency the Governor General to attend the Assembly was not allowed by the Executive authority of the country to attend the House and he was absent throughout the whole Session. This is a question which will form the subject of discussion by the Committee which I am proposing. Only the other day we saw in the papers that the house of another Honourable Member of this House, while he was attending this Session of the Assembly in Simla, was searched at Lahore by the local authorities. This question also should be discussed by the Committee and we must see how far such action can be taken against Members of the Assembly while they are attending a session. Then, Sir, the question of allowance and residence may also come up before this Committee if the amendment of my Honourable friend Mr. Das is accepted by the House. These and many other questions of a similar kind are very necessary to be discussed. Honourable Members of the other House were more vigilant in this respect. A similar motion was moved in the Council of State as long ago as 1926 by my Honourable friend Mr. K. C. Roy, who, I am glad, has now been degraded to this House, and whose name I have placed on my Committee. Unlike the Honourable Members of the Council of State, I will not press that the question of the prefix of "Honourable" should form a subject for discussion by my Committee, because I consider that all the Members of the Assembly are Honourable without borrowing feathers from anybody. With these words, Sir, I beg to move the motion which stands in my name.

Kumar Ganganand Sinha : I move, Sir, that the name of Mr. K. V. Rangaswami Ayyangar be added to the Committee.

Mr. President : The question is :

"That the name of Mr. K. V. Rangaswami Ayyangar be added to the Committee."

The motion was adopted.

Mr. B. Das (Orissa Division : Non-Muhammadan) : Sir, I beg to move the amendment standing in my name, namely :

"That after the words 'to enquire into the privileges' the word 'allowances' be inserted ;

That the following names be added at the end :

Mr. K. C. Neogy, and

Mr. N. M. Joshi."

and with your permission, Sir, I should like to add also the name of Colonel Crawford. Sir, my Honourable friend Mr. Yakub has already signified

his approval of my amendment. Another House which sits somewhere on the other side of the hill passed a Resolution in that House during the last Session whereby they enhanced the privileges they have been enjoying all along.

Whether that House is a representative House is the question and this House will never give that House the privilege of being called a representative House. The Members of the other House enjoy the title of "Honourable". I hope this Committee, when it deliberates, will see how far they are Honourable gentlemen. We are all Honourable gentlemen. The title "Honourable" should be dropped in the case of Members of both Houses. If the Members of the other House enjoy such benefits, the Members of this House are equally entitled to enjoy them. Regarding allowances, I am not particular whether I get any allowance or not, but I do not like that there should be any differentiation between this House and the other House, which is so particular, like old women, about its privileges and allowances. I hope the Committee will go into the question of allowances. There should be no differentiation between the other House and this House, which, if I may be allowed to say so, is representative of the people of India and the Parliament of India; and if this House has its own way, the other House should not exist at all.

Regarding the three names I have suggested, I have suggested Mr. Neogy's name and Mr. Joshi's name as they were Members of the first Assembly after the Reforms, and as we are going to consider the privileges and status of Members, it is best that Honourable Members who have fought the battle before us and who know how to extract a certain amount of privilege from the Government should be there. I have suggested Colonel Crawford's name, a member of European group, to add to the representative character of this Committee. With these remarks, I commend by amendment.

Mr. President : What is the third name ?

Mr. B. Das : Colonel Crawford.

Mr. President : The question is that the names of Mr. K. C. Neogy.....

The Honourable Mr. J. Crerar (Home Member) : Sir, I wish to speak.....

Mr. President : On the question of adding names ?

The Honourable Mr. J. Crerar : On the amendment.

Mr. President : The question is ?

"That the names of Mr. K. C. Neogy, Mr. N. M. Joshi and Colonel Crawford be added to the Committee."

The motion was adopted.

The Honourable Mr. J. Crerar : Sir, I should like to say a few words both on Mr. Das's amendment and on the motion. In the first instance, I will deal very briefly with the motion itself. As the Honourable the Mover pointed out, this question was one of the questions dealt with by the Reforms Enquiry Committee, and on receipt of their recommendations the Government of India took the action which they at that time thought proper to take and certain legislation was passed. That appeared to the Government of India what was necessary to do in the

[Mr. J. Crerar.]

present state of affairs. It may that as a result of the enquiry by the Statutory Commission, changes may be made in the constitution of this country which would render reconsideration of the subject matter of this motion necessary. But, as matters at present stand, the view of Government is that it would be premature to make the enquiry suggested by the Honourable Member. We do not intend as a matter of fact to oppose the motion, but we wish to make it quite clear that we cannot lend our support to it. In particular, though the Government of India will be glad to hear what views are entertained on these important matters, matters on which non-official Members of this House are certainly entitled and expected to have opinions of their own, while they will be glad to receive these opinions, they do not think that it would be proper that members of the Government should themselves be associated in the deliberations of the Committee. Consequently we cannot agree to the inclusion in this Committee of members of Government.

Secondly, with regard to the amendment moved by Mr. Das, we consider that it would be undesirable and in fact inadmissible that this Committee should go into questions relating to the allowances of Members ; it raises specifically financial questions. Subject to these remarks, the position of Government, I reiterate, is this. If this motion commends itself to the House, though we consider that it is premature, though we are not prepared to give it support, we at the same time are not prepared definitely to oppose it. We cannot agree to the inclusion of allowances of Members as a matter to be dealt with by the Committee and we cannot agree that members of Government should be members of the Committee.

Maulvi Muhammad Yakub : Sir, I am glad that the Honourable the Home Member has at least declared that Government members are not going to oppose my motion. But, Sir, really I consider that the points raised by the Honourable the Home Member in his speech are self-contradictory. In the first place, he says that he considers this motion premature, because the Royal Commission will soon be coming and the whole question will be revised ; and in the same breath the Honourable Member says that the commission would like to know the opinion of the Members of this House on this question. Now, Sir, unless a motion like this is accepted by the House, unless the question comes before the House and a report is made by the Committee, how will the Statutory Commission be in possession of the views of the Members of this House ? On the very ground which the Honourable the Home Member has pressed I consider that this is exactly the proper time when this motion ought to be moved and accepted by this House, because we are on the eve of the Statutory Commission, and if really the Commission would like to know the views of Honourable Members of this House on the question of their privileges and status, this is really the time when this question should be discussed, so that our report may be ready before the Commission has arrived.

As regards the inclusion of Government members on this Committee, personally I thought that at least there are certain questions on which the Members on this side of the House and the Members on the treasury benches can co-operate with each other, but if the Honourable the Home Member considers that the members of the Government cannot take part

in our discussions, that is to say, they do not want to give us any help in the matter of the status and privileges of the Members of this House, on this side of the House are not very eager to have them on our Committee.

Mr. President : Does Mr. Das wish to press his amendment or would he like to leave the motion as it is, unamended ?

Mr. B. Das : May I ask the Honourable the Home Member.....

Mr. President : Government are going to oppose that amendment.

Mr. B. Das : I may point out that it may lead to a reduction of the allowances, and not to a recommendation for increase.

Mr. President : Is it the pleasure of this House that leave be given to Mr. Das to withdraw his amendment, namely :

“ That after the words ‘ to enquire into the privileges ’ the word ‘ allowances ’ be inserted ? ”

As no Member objected, the amendment was, by leave of the Assembly, withdrawn.

Mr. President : The question is :

“ That this Assembly do appoint a Committee under the Chairmanship of the Honourable the President and consisting of the Honourable Members named below, to enquire into the privileges and status of Members of this Assembly and to make recommendations :

Mr. K. C. Roy,
Nawab Sir Sahibzada Abdul Qaiyum,
Pandit Motilal Nehru,
Lala Lajpat Rai,
Mr. M. A. Jinnah,
Mr. R. K. Shanmukham Chetty,
Pandit Madan Mohan Malaviya,
Sir Purshotamdas Thakurdas,
Mr. K. V. Rangaswami Ayyangar,
Mr. K. C. Neogy,
Mr. N. M. Joshi,
Col. J. D. Crawford, and
the Mover.”

The motion was adopted.

Mr. President : This House now stands adjourned *sine die*.

The Assembly then adjourned *sine die*.

APPENDIX B.*

Translation of the Urdu Speech of Khan Bahadur Makhdum Syed Rajan Bakhsh Shah (South West Punjab : Muhammadan).

Khan Bahadur Makhdum Syed Rajan Bakhsh Shah (South West Punjab : Muhammadan) : Mr. President, first of all allow me to thank you for giving me an opportunity to speak. It was very necessary that I should speak about two things ; firstly, because this is a religious Bill and secondly, that the Urdu language may not be deprived of its share of such a good deed done within the four walls of this Chamber.

The primary duty of every Government is to keep peace in the country and the Government which neglects this duty is not fit to govern.

The present Bill which has been introduced in this House by the Honourable the Home Member goes to prove that the Government has some regard for the country's good.

The need for the Bill arose because, owing to the bad luck of the country, a Judge of the Lahore High Court let off a man by the name of Rajpal who had hurt the feelings of His Majesty's innumerable subjects by his very mean acts. Section 153 has always been applied to such offences as the one committed by Rajpal. All the High Courts considered this section to be quite sufficient. The subject matter in the cases of " *Vichatar Jiwan* ", " *Vartman* " and Rajpal were identical in each case. Mr. Justice Dalal of the Allahabad High Court and the Divisional Bench of the Lahore High Court sentenced the accused under this very section, but Justice Dalip Singh let off the accused.

Although practically the Rajpal decision can have no standing against the decisions of such experienced and learned Judges, still the subordinate Courts, acting on the Rajpal decision, which has not been set aside as yet, can only produce bad results in the country.

I cannot understand why a few Honourable Members are opposing this Bill and think it to be a Muslim Bill. There is no doubt that the Bill is being brought in because a Judge of a High Court let off a Hindu accused who had used obscene language and the worst possible expressions against Islam and its Founder. Indian Muhammadans expressed their resentment at this and requested the Government either to set aside such a wonderful decision and to dismiss the Judge who had hurt the feelings of crores of Muhammadans, or to remove the defect, if there be any in reality, in the present law.

The Honourable Members who are opposing the present Bill mean to say that the present law is quite sufficient. If it is so, Mr. Justice Dalip Singh has committed such an error as was not to be expected of a Judge of a High Court.

Mr. President : The Honourable Member is not justified in criticising the judgment of the High Court.

Khan Bahadur Makhdum Syed Rajan Bakhsh Shah : Will the Honourable Members blame the Hindu Press which is upholding the Rajpal decision with all its strength? If not, what then does the opposition to this Bill mean? Our Hindu brothers would have done much better if

* Vide page 4598 of these proceedings.

they had, along with the Muhammadans, asked the Government to appeal to a full Bench against such a dangerous decision and to have it set aside. In that case there would have been no necessity for this Bill ; but that was not done. The Rajpal decision is at the bottom of this Bill. Has this Bill been brought in to save only Islam from the attacks made on it? Certainly not. It has been introduced to save all religions from such attacks.

I very much blame every person who vilifies the religion of another. I was quite surprised to hear from the Honourable Mr. Amar Nath Dutt that the Government was siding with the Muhammadans in an unfair manner. In the first place, keeping the pitiable state of the country in view, the Honourable Member should not have used such irresponsible expressions.

Secondly, when the Hindu-Muslim Unity Conference is taking place in Simla, the utterance of such bigoted sentiments by an Honourable Member is wholly undesirable.

Mr. Amar Nath Dutt : On a point of order, Sir, I do not follow the Honourable Member, but I am told that some reference was made to my speech in a way not consistent with the dignity of the House.

Mr. President : Syed Rajan Bakhsh Shah.

Khan Bahadur Makhdum Syed Rajan Bakhsh Shah : The Muhammadans have much to complain of against the present policy of the Government and they have reason to do so, when in every province of the country their rights are being trampled upon and the Government is quite callous about it. For instance look at the unsatisfactory reply the Honourable the Home Member gave in response to my query in this Chamber to-day.

It has been said that the Muhammadans who were self-seekers or promoters of discord have alone engineered this Rajpal decision agitation. I can assure the Honourable Members that the Muhammadans of every school of thought from one end to the other of the country, whether they were Swarajists, Moderates or pro-Government, took part in it thinking it to be a religious duty, because no Muhammadan will ever tolerate the finger of derision being pointed at his true Prophet.

The Government and this Honourable House should remember that the Muhammadans will sacrifice their lives and property but they will never suffer a word to be said against the honour of their Holy Prophet.

Maulvi Muhammad Yakub : Sir, the Honourable Member is not talking on the Bill but is making irrelevant remarks.

Mr. President : Syed Rajan Bakhsh Shah.

Khan Bahadur Makhdum Syed Rajan Bakhsh Shah : With all the force I can command I support this Bill, as introduced by the Honourable the Home Member and as amended by the Select Committee.