

20th September 1928

THE

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# Legislative Assembly Debates

(Official Report)

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THIRD SESSION

of the

THIRD LEGISLATIVE ASSEMBLY

1928



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# CONTENTS.

PAGES.

## MONDAY, 17TH SEPTEMBER, 1928—

Questions and Answers .. .. .	873-910
Unstarred Questions and Answers .. .. .	910-21
Despatch relating to the Constitution of a Separate Office for the Legislative Assembly laid on the Table .. .. .	921-40
The Indian Patents and Designs (Amendment) Bill—Introduced ..	940-41
The Indian Trade Unions (Amendment) Bill—Passed .. .. .	941-46
The Indian Succession (Amendment) Bill—Passed .. .. .	947
The Repealing and Amending Bill—Passed .. .. .	947
The Indian Income-tax (Amendment) Bill—Passed .. .. .	947-56
The Madras Salt (Amendment) Bill—Passed .. .. .	957
The Indian Insurance Companies Bill—Passed, as amended .. .. .	957-58
The Match Industry (Protection) Bill—Passed .. .. .	958-82

## TUESDAY, 18TH SEPTEMBER, 1928—

Questions and Answers .. .. .	983-1002
Unstarred Questions and Answers .. .. .	1003-12
Message from the Council of State .. .. .	1012
Resolution re Education of Girls and Women in the Territories administered by the Central Government—Adopted, as amended .. .. .	1012-50

## THURSDAY, 20TH SEPTEMBER, 1928—

Questions and Answers .. .. .	1051-1100
Unstarred Questions and Answers .. .. .	1100-23
Messages from the Council of State .. .. .	1123
Petitions relating to the Special Marriage (Amendment) Bill .. .. .	1123
The Public Safety (Removal from India) Bill—Presentation of the Report of the Select Committee .. .. .	1123-24
The Reservation of the Coastal Traffic of India Bill—Referred to Select Committee .. .. .	1124-59

## FRIDAY, 21ST SEPTEMBER, 1928—

Questions and Answers .. .. .	1161-91
Unstarred Questions and Answers .. .. .	1192-1205
Petitions relating to the Hindu Child Marriage Bill .. .. .	1205
Presentation of the Report of the Public Accounts Committee on the Accounts of 1926-27 .. .. .	1205
The Trade Disputes Bill—Circulated .. .. .	1205-26
The Dangerous Drugs Bill—Circulated .. .. .	1226-30
The Workmen's Compensation (Amendment) Bill—Circulated .. .. .	1231
Election of a Panel for the Standing Committee for the Department of Commerce .. .. .	1231

CONTENTS—*contd.*

FRIDAY, 21ST SEPTEMBER, 1928— <i>contd.</i>	PAGES.
Election of a Committee to review the Separation of Railway Finances from General Finances .. .. .	1232-35
Demands for Supplementary Grants .. .. .	1235-37
Demand for Supplementary Grant in respect of Railways .. .. .	1237-43
SATURDAY, 22ND SEPTEMBER, 1928—	
Allegations in certain Newspapers of Partiality and Bias against Mr. President .. .. .	1245-48
Alleged Propaganda by the Home Department against Mr. President ..	1245-48
Messages from the Council of State .. .. .	1249
Motion <i>re</i> Separate Office for the Legislative Assembly—Adopted ..	1249-63
Statement of Business .. .. .	1264
MONDAY, 24TH SEPTEMBER, 1928—	
Questions and Answers .. .. .	1265-1311
Unstarred Questions and Answers .. .. .	1311-42
Statement by Mr. President <i>re</i> Recent Atmosphere of Suspicion and Distrust in the House .. .. .	1342-43
The Public Safety (Removal from India) Bill—Motion to consider the Bill, as reported by the Select Committee, negatived .. .. .	1343-84
TUESDAY, 25TH SEPTEMBER, 1928—	
Questions and Answers .. .. .	1385-88
Apology to the Chair and the House by Sir James Simpson .. .. .	1389
Presentation of the Reports of three Committees on Petitions .. .. .	1390
Election of the Panel for the Standing Committee for the Department of Commerce .. .. .	1390
Election of a Committee to review the Separation of Railway Finances from General Finances .. .. .	1390
The Indian Patents and Designs (Amendment) Bill—Motion to circulate, adopted .. .. .	1390-91
The Indian Penal Code (Amendment) Bill—Not proceeded with .. .. .	1391
The Indian Succession (Second Amendment) Bill—Amendment made by the Council of State, agreed to .. .. .	1391
Demand for Supplementary Grant (Railways)—Audit .. .. .	1392-1416
Amendments to the Standing Orders—Further Consideration adjourned ..	1416-19
Statement by Mr. President regarding his Visits to Provincial Councils ..	1419-21
Statement by Mr. President regarding Allegations made against him in certain Newspapers .. .. .	1421-22
Appendix .. .. .	

# LEGISLATIVE ASSEMBLY.

*Thursday, 20th September, 1928.*

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

## QUESTIONS AND ANSWERS.

### PAYMENT OF COMPENSATION TO TELEGRAPHISTS AND TELEGRAPH DELIVERY PEONS FOR EXTRA WORK ON SUNDAYS AND HOLIDAYS.

670. \***Mr. N. M. Joshi** : Are Government aware that during a period of 30 years service, telegraphists and delivery peons render almost 7 years more of service than employees in the administrative offices, by reason of the denial to them of all Government holidays, half holidays or even Sundays ? And if so, what compensation do these employees receive at the hands of the Government for the extra service rendered ?

**The Honourable Mr. A. C. McWatters** : The condition of service in the case of telegraphists and telegraph delivery peons is such that they are required to perform a short duty on Sundays and holidays. This is a factor which has not been lost sight of in fixing their scale of pay. Moreover, these officials are treated liberally in the matter of casual leave. The question of paying them any compensation does not arise.

**Mr. N. M. Joshi** : May I know whether it is not a fact that they lose leave which others enjoy ?

**The Honourable Mr. A. C. McWatters** : I think, Sir, that I explained that in my answer. The conditions of telegraph work is such that some telegraphic work must be done on Sundays and holidays in the interests of the public. The men who perform this extra short duty are given extra casual leave and their pay is regulated in consideration of the total work they do.

### MILITARY PENSIONERS IN CHITTAGONG.

671. \***Mr. Anwar-ul-Azim** : Will Government be pleased to state how many military pensioners there are in Chittagong ? Do Government propose to take steps to send these pensions by money order when they are below Rs. 20 ?

**Mr. G. M. Young** : Military pensions at Chittagong are disbursed by the Treasury Officer. The Officer is under the Local Government to whom a copy of the Honourable Member's question and this answer will be communicated.

### INCREASE IN THE PERCENTAGE OF MUSSALMANS EMPLOYED IN CERTAIN OFFICES.

672. \***Mr. Anwar-ul-Azim** : (a) Will Government be pleased to state the number of Superintendents, Head clerks and clerks in the offices of the (i) Controller of Inspections, (ii) Controller of Purchase, Calcutta Circle, (iii) Controller of Patents, (iv) Chief Inspector of Explosives and

( 1051 )



(r) Director General, Commercial Intelligence and Statistics, and state the number of Mussalmans in the above offices in each cadre ?

(b) If the percentage of Mussalmans falls below the number prescribed by the Home Department, what steps have been taken by Government to increase the percentage of Mussalmans ?

(c) Is it a fact that there is only one Moslem Inspector out of 25 Inspectors and Examiners in the office of the Controller of Purchase ?

**The Honourable Mr. A. O. McWatters :** (a) The information asked for is being collected and will be supplied to the Honourable Member.

(b) There is no prescribed number of Mussalmans for these or other offices.

(c) As the Controller of Purchase, Calcutta Circle, has no Examiners under him, it is presumed that the question refers to the Office of the Controller of Inspection, Calcutta Circle. Out of 14 Examiners and 13 Inspectors at present employed in the latter Office, only one Examiner is a Moslem.

**CLASS, NUMBER AND HORSE-POWER OF LOCOMOTIVES OWNED BY, ORDERED OR UNDER CONSTRUCTION IN RAILWAY WORKSHOPS FOR STATE AND COMPANY-MANAGED RAILWAYS.**

**673. \*Lieutenant-Colonel H. A. J. Gidney :** Will Government be pleased to state the class, number and horse-power of locomotives :

(a) owned by,

(b) under order with manufacturers for,

(c) under construction by railway workshops or other State-owned factories and other engineering concerns in India for :

(i) State-managed Railways, and

(ii) Company-managed Railways ?

**Mr. A. A. L. Parsons :** (a) I would refer the Honourable Member to pages 77, 163 and 164 of the Report by the Railway Board on Indian Railways for 1926-27, which gives the information available including the tractive effort of locomotives on Class I Railways. Locomotives are rated by tractive effort and not by horse-power.

(b) The Honourable Member will find the number and types of locomotives which it was proposed to order for each Railway, either State-managed or Company-managed, in the pink books which were circulated with the Budget. I am unable to say whether in all cases orders have as yet actually been placed.

(c) Locomotives are only at present manufactured in India at the Ajmer workshops. The locomotives which it was proposed to manufacture there in the current year were 15.

**PRESENT LENGTH OF RAILWAY LINES IN INDIA AND UNDER CONSTRUCTION IN STATE AND COMPANY-MANAGED RAILWAYS.**

**674. \*Lieutenant-Colonel H. A. J. Gidney :** Will Government be pleased to state the present length of railway lines in India and that under construction, broad gauge, metre gauge and narrow gauge in

(a) State-managed Railways, and

(b) Company-managed Railways ?

**Mr. A. A. L. Parsons :** I am sending the Honourable Member a statement giving the information he requires.

**ANNUAL CONSUMPTION OF COAL IN TONS BY STATE AND COMPANY-MANAGED RAILWAYS.**

675. **\*Lieutenant-Colonel H. A. J. Gidney :** Will Government be pleased to state the annual coal consumption in tons by

(a) State-managed Railways, and

(b) Company-managed Railways,

taking the average of the past three years ?

**Mr. A. A. L. Parsons :** I would refer the Honourable Member to statement 27 (a) and to statement 36 in Volume II of the Reports by the Railway Board on Indian Railways.

**NUMBER OF MUHAMMADAN DOCTORS IN DISPENSARIES IN THE OUTLYING SUBURBS OF DELHI, ETC.**

676. **\*Maulvi Muhammad Yakub :** (a) Is it a fact that in dispensaries in the outlying suburbs of Delhi the number of Muhammadan doctors is only one out of four ?

(b) Is it a fact that there are 26 Sub-Assistant Surgeons in Delhi Province out of whom there are only 6 Muhammadans ?

**PERIOD FOR WHICH SUB-ASSISTANT SURGEONS HOLD CHARGE OF DISPENSARIES IN DELHI.**

677. **\*Maulvi Muhammad Yakub :** (a) Is it a fact that one Bhai Naurang Singh, Sub-Assistant Surgeon, Lall-Kunwan Dispensary, Delhi, is in Delhi Province since August 1912 ?

(b) Is it a fact that the son of Bhai Naurang Singh, Sub-Assistant Surgeon, was reading in the school at the time of the Chinese murder case in 1921-22 ?

(c) Is it a fact that Bhai Naurang Singh's son and nephew were both residing with him in the same quarter ?

(d) Is it a fact that both the persons, son and nephew of Bhai Naurang Singh, were arrested and made approvers in the above Chinese murder case ?

(e) Is it a fact that looted property, China silk cloth pieces, were recovered from the house of Bhai Naurang Singh, Sub-Assistant Surgeon, during the course of the investigation ?

(f) Is it a fact that said Bhai Naurang Singh, Sub-Assistant Surgeon, was transferred several times, but his orders of transfer were anyhow postponed and cancelled ?

(g) Is it a fact that according to the Punjab Medical Manual a Sub-Assistant Surgeon cannot hold charge of any dispensary for more than five years ?

(h) Is it a fact that Bhai Naurang Singh, Sub-Assistant Surgeon, is holding charge of the Lall-Kunwan Dispensary for more than five years

and the same is the case with the undermentioned Sub-Assistant Surgeons :

- (1) Tulshi Ram, Laboratory, New Capital, since nine years.
- (2) Bhagat Ram, New Delhi Combined Hospital, since nine years.
- (3) Bhagat Sarup, Indoor Department, Civil Hospital, Delhi, since seven years.

If so, will the Government be pleased to state whether the authorities concerned acted in contravention of the rules laid down in the Punjab Medical Manual and what steps they would like to take to rectify such irregularities ?

#### NUMBER OF MUHAMMADAN ASSISTANT SURGEONS IN THE DELHI PROVINCE, ETC.

678. **\*Maulvi Muhammad Yakub :** (a) Is it a fact that there is only one Muhammadan Assistant Surgeon in Delhi Province, out of the four Indian Assistant Surgeons ?

(b) Is it a fact that Doctors Mukand Lall, Dwarka Dish, and Parmeshari Dass, Assistant Surgeons, are Kaisth by caste and are either residents of Delhi, or have family connections in Delhi City ?

(c) Do Government propose to transfer them from Delhi to some other district in the public interests ?

**Mr. G. S. Bajpai :** With your permission I shall answer questions 676, 677 and 678 together. The necessary information has been called for from the Chief Commissioner, Delhi, and will be supplied to the Honourable Member on receipt.

#### REPORT OF THE INDIAN STATES COMMITTEE.

679. **\*Mr. K. C. Neogy :** (a) Will Government be pleased to state whether the report of the Indian States Committee will be submitted to the Government of India or the Secretary of State ?

(b) Will the said report be available to the public ?

(c) In so far as the Committee are required to investigate the claims of the States to a share of British Indian taxation, and a voice in the determination of the fiscal policy of British India, will their recommendations, at least on these points, be placed before this House for consideration ?

**The Honourable Mr. J. Crerar :** Sir Denys Bray who is still confined to bed has requested me to answer this and other questions relating to his Department in his place.

(a) The point is under examination and a reply will be sent to the Honourable Member in due course.

(b) and (c). The Government of India are not at present in a position to make any statement on these points.

†680\*-685\*.

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†For these questions, see at the end of the list of starred questions for the day.

**INTRODUCTION OF THE CREW SYSTEM ON THE DIFFERENT STATE RAILWAYS.**

**686. \*Mr. Muhammad Rafique :** (a) Will the Government be pleased to state when the Crew System was introduced on the different State-owned Railways ?

(b) Was this system meant to replace the ticket checking system previously in force ?

(c) Is it a fact that the Crew System is a preventive measure for illicit travelling while the Travelling Ticket Inspectors were for the purpose of detection only ?

**Mr. A. A. L. Parsons :** (a) The Crew System was introduced on the Howrah-Asansol Section of the East Indian Railway in August 1926, and extended over the complete length of the Howrah Division including a small portion of the Asansol Division from 1st April 1927. It was then introduced on the Lucknow Division on 1st May 1927. It was further extended on the Asansol-Moghal Serai Section excluding branches from 1st April 1928. It was introduced on certain sections of the Eastern Bengal Railway on the 15th October 1927. On the Great Indian Peninsula Railway it was introduced on the Manmad Division from 1st April 1927.

(b) and (c). Yes.

**NUMBER OF TRAVELLING TICKET INSPECTORS IN THE EAST INDIAN RAILWAY BEFORE AND AFTER THE INTRODUCTION OF THE CREW SYSTEM, ETC.**

**687. \*Mr. Muhammad Rafique :** (a) Will the Government be pleased to state the number of Travelling Ticket Inspectors at present on the East Indian Railway and before the Crew System was introduced ?

(b) What is the grade of a Travelling Ticket Inspector, and what is the grade of a Crew, Crew-in-charge, Assistant Crew Inspector and Crew Inspector ?

(c) Is it a fact that a Travelling Ticket Inspector draws or used to draw mileage allowance before the Crew System was introduced ?

(d) Is it a fact that this mileage allowance forms a part of his pay as 25 per cent. of this mileage allowance is deducted for Provident Fund ?

(e) What is the difference between mileage allowance and travelling allowance ?

(f) Is 25 per cent. of the travelling allowance also deducted for Provident Fund ?

**Mr. A. A. L. Parsons :** (a) The latest date for which figures are available is March 1928, when there were 96 Travelling Ticket Inspectors on the East Indian Railway.

The number of such Inspectors before the Crew System was introduced was 166.

(b) The grades are as follows :

Head Travelling Ticket Inspector Gr. I—Rs. 220—20—300.

Travelling Ticket Inspector Gr. II—Rs. 130—10—200.

Travelling Ticket Inspector Gr. III—Rs. 60—4—64—8—120.

Crewmen Gr. 'A'—Rs. 30.

Crewmen Gr. 'B'—Rs. 40.

Crewmen-in-charge Gr. A—Rs. 60—5—70.

Crewmen-in-charge Gr. B—Rs. 80—5—90.

Assistant Inspector—Rs. 75—5—125.

Crew Inspector Gr. A—Rs. 100—10—200.

(c) Yes.

(d) Yes.

(e) Mileage allowance is treated as pay for the purpose of calculating Provident Fund and leave allowances ; travelling allowance does not form part of pay for this purpose.

(f) No.

#### NUMBER OF CREWMEN. CREWMEN-IN-CHARGE, ASSISTANT CREW INSPECTORS AND CREW INSPECTORS EMPLOYED ON THE EAST INDIAN RAILWAY.

688. \***Mr. Muhammad Rafique** : (a) How many Crewmen, Crewmen-in-charge, Assistant Crew Inspectors and Crew Inspectors are there on the East Indian Railway ?

(b) How many Travelling Ticket Inspectors are made Crewmen, Crewmen-in-charge, Assistant Crew Inspectors and Crew Inspectors ?

**Mr. A. A. L. Parsons** : (a) In April 1928 the numbers were as follows :

Crewmen	..	..	..	1,132
Crewmen-in-Charge	..	..	..	176
Assistant Inspectors	..	..	..	50
Sub-Inspectors	..	..	..	3
Chief Inspectors	..	..	..	3

(b) Government are not aware of the exact numbers and doubt if any useful purpose would be served by calling for the information.

#### PROMOTION OF TRAVELLING TICKET INSPECTORS TO CREWMEN, CREWMEN-IN-CHARGE AND ASSISTANT CREW INSPECTORS.

689. \***Mr. Muhammad Rafique** : (a) Is it a fact that some Travelling Ticket Inspectors of long service have been made Crewmen, Crewmen-in-charge and Assistant Crew Inspectors ?

(b) Is it a fact that some Travelling Ticket Inspectors, though drawing their usual salaries, have been put into a much lower grade and are subordinate to those who receive less pay ?

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

(b) A few have been so treated.

#### RULES FRAMED IN CONNECTION WITH THE CREW SYSTEM ON THE EAST INDIAN RAILWAY.

690. \***Mr. Muhammad Rafique** : (a) Is it a fact that a meeting of officials of East Indian Railway which included the Chief Operating Superintendent, Director of Finance (Railway Board), Deputy Agent and others

was held to consider some questions and to frame some rules in connection with the Crew System on the 3rd of May 1927 ?

(b) Were the rules framed and suggestions made by these officials approved by the Agent, East Indian Railway, and the Railway Board ?

(c) Will the Government be pleased to lay on the table a copy of the minutes of the meeting held on the 3rd May 1927 or lay on the table a copy of the rules framed at that meeting ?

**Mr. A. A. L. Parsons :** (a) Yes ; a meeting of departmental officers was held to consider certain questions connected with the working of the Crew System.

(b) No rules were framed, but the orders of the Agent, East Indian Railway, and of the Railway Board were taken where necessary.

(c) The meeting was purely a departmental meeting, and Government do not propose to lay copies of minutes on the table. No rules were framed at the meeting.

#### PAY OF TRAVELLING TICKET INSPECTORS ON THE EAST INDIAN RAILWAY.

691. **\*Mr. Muhammad Rafique :** (a) Was it mentioned in the rules framed at the meeting of officials held on the 3rd May 1927, that the Travelling Ticket Inspectors and Deputy Inspectors of the Travelling Ticket Inspectors taken over by the Operating Department, will be placed in suitable appointments on the new scale recently sanctioned for the Operating Department by the Agent, and that they will draw the pay they used to draw in the Accounts Department *plus* average mileage ? Was it also stated that the average mileage would be calculated on the mileage actually drawn for a period of 12 months prior to transfer to the Crew System, and that the difference between the pay thus arrived at after taking average mileage into consideration and the maximum of the grade in the Operating Department in which they are placed, would be observed in future increments ?

(b) Will Government kindly state if effect has been given to these Resolutions, and if so, how many cases have been dealt with accordingly ?

(c) How many Travelling Ticket Inspectors are now under the Operating Department ?

**Mr. A. A. L. Parsons :** (a) and (b). The Honourable Member's question appears to be based on the record of a departmental meeting contained in a file in either the Railway Board's or the Agent's office, and I regret that I am unable to make any statement with regard to such a record which is a privileged document. I shall, however, be obliged if the Honourable Member will kindly let me know how the information came into his possession.

(c) I am making enquiries and will let the Honourable Member know the number later.

#### APPEAL MADE BY THE TRAVELLING TICKET INSPECTORS OF THE EAST INDIAN RAILWAY TO THE DIVISIONAL SUPERINTENDENT, CREWS, DINAPUR.

692. **\*Mr. Muhammad Rafique :** (a) Will the Government be pleased to state if any appeal by the Travelling Ticket Inspectors was made to the Divisional Superintendent, Crews, Dinapur ?

(b) Is it a fact that a reply on the following lines was received by the Travelling Ticket Inspectors from the Operating Department in letter No. 40-O.D. Crew, dated 7th August 1928 : " The memorialists do not in any way suffer any monetary loss by being in the Crew System. It is purely an act of grace that these men are being retained and paid high salary though utilised for appointments which are only worth between Rs. 50 and Rs. 60. Taking a strict view perhaps the correct procedure would have been to dispense with the services of these men or offer them posts on lower pay " ?

(c) Will Government be pleased to lay on the table a statement showing the length of services of these Travelling Ticket Inspectors ?

(d) Will Government be pleased to state the name of the officer who sent this letter, his grade, and the period he has been posted on the grade ?

(e) Is it the intention of the Government to dismiss the Travelling Ticket Inspectors who have served for a long period by utilising them for lower grade appointments ?

**Mr. A. A. L. Parsons :** (a), (b), (c) and (d). Government have no knowledge of the facts and regret that they cannot undertake to enquire into cases of individual officials which are entirely within the competence of the Agent.

I would also point out to the Honourable Member with reference to part (e) of his question that a transfer of an employee to another post is not a dismissal.

#### EMPLOYMENT ON LOWER SALARIES IN THE CREW SYSTEM OF TRAVELLING TICKET INSPECTORS OF THE EAST INDIAN RAILWAY.

693. **\*Mr. Muhammad Rafique :** (a) Is it a fact that on page 42 of the Report on " Experimental Working of Crews System " by the Chief Operating Superintendent it is mentioned " There is no class of employees under the Crew System whose duties and responsibilities could be held as equivalent as those of Travelling Ticket Inspectors " ?

(b) If the answer to (a) is in the affirmative, what are the reasons that these Travelling Ticket Inspectors are employed for lower salaried work in the Crew System ?

(c) Is it a fact that the Travelling Ticket Inspectors have to pass some examinations before they are appointed ?

**Mr. A. A. L. Parsons :** (a) Yes. Incidentally I wish to observe that the Honourable Member is quoting from a purely departmental document, the contents of which have not been published, and I shall be very grateful to him if he will let me know how it came into his possession.

(b) In order to provide other posts for men who would otherwise have to be discharged from the service.

(c) I believe this to be so.

#### PROMOTION OF SUBORDINATES TO SUPERIOR APPOINTMENTS ON THE GREAT INDIAN PENINSULA RAILWAY.

694. **\*Mr. N. M. Joshi :** (a) How many subordinates were acting as officers on the Great Indian Peninsula Railway when Mr. Parsons in reply to my question in the last Session gave the assurance that the confirmation of subordinates was dependent on permanent vacancies occurring ?

(b) How many vacancies occurred since and how were they filled up ?

(c) What is the present percentage of the subordinates promoted to the superior establishment to the total number of gazetted officers recruited in India and in England on the Great Indian Peninsula Railway ?

**Mr. A. A. L. Parsons :** (a) 35.

(b) 13. Of these 2 were filled by the Secretary of State, 9 by direct recruitment in India, 1 by promotion from the subordinate grades, and 1 will shortly be filled by similar promotion.

(c) The total cadre of the superior officers on the Great Indian Peninsula Railway is 249, and 3 have been promoted from the subordinate grades.

**TERM OF PROBATION FOR THE TRAINING COURSE OF PROBATIONERS APPOINTED TO THE TRANSPORTATION AND COMMERCIAL DEPARTMENTS OF THE GREAT INDIAN PENINSULA RAILWAY.**

695. **\*Mr. N. M. Joshi :** (a) What is the term of probation fixed for the training course of probationers appointed to the transportation and commercial services of the Great Indian Peninsula Railway ?

(b) Are these probationers after their training is finished entitled to confirmation in permanent vacancies in preference to the subordinates with approved service who are fully qualified for confirmation and who have been awaiting confirmation for many years ?

(c) Are Government aware of these probationers having been confirmed in permanent vacancies much earlier than the period of their probation ?

(d) What will be the status and the pay of subordinates who have been acting for several years? Should they have to revert to their substantive posts either for proceeding on privilege leave or for a temporary leave vacancy not being available ?

**Mr. A. A. L. Parsons :** (a) Three years.

(b) Probationers have no prescriptive right to confirmation in permanent vacancies and their existence in no way interferes with the rule that 20 per cent. of the vacancies open to persons of Asiatic domicile will be filled by the promotion of subordinates.

(c) No.

(d) If a subordinate on the Great Indian Peninsula Railway is reverted from a superior post to his substantive post he then draws the pay of the latter post. At present when such a subordinate goes on leave after officiating in a superior post, his leave pay is regulated by the pay of his substantive post, but the question of altering this rule is being considered.

**PRESENT SCALE OF PAY OF THE TICKET-PRINTING STAFF ATTACHED TO THE OFFICE OF THE CHIEF AUDITOR, GREAT INDIAN PENINSULA RAILWAY.**

696. **\*Mr. N. M. Joshi :** Will Government be pleased to state

(a) the present scale of pay of the ticket-printing staff attached to the Chief Auditor's Office :



- (b) whether they are given leave, holiday and provident fund privileges on the lines of other clerical staff of the office :
- (c) whether the staff on transfer from Victoria Terminus to Byculla have been allotted insanitary, dark and less amount of space in the office of the Head Printer, Byculla : and
- (d) whether Government have received a representation from the members of the staff regarding (a), (b), and (c) and if so, what action Government have taken or propose to take ? If not, why not ?

**The Honourable Sir Bhupendra Nath Mitra :** With your permission, Sir, I propose to answer questions 696, 698, 699 and 705 together.

Enquiries are being made and the information will be supplied to the Honourable Member in due course.

**GRANT OF LEAVE AND PROVIDENT FUND PRIVILEGES TO THE MENIAL STAFF EMPLOYED IN THE VARIOUS ADMINISTRATIVE OFFICES OF THE GREAT INDIAN PENINSULA RAILWAY IN BOMBAY.**

697. **\*Mr. N. M. Joshi :** (a) Will Government be pleased to state whether the menial staff on the permanent establishment, such as *sepoys* and *hamals*, employed in the various administrative offices of the Great Indian Peninsula Railway in Bombay are granted leave and provident fund privileges ? If not, why not ?

(b) Have Government received any representation regarding the inadequacy of their present scale of pay and, if so, what action have Government taken or propose to take in the matter ?

(c) If not, why not ?

**Mr. A. A. L. Parsons :** (a) Menial Staff, who were previously in the service of the Great Indian Peninsula Railway Company, are required to subscribe to the Provident Fund if drawing Rs. 30 or over. Other menial staff are not entitled, or required, to subscribe to the Provident Fund. Fifteen days' leave a year is granted to all permanently employed menial staff who have completed one year's service.

(b) No.

(c) Does not arise.

**Mr. N. M. Joshi :** May I ask why the menials who receive less than Rs. 30 are not asked to contribute to the Provident Fund ?

**Mr. A. A. L. Parsons :** I believe, Sir, that Rs. 30 is the general limit at present, but the question of revising that limit is under consideration.

**EMPLOYMENT OF RELIEVING STAFF ON THE PERMANENT ESTABLISHMENT OF THE OFFICE OF THE CHIEF AUDITOR, GREAT INDIAN PENINSULA RAILWAY.**

†698. **\*Mr. N. M. Joshi :** (a) What relieving staff, if any, is at present employed on the permanent establishment of the Chief Auditor's office, Great Indian Peninsula Railway ?

(b) If the answer to (a) be in the negative, do Government propose to sanction the employment of such staff to enable the employees in general to avail themselves of the leave privileges ? If not, why not ?

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†For answer to this question, see answer to question No. 696.

**PAY OF THE SUBORDINATE STAFF OF THE OFFICE OF THE CHIEF AUDITOR,  
GREAT INDIAN PENINSULA RAILWAY.**

†699. \***Mr. N. M. Joshi** : (a) Will Government be pleased to state the present scale of pay of the subordinate staff of the Chief Auditor's office, Great Indian Peninsula Railway ?

(b) Is it a fact that the starting salary of a clerk in the Government offices in Bombay other than those of the Railway, is Rs. 60, whereas in the Chief Auditor's office it is Rs. 40 ?

(c) Have Government received any representation from the staff of the Chief Auditor's office (Great Indian Peninsula Railway) for the introduction of a time scale of pay and what action have Government taken in the matter, or propose to take in the matter ? If not, why not ?

**NEW LEAVE RULES FOR SUBORDINATES ON RAILWAYS.**

700. \***Mr. N. M. Joshi** : (a) Will Government be pleased to state whether it is a fact that the Government in reply to starred question No. 868 of the 11th March 1927 stated "they hoped the new leave rules for railway subordinates will be got out before the end of 1927" ?

(b) Is it a fact that they have not been introduced as yet ?

(c) Is it a fact that the question of revised rules has been under consideration of the Government since 1923 ?

(d) Will Government be pleased to state when the new leave rules will be got out and introduced ?

**Mr. A. A. L. Parsons** : I regret there is nothing I can add at present to the reply I gave in February last to the same questions of the Honourable Member except that Government are endeavouring to find a solution in regard to the leave rules for subordinates on the East Indian and Great Indian Peninsula Railways apart from the general question of revising the leave rules of all Railways.

**TRANSFER OF MEN FROM THE OFFICE OF THE CHIEF AUDITOR, GREAT INDIAN PENINSULA RAILWAY TO THE RAILWAY CLEARING ACCOUNTS OFFICE, DELHI.**

701. \***Mr. N. M. Joshi** : (a) How many men have been transferred from the Chief Auditor's Office, Great Indian Peninsula Railway, to the Railway Clearing Accounts Office, Delhi ?

(b) Is it a fact that the actual number of staff required for the transferred work was not taken over by the Clearing Accounts office and that some men were locally engaged by the Director ?

(c) If the answer to (b) be in the affirmative, what is the number of men locally engaged ?

(d) Is it a fact that on account of the staff referred to in (c) having been engaged by the Clearing Office, the permanent staff of the Chief Auditor's office is being reduced in proportion ?

**Mr. A. A. L. Parsons** : (a) 160.

(b) Steps had been taken by the Great Indian Peninsula Railway for some time past to keep temporary vacancies unfilled and so reduce the

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†For answer to this question, see answer to question No. 696.

actual number of men to be transferred to Delhi, with the result that out of 224 vacancies, only 160 men were transferred. The rest were locally engaged by the Director.

(c) 64.

(d) A corresponding number of posts in the Great Indian Peninsula Railway have been brought under reduction, but, so far as I am aware, no permanent employee has been discharged on this account.

#### ESTABLISHMENT OF A BRANCH RAILWAY CLEARING ACCOUNTS OFFICE IN MADRAS.

702. \*Mr. N. M. Joshi : (a) Will Government be pleased to state whether it is a fact that a branch of the Railway Clearing Accounts Office, Delhi, is proposed to be established shortly in Madras ?

(b) Do Government propose to open branches of that office in Bombay, Calcutta and Lucknow ? If not, why not ?

Mr. A. A. L. Parsons : (a) The Railways in Southern India are considering the establishment of a branch Railway Clearing Accounts Office in Madras and I think it is probable that this will be done.

(b) No. In a speech which I made on the 27th of February 1928 on a motion made by Maulvi Muhammad Yakub during the course of the Railway Budget I explained that full advantage of a Clearing Accounts Office is not obtained until the work is concentrated in one central place but the length of time which it would take to send documents from the Railways in Southern India to Delhi makes it desirable to establish a branch of the office there.

#### CENTRALISATION OF THE LOCAL AUDIT OFFICES OF STATE RAILWAYS.

703. \*Mr. N. M. Joshi : (a) Will Government be pleased to state whether it is a fact that they propose to centralise the Local Audit Offices of the State Railways, and if so, when and at what place ?

(b) Are Government aware that the proposal involves the transfer of a large number of staff from the respective offices and consequent inconvenience and hardship to them ? Do Government propose to compensate such staff for the same and how ?

Mr. A. A. L. Parsons : (a) There are proposals to this effect, but it has been decided to postpone them for the time being until they can be further discussed in the Standing Finance Committee for Railways.

(b) The proposals will involve the transfer of a certain number of clerks from other offices, but the conditions on which such transfers will be made if the proposals are adopted will be carefully considered.

#### GRANT OF CONCESSIONS TO THE STAFF OF THE STATE RAILWAYS AUDIT OFFICES TRANSFERRED TO THE RAILWAY CLEARING ACCOUNTS OFFICE, DELHI.

704. \*Mr. N. M. Joshi : (a) Will Government be pleased to state whether it is a fact that Government had granted a bonus of two months' pay, subject to a maximum of Rs. two hundred, among other concessions to the clerical staff of the offices transferred from Calcutta to Delhi, viz., the offices of the Accountant General, Central Revenues, the Accountant

General, Posts and Telegraphs, and the Director General, Posts and Telegraphs, in 1925 and 1926 ?

(b) Is it a fact that this concession was not granted to the staff of the State Railways Audit Offices transferred to the Clearing Accounts Office, Delhi, although prayed for ?

(c) If the answer to part (b) be in the affirmative, do Government propose to consider their decision in the matter ? If not, why not ?

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

(b) Yes.

(c) No. Government consider that the concessions already granted are adequate.

**APPOINTMENT OF MR. J. METHAIS, AN ANGLO-INDIAN, AS AN AUDIT INSPECTOR IN THE OFFICE OF THE CHIEF AUDITOR, GREAT INDIAN PENINSULA RAILWAY.**

†705. **\*Mr. N. M. Joshi :** (a) Will Government be pleased to state whether it is a fact that one Mr. J. Methais, an Anglo-Indian, was appointed as an Audit Inspector in the Chief Auditor's Office in 1925 ?

(b) Is it a fact that as a result of serious complaints from the Divisional Officers of the Great Indian Peninsula and Madras and Southern Mahratta Railways against him and further on account of misconduct he was degraded and allowed to remain as a clerk in 1926 ?

(c) Is it a fact that after some time he was twice promoted to higher grades in supersession of several capable Indian subordinates despite his bad record ?

(d) If the answer to part (c) be in the affirmative, do Government propose to put a stop to this ?

**DISMISSAL OR DISCHARGE OF EMPLOYEES OF THE BENGAL AND NORTH WESTERN RAILWAY.**

706 **\*Mr. N. M. Joshi :** (a) Will Government be pleased to state if it is a fact that on the Bengal and North Western Railway when any railway servant is dismissed or discharged no reason for his dismissal or discharge is communicated to him ?

(b) If the answer to (a) be in the affirmative, will they be pleased to state the reason for it ?

**Mr. A. A. L. Parsons :** (a) and (b). No employee is dismissed or discharged on the Bengal and North Western Railway, without enquiry or the sanction of a senior official and without his being made aware of the reasons.

In certain cases in the interests of the men themselves the reasons are not entered on their certificates.

**Mr. Gaya Prasad Singh :** Are Government aware that no definite rules are prescribed on the Bengal and North Western Railway for proper representation of individual grievances of railway servants ?

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

†For answer to this question, see answer to question No. 696.

**SUPPLY TO EMPLOYEES OF THE BENGAL AND NORTH WESTERN RAILWAY OF THEIR SERVICE AGREEMENTS.**

707 \***Mr. N. M. Joshi** : (a) Will Government be pleased to state if the railway servants on the Bengal and North Western Railway are supplied with a copy of the service agreement bond they execute with the Railway ?

(b) If the answer to (a) be in the negative, will they be pleased to state if they propose to do so ?

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

(b) There is no objection to an employee being supplied with a copy of his service agreement should he desire it.

**ABOLITION OF THE EXISTING TRAINING SCHOOLS AT LOVEDALE AND COONOR.**

708 \***Mr. N. M. Joshi** : Will Government be pleased to state whether they have issued orders to the Postmaster General, Madras Circle, abolishing the existing training schools at Lovedale and Coonor ? If so, from what date ?

**The Honourable Mr. A. C. McWatters** : With your permission, Sir, I shall answer questions, 708 and 709 together. Orders have been issued terminating the existing agreements between these schools and the Posts and Telegraphs Department with effect from the 1st September 1929. On receipt of a representation from the Postmaster-General, Madras, that the special courses of training for recruits for the Telegraph Department terminated at these Schools in December and September respectively, an extension of time has been allowed in the case of the Coonor School up to the middle of September 1929 and in the case of the Lovedale School up to the end of December 1929.

**EXTENSION OF TIME FOR THE TERMINATION OF THE AGREEMENTS WITH THE TRAINING SCHOOLS AT LOVEDALE AND COONOR.**

†709. \***Mr. N. M. Joshi** : (a) Will Government be pleased to state whether they have received any communication from the Postmaster General, Madras Circle, recommending to the Director General extension for the training schools at Lovedale and Coonor ?

(b) If the answer to the above be in the affirmative, will Government be pleased to state on what grounds the Head of the Circle has recommended their extension ?

**RECOMMENDATIONS OF THE LEE COMMISSION RELATING TO APPOINTMENTS TO THE INDIAN CIVIL SERVICE BY PROMOTIONS FROM THE PROVINCIAL SERVICES.**

710. \***Mr. K. C. Neogy** : (a) With reference to the unanimous recommendation made by the Lee Commission that the rate of promotion from the Provincial Civil Services to the Superior Civil Service appointments should be increased, and that “ 20 per cent. of the recruits should be obtained from that source in future ”, will Government be pleased to state, on the basis of the latest figures available, as to how far this recommendation has been given

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†For answer to this question, see answer to question No. 708.

effect to in each province, and to what extent the position of the Judicial and Executive branches, respectively, of the Provincial Civil Service in each province has improved in comparison with the position that obtained previous to the said recommendation ?

(b) If full effect has not yet been given to the said recommendation, will Government be pleased to state the reasons therefor, and their future intentions in the matter ?

(c) Have Government received any representations from members of the Provincial Civil Services on this matter ; and if so, what action has been taken thereon ?

**The Honourable Mr. J. Orerar :** (a) I lay on the table a statement which gives the information required.

(b) I would refer the Honourable Member to the reply given by my predecessor to part (c) of his question of the 24th March 1926.

(c) The only representation that Government have received on the subject is one submitted by the Bengal Civil Service (Judicial) Association in 1926. It was duly taken into consideration in settling the programme to be followed in increasing the number of listed posts in the Bengal Presidency, and as a result it was decided to fill by promotion of members of the Bengal Civil Service (Judicial) all the posts which remained to be listed on the Judicial side in that Presidency.

Provinces.	No. of posts on 1st July 1923. (a)				No. of posts on 1st September 1928.				Total No. of posts (executive and judicial) to be filled from the P. C. S. and the Bar within 15 years from 1st April 1924.	Remarks.
	Executive.	Judicial.		Total.	Executive.	Judicial.		Total.		
		Held by members of the P. C. S.	Filled from the Bar.			Held by members of the P. C. S.	Filled from the Bar.			
Madras ..	5	5	2	12	7	4	4	15	31	(a) Except in the case of the Madras Presidency, figures for which have been taken from the Civil List for 1st January 1923.
Bombay ..	3	3	..	6	4	4	2	10	18	
Bengal ..	6	5	1	12	6	7	4	17	22	
United Provinces	4	7	1	12	7	7	1	15	25	
Punjab ..	5	4	2	11	7	5	2	14	16	(c) No separate judicial cadre.
Burma ..	4	4	2	10	9	4	3	16	19	
Bihar and Orissa	5	2	1	8	5	2	1	8	13	(d) Including one for Assam.
Central Provinces	3	4	..	7	5	4	..	9	12	
Assam ..	2	..	..	2	3	..	..	3	5	
Total ..	37	34	9	80	53	37	17	107	163	

### APPOINTMENT OF HIGH COURT JUDGES FROM THE RANKS OF THE PROVINCIAL CIVIL SERVICE.

711 **\*Mr. K. C. Neogy** : (a) Will Government be pleased to state their policy in regard to the appointment of High Court Judges from the ranks of the Provincial Civil Service, in the different provinces ?

(b) How many Judgeships in the Calcutta High Court have been conferred on members of the Provincial Civil Service so far, and for what period in each case ?

(c) Is it a fact that in some other High Courts the claims of the Provincial Civil Service to Judgeships have received better recognition ?

(d) Has the question of conferring at least one permanent Judgeship in the Calcutta High Court on members of the Provincial Civil Service, ever been considered by Government ? If so, when and with what result ?

**The Honourable Mr. J. Crerar** : (a) The Honourable Member is referred to the answer given in this House to Mr. Goswami's question, printed on page 663 of Volume IV of the Assembly Debates of 18th February 1924.

(b) Four, so far as we have been able to ascertain from our records. One in 1883 for a short period ; one in 1913 for 5 months and 4 days ; one in 1920 for one month ; and one this year for 3 months and 24 days.

(c) There are Judges appointed from the Provincial Service in the Madras, Allahabad, Lahore and Rangoon High Courts.

(d) Permanent appointments to the High Court are made by His Majesty under section 101 of the Government of India Act. The main consideration is efficiency, as is stated in the reply I have quoted. Subject to this, the claims of members of the judicial branch of the Bengal Civil Service no less than those of members of other classes from which High Court Judges are recruited receive due consideration.

### SHORTAGE OF OFFICERS IN THE INDIAN MEDICAL SERVICE.

712 **\*Lieutenant-Colonel H. A. J. Gidney** : (a) Will Government be pleased to inform this House if the I. M. S. cadre is under strength ?

(b) If the answer to (a) is in the affirmative—

(i) To what extent would this shortage of officers affect the medical needs of the Indian Army in the event of its mobilisation ?

(ii) What steps are Government taking to remedy the situation both in India and England ?

**Mr. G. M. Young** : (a) Yes, Sir.

(b) (i) The shortage has been made up by enlisting the services of temporary commissioned medical officers who would be available on mobilization.

(ii) Every endeavour is being made to stimulate recruitment and bring the service up to strength.

**ADMISSION OF MEMBERS OF THE INDIAN MEDICAL DEPARTMENT TO THE INDIAN MEDICAL SERVICE.**

**713. \*Lieutenant-Colonel H. A. J. Gidney :** (a) Is it a fact that suitable candidates are not procurable in England for the I. M. S. ?

(b) If this is so, do Government propose to consider, in addition to any other measures, the advisability of filling up a certain number of these vacancies by admitting British qualified members of the I. M. D., allowing certain war service concessions for those who are slightly over the maximum age ?

**Mr. G. M. Young :** (a) At the present moment suitable candidates are not forthcoming in sufficient numbers.

(b) The selection of candidates for permanent commissions in the Indian Medical Service is made by Selection Boards in England and India. For some years it has been open to members of the Indian Medical Department at any time before they reach the age limit to apply for appointment to the Indian Medical Service. Several of them have done so and have been appointed.

**DIFFICULTY IN SUPPLYING THE CIVIL MEDICAL DEPARTMENT WITH OFFICERS FROM THE MILITARY BRANCH OF THE INDIAN MEDICAL SERVICE.**

**714. \*Lieutenant-Colonel H. A. J. Gidney :** (a) Is it a fact that owing to the cadre of the I. M. S. being under strength the Director, Medical Services, India, is unable to supply officers from the Military Branch of the I. M. S. to fill about 40 vacancies in the Civil Medical Department ?

(b) If so, what action do Government intend to take to remedy the position ?

**Mr. G. M. Young :** (a) It is true that the military authorities are finding it increasingly difficult to supply the full requirements of the Civil Department in the way of European I. M. S. officers, but I do not think that the shortage amounts to as many as 40.

(b) I would refer the Honourable Member to the reply I have given to part (b) (ii) of his question No. 712.

**SHORTAGE OF OFFICERS IN THE INDIAN MEDICAL DEPARTMENT.**

**715. \*Lieutenant-Colonel H. A. J. Gidney :** (a) Is it a fact that I. M. D. cadre is much under strength ? If so, to what extent and how would this affect the medical needs of the British Army in the event of its mobilisation ?

(b) If the answer to the first part of (a) is in the affirmative, what action do Government propose to take to remedy the situation ?

**Mr. G. M. Young :** (a) No, Sir. The Assistant Surgeons' Branch of the Indian Medical Department is at present up to full strength. The remaining part of the question does not arise.

(b) The question does not arise.

**Lieut.-Colonel H. A. J. Gidney :** Does the full strength include the leave reserve ?

**Mr. G. M. Young :** The cadre is up to its full strength.



### SHORTAGE OF OFFICERS IN THE INDIAN MEDICAL DEPARTMENT.

**716. \*Lieutenant-Colonel H. A. J. Gidney :** (a) Is it a fact that owing to the Department being under strength the Director, Medical Services, India, has had to refuse the services of many Military Assistant Surgeons to supply the pressing civil needs of various Provinces, in the Railways, Civil Medical Services and the Jail Department ?

(b) If this is so, what steps do Government intend taking to remedy the position and, are they prepared again to advertise for the re-employment of suitable axed and ex-I. M. D. men ?

**Mr. G. M. Young :** (a) As I have just stated, the Department as a whole is not under strength. At the present moment the number of Assistant Surgeons in military employ is just short of requirements, and the Civil Departments therefore have rather more than their share.

(b) Does not arise. But I may add for the information of the Honourable Member that suitable ex-officers of the Indian Medical Department are being re-employed where necessary.

### EDUCATIONAL QUALIFICATIONS FOR ADMISSION INTO THE INDIAN MEDICAL DEPARTMENT.

**717. \*Lieutenant-Colonel H. A. J. Gidney :** (a) Is it a fact that in accepting the Senior Cambridge educational qualification for admission into the I. M. D., Government demand that such students must have obtained a credit pass in English, mathematics and a classical language ?

(b) If the answer to (a) is in the affirmative, will Government state if it is a fact that no such special knowledge, particularly in a classical language, is required from a candidate who has passed the I. A. or I. Sc. examination ?

(c) If this is so, do Government propose to reconsider the situation and accept Senior Cambridge passed candidates who have not obtained these credit passes ?

**Mr. G. M. Young :** (a) A credit pass in these subjects is demanded by the examining bodies.

(b) A pass with credit in any of the subjects mentioned in part (a) is not essential for candidates who possess Intermediate Science qualifications. A pass in the Intermediate Arts Examination is not sufficient for admission to the Indian Medical Department.

(c) The standard of preliminary educational qualifications is not fixed by Government but by the examining bodies, that is to say, the State Medical Faculty of Bengal and the Board of Examiners, Madras.

**Lieut.-Colonel H. A. J. Gidney :** Will the Honourable Member kindly address the examining body or college and ask them to accept the Senior Cambridge pass, in view of the fact that credits in these subjects are not required for the higher Degrees, *e.g.*, I. A. and I. Sc.

**Mr. G. M. Young :** I will convey this question and answer, as well as the Honourable Member's supplementary question, to the examining bodies.

**EMPLOYMENT OF ASSISTANT SURGEONS WITH BRITISH MEDICAL QUALIFICATIONS  
AS MEDICAL OFFICERS OF BRITISH STATION HOSPITALS.**

718. \***Lieutenant-Colonel H. A. J. Gidney** : Will Government state whether in 1926-27, the Director, Medical Services, India, issued order to the various Commands, requesting Officers Commanding British Station Hospitals, to utilise the services of the British qualified Military Assistant Surgeons of the I. M. D. as Medical Officers of these Hospitals ? If so, has this order been carried out and to what extent ? If not, why not ?

**Mr. G. M. Young** : There were no definite orders on the subject but a circular was issued in May 1926 suggesting that Assistant Surgeons with British medical qualifications should be employed on such duties as would permit of the fullest use of their professional attainments. There are at present 12 Assistant Surgeons with British qualifications in military employ and they are all employed in posts suitable to their qualifications.

**Lieut.-Colonel H. A. J. Gidney** : May I enquire what precisely those posts are ?

**Mr. G. M. Young** : I am informed that one of these Assistant Surgeons is in charge of the Military Hospital at Purandhar, four are attached to British Military Hospitals, and the others are in special appointments, *e.g.*, factories, arsenals, etc.

**Lieut.-Colonel H. A. J. Gidney** : Are those appointments usually held by medical officers of the R. A. M. C. ?

**Mr. G. M. Young** : I am afraid I must ask for notice of that question.

**ADMISSION OF ASSISTANT SURGEONS WITH BRITISH MEDICAL QUALIFICATIONS  
INTO PROVINCIAL CIVIL MEDICAL SERVICES.**

719. \***Lieutenant-Colonel H. A. J. Gidney** : (a) In view of the fact that certain Provinces have closed their doors to the employment of I. M. D. men in their Civil Medical Services, will Government inform this House whether this exclusion is a post-reform measure and is the result of Indianisation about which Resolutions were passed by Provincial Legislatures ?

(b) If so, do Government propose to address the Provincial Governments with a view to their consenting to receive British qualified Military Assistant Surgeons into their Civil Medical Services ?

**Mr. G. M. Young** : (a) The Government of India understand that only one Local Government has decided not to employ Indian Medical Department officers in its provincial medical service in future. Some Local Governments have decided to reduce the number of posts previously reserved for Indian Medical Department officers, but such reduction is to be effected gradually and the rights of officers already in provincial employ are, so far as possible, to be safeguarded.

(b) As the Honourable Member will gather from the answer to the first part of this question, the Government of India have been in correspondence with Local Governments on the subject. The matter is, however, entirely within the discretion of Local Governments.

**Lieut.-Colonel H. A. J. Gidney** : The Honourable Member has stated that there is only one Provincial Government which has closed its doors to the employment of Indian Medical Department for provin-

cial medical employ, whereas I understand that two Provincial Governments have done so and more are to follow. Would the Honourable Member kindly enquire whether the Punjab Government and also the United Provinces Government have closed their doors to the employment of Indian Medical Department officers in their respective provincial medical services ?

**Mr. G. M. Young :** The two Governments mentioned by my Honourable friend have not reached a definite decision with regard to this matter. So far as the Government of India are aware, only one Provincial Government has decided not to employ Indian Medical Department officers in its provincial medical service in future.

**Pandit Hirday Nath Kunzru :** I understand that the United Provinces Government decided long ago not to recruit any more Indian Medical Department officers to their civil medical service.

**Mr. G. M. Young :** So far as I am aware that decision has not been conveyed to the Government of India.

**Pandit Hirday Nath Kunzru :** Are Government aware that the Minister of Local Self-government announced in the United Provinces Council in 1922 or 1923 that the Government of India had agreed not to compel Local Governments to take in I. M. D. officers for appointment as Civil Surgeons and to posts of the same standard.

**Mr. G. S. Bajpai :** With your permission, Sir, I shall answer that question. My Honourable friend is absolutely correct in stating that the Minister for Local Self-Government announced, I think it was in 1922, in the United Provinces Council that the Government of India agreed not to compel Local Governments to employ any more I. M. D. officers, but I understand that they have not decided not to take I. M. D. officers on their own initiative if they choose to do so in future.

**Pandit Hirday Nath Kunzru :** Are Government aware that Pandit Jagat Narain said that while the rights of the existing I. M. D. men in the civil medical service would be respected in future, no more I. M. D. men would be recruited ?

**Mr. G. S. Bajpai :** The position is that the Local Government do not accept the position that the Government of India should compel them not to employ any more I. M. D. officers. As far as Pandit Jagat Narain's statement is concerned, namely, committing the United Provinces Government not to employ any more I. M. D. officers in future, I am not in a position to say anything about that.

**Lieut.-Colonel H. A. J. Gidney :** With reference to his reply, will the Honourable Member please state whether such inactivity on the part of the Government of India is or is not contrary to the Instrument of Instructions contained in the Government of India Act of 1919, and contrary to paragraph 346 of the Montford Report, *i.e.*, the protection of minority communities, *e.g.*, the employment of the I. M. D. in these two provinces, and if so, will the Government of India be so good as to address the Provincial Governments on this matter ?

**Mr. G. S. Bajpai :** I have not followed the Honourable Member's question, but I do not see how the protection of minority communities' interests arise in this case.

**Pandit Hirday Nath Kunzru :** With reference to the question of racial discrimination, are Government aware that Indians are not admitted into the Indian Medical Department ?

(No reply.)

**Pandit Hirday Nath Kunzru :** The Honourable the Army Secretary stated that the Government of India were in correspondence with the Local Governments in regard to the employment of Indian Medical Department officers in civil employ. Is it intended to compel any Local Government to employ officers of the I. M. D. in higher civil medical posts ?

**Mr. G. S. Bajpai :** I think I can state that the Government of India have no intention of compelling any Local Government to employ any I. M. D. officers if they do not wish to.

**Mr. G. M. Young :** I should like to answer that question, also. If the Honourable Member had listened to my previous answer he would not have put it. I did not say that the Government of India were in correspondence with Local Governments with regard to their employment of I. M. D. officers in civil posts. What I said was, "As the Honourable Member will gather from the answer to the first part of this question, the Government of India have been in correspondence with Local Governments on the subject. The matter is, however, entirely within the discretion of Local Governments."

#### PUBLICATION OF THE NEEDHAM REPORT ON THE RAILWAY MEDICAL SERVICE.

720. **\*Lieutenant-Colonel H. A. J. Gidney :** Will Government please state whether and when it proposes to publish the Needham Report on the Railway Medical Service ?

**Mr. A. A. L. Parsons :** The Report is a purely departmental publication, and it is not intended to publish it.

**Lieutenant-Col. H. A. J. Gidney :** May I ask the Honourable Member why the report has not been published ?

**Mr. A. A. L. Parsons :** Because it is a purely departmental publication.

**Lieutenant-Col. H. A. J. Gidney :** May I ask the Honourable Member whether the Legislative Assembly has not voted the expenses in connection with that report ?

**Mr. A. A. L. Parsons :** I assume that is so, but it does not necessarily follow that the report should be published.

#### PRESENT STRENGTH OF THE INDIAN ARMY NURSING SERVICE.

721. **\*Lieutenant-Colonel H. A. J. Gidney :** (a) Will Government please inform this House of the present strength of the Indian Army Nursing Service and if it is adequate for the needs of the Army in the event of its mobilisation ?

(b) How many nurses were admitted into it during the years 1926-27 ?

(c) Is it the intention of Government to increase the cadre of this Service ?

**Mr. G. M. Young :** (a). 55. This number represents the total strength of the peace establishment, and is not intended to meet the full needs of the Army on mobilization.

(b) 18.

(c) No, Sir, but Government are considering the question of raising a reserve of nurses in India.

**INFORMATION RELATING TO DETAILS OF EXPENSES REQUIRED BY THE INCOME-TAX AUTHORITIES FROM ASSESSEES.**

722. **\*Mr. H. G. Cocke :** (a) Are Government aware of the growing practice of the Income-tax authorities to require assessee, taxable under the head "Business", to give details of their expenses, such as interest, brokerage, commission, etc., to the extent of requiring them to supply the names and addresses of the recipients of such interest, brokerage, etc., and the amounts paid to each, with the admitted object of enabling such third parties to be assessed for income which otherwise might escape assessment ?

(b) Under what section of the Act are such details called for ?

(c) Do Government propose to issue instructions that where information as to names and addresses are refused by the assessee, the expense will still be allowed as a business deduction, if satisfied otherwise that it has been genuinely incurred ?

**The Honourable Sir Bhupendra Nath Mitra :** (a) So far as relates to payments of commission, and the like, which fall within the definition of "Salaries", the practice described is necessary in order to secure the observance of the provisions of section 21 of the Indian Income-tax Act, 1922. So far as relates to payments such as interest, which, when received by the payee, do not fall within the definition of "Salaries", but which the Income-tax Officer has to examine in connection with the grant of business deductions in the assessment of the original assessee, the Government of India have no information as to the existence of the practice described, and whether, if it exists, it is a growing practice ; but they will call for reports upon the subject from the Commissioners of Income-tax.

(b) The Honourable Member is referred to sections 21, 22 (4), 23 (2) and 37 of the Indian Income-tax Act ; and

(c) The Government of India will consider whether it is necessary to issue any instructions when they have received the reports referred to in my answer to part (a).

**Mr. Vidya Sagar Pandya :** I am sorry I have not been able to follow the answer to the first part. Will the Honourable Member kindly repeat his answer to the first part ?

**The Honourable Sir Bhupendra Nath Mitra :** My Honourable friend will be able to follow it when he sees it in print later on in the official debates.

**ADMISSION OF INDIAN BOYS INTO THE RAILWAY ENGINEERING SERVICE.**

723. **\*Mr. Sarabhai Nemchand Haji :** (a) Have any complaints been received by Government regarding rules for admission of Indian boys into the Railway Engineering Service ?

(b) Is it a fact, that the Public Service Commission requires that the candidate should have passed in their Science examination before completing 20 years ?

(c) Is it a fact that the age of candidates is calculated from 1st January of any particular year ?

(d) Are Government aware that the results of University examinations in India are declared in the months of May and June ? If so, are Government aware of hardships to candidates caused by their passing examinations in May and their competitive age being calculated from January ?

(e) Do Government propose to take necessary step to remove the anomaly prevailing now ?

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

(b) and (c). Under the rules candidates for the Mechanical Engineering, Transportation (Power) and Electrical Engineering Departments must be under 19 years of age on the 1st of January of the year in which the selection is to be made.

(d) and (e). Government are not aware that the present date for calculating the age for this purpose causes any hardship, but they will obtain the advice of the Public Service Commission.

#### DETENTION OF THE 19 UP AND 20 DOWN EXPRESS TRAINS AT PATUANDA MAHABIRA ROAD STATION.

724. **\*Mr. Sarabhai Nemchand Haji :** (a) Are Government aware that Patuanda Mahabira Road railway station is a great pilgrimage centre for the Jains ?

(b) Is it a fact that the Bombay, Baroda and Central India Railway authorities have up till now refused to stop the 19 Up and 20 Down Express trains at that station during the Mela Week about the month of April on the ground that these trains "are intended for people making long journeys who require quick transit" ?

(c) If the answers to part (b) are in the affirmative, do Government propose to take the necessary action to afford all conveniences to those pilgrims who proceed to the above station during the Mela period ?

(d) If the answer to (c) is in the affirmative, do Government propose to issue orders to the railway authorities to detain the 19 Up and 20 Down Express trains for three minutes to enable passengers destined for Patuanda to alight there, and to make that detention permanent ?

**Mr. A. A. L. Parsons :** (a) Patuanda is a pilgrim centre. From the latest information in the possession of Government (which is not, however, very recent) it attracts between 5,000 and 6,000 pilgrims.

(b), (c) and (d). When this matter was last raised by a question in this House in 1924, it was ascertained that the railway administration had stopped 19 Up and 20 Down Express trains during the period of the annual gathering in order to enable passengers to alight. Government have not heard that this arrangement has been terminated, but have enquired from the Agent of the Bombay, Baroda and Central India Railway, and will let the Honourable Member know what the

present position is. For the reason mentioned by the Honourable Member in part (b) of his question, they are not prepared to press the railway administration to stop these trains at Patuanda except during the Mela period.

#### EFFECT OF THE INDIAN TARIFF (COTTON YARN AMENDMENT) ACT ON THE HANDLOOM INDUSTRY.

725. \*Mr. K. C. Neogy : (a) Will Government be pleased to state whether they addressed the Provincial Governments desiring them to have special inquiries instituted as to the actual effect of the increase that was made last autumn in the import duty on certain counts of cotton yarn, upon the handloom industry, in accordance with the recommendation of the Select Committee on the Indian Tariff (Cotton Yarn Amendment) Bill of 1927 ?

(b) If so, will Government be pleased to lay on the table the reports, which they may have received on the subject from the Provincial Governments ?

The Honourable Sir George Rainy : (a) Yes.

(b) A copy of the replies so far received will be placed in the Library.

#### SCHEME FOR A PROVINCIAL HOSPITAL AT PESHAWAR.

726. \*Dr. B. S. Moonje : (a) Are Government aware of a scheme for a provincial hospital at Peshawar for the North-West Frontier Province ?

(b) If so, how far has the scheme been completed and how much of it is yet incomplete ?

(c) So far what donations, if any, have been made for the scheme by the people and the Municipalities of the Province, the Provincial Government and the Government of India ?

(d) What amount has been so far spent on the buildings and what more is estimated to be required for the completion of the scheme ?

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

(b) and (d). The total cost of the building scheme is Rs. 8 lakhs, of which work to the extent of Rs. 5,64,000 has been completed.

(c) The grants up to date are—

		Rs.
Peshawar Municipality	.. ..	3,10,000
Central Revenues	.. ..	2,50,000
Public subscriptions	.. ..	1,31,646
Lord and Lady Reading	.. ..	50,000
		<hr/>
		7,41,646
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**GRANTS MADE BY THE LOCAL GOVERNMENT AND THE GOVERNMENT OF INDIA TOWARDS THE COMPLETION OF THE PROVINCIAL HOSPITAL AT PESHAWAR.**

727. \*Dr. B. S. Moonje : (a) What grant, if any, has been made by the Local Government and the Government of India towards the completion of the North-West Frontier provincial hospital building scheme during last year ?

(b) What grant, if any, do Government propose to make in the next year's Budget ?

**The Honourable Mr. J. Crerar :** (a) Rs. 2,50,000 up to date.

(b) Is under consideration.

**ANNUAL AMOUNT REQUIRED FOR THE MAINTENANCE OF THE PROVINCIAL HOSPITAL AT PESHAWAR.**

728. \*Dr. B. S. Moonje : (a) What is the estimated annual amount required for the maintenance of the provincial hospital at Peshawar ?

(b) What portions of it are contributed annually by the Provincial Municipalities, the Provincial Government and the Government of India ?

**The Honourable Mr. J. Crerar :** Rs. 63,000, of which the Peshawar Municipality pay Rs. 43,000 and Government pay the rest. Maintenance charges will be considerably more when the scheme is completed.

**DONATION BY THE GOVERNMENT OF INDIA TO THE PROVINCIAL HOSPITAL AT PESHAWAR.**

729. \*Dr. B. S. Moonje : (a) Are the Government of India prepared to make a fresh donation towards the completion of the provincial hospital buildings at Peshawar and also increase its yearly grant to make up a substantial portion of the deficit in the maintenance charges ?

(b) Are Government aware of the fact that this hospital is likely to be greatly taken advantage of by the trans-frontier border tribes and to serve as a great humanising institution ?

(c) Is it not true that there is no hospital accommodation in Peshawar for middle and upper class Indians ?

**The Honourable Mr. J. Crerar :** (a) Is under consideration.

(b) Government are fully aware.

(c) Yes, Sir. Hospital accommodation for middle and upper class Indians is however provided in the new hospital under construction.

**CODIFICATION OF THE HINDU LAW.**

730. \*Sir Hari Singh Gour : With reference to the recommendation of the Select Committee appointed to report on the Hindu Coparcener's Liability Bill, and a similar recommendation made in two Resolutions passed by the Legislative Assembly and the Council of State and embodied in the Report of the Civil Justice Committee, will Government be pleased to state what action they have taken or propose to take to give effect to these recommendations for the codification of the Hindu Law ?



**The Honourable Mr. J. Crerar :** I think the suggestions in the Honourable Member's question are not quite borne out by the Select Committee recommendations. The Select Committee on the Bill to which the Honourable Member refers made no definite recommendations for the codification of the Hindu Law. They pointed out that the criticisms of the Bill contained in the opinions which had been received amply illustrated the enormous difficulties which would beset an attempt to codify even one portion of the Hindu Law. They went on to add that even if such a measure of partial codification were to be carried out it must be entrusted to an expert committee sitting continuously for a long period. Nor did the Civil Justice Committee make any such recommendation as is suggested. They gave their opinion that so far as Hindu Law is concerned the project of a code should not be rejected as impracticable from a purely legal point of view, provided that the attempt was made by stages. They went on to add that the attempt if carefully made was quite likely to be successful in some branches and almost abortive in others. They further added that "for the limited purposes of this committee a recommendation that Hindu Law should be codified would be entirely misconceived. That we have made even a few observations on the subject is due solely to the consideration that slap-dash codification would do immeasurable harm. We would not willingly be understood to regard with prejudice the ultimate chances of a tentative and carefully constructed scheme, designed with due appreciation of the length and difficulty of the task". The Honourable Member will I think agree on further reconsideration that this cannot be regarded as any recommendation and certainly not a strong recommendation for the codification of the Hindu Law. Further, the Resolutions on the subject which were moved in this House and in the Council of State in March, 1921, were with the permission of the two Houses withdrawn on Government undertaking to consult Local Governments. The opinions received were overwhelmingly against codification. Government therefore have not taken any further steps.

#### DIRECT RAILWAY ROUTE FROM MADRAS TO PESHAWAR.

731. **\*Sir Hari Singh Gour :** (a) Will Government be pleased to state when the Madras-Peshawar direct route was completed for traffic ?

(b) And when the direct passenger service will commence ?

(c) And what reasons have led to the delay in commencing before now ?

**Mr. A. A. L. Parsons :** (a) and (b). This route was opened for goods traffic on the 1st of May, 1928, and it is hoped that it will be opened for passenger traffic at the beginning of October.

(c) The last section of the new route—Asifabad to Balharshah section—has high banks of black cotton soil, and until it is known how these banks will stand up to monsoon conditions, it was considered undesirable to run passenger trains over it.

**Mr. B. K. Shanmukham Chetty :** Is it proposed to run a through train from Madras to Peshawar or at any rate from Madras to Delhi by this route ?

**Mr. A. A. L. Parsons :** I cannot give the Honourable Member from memory the exact information which he wants. But it is certainly proposed to run a through express or mail train from Madras to Delhi, if not on to Peshawar. When the line is in fit condition, we are thinking of running a train more or less on the model at the Imperial Indian Mail.

**Mr. Vidya Sagar Pandya :** When the new route is open, will the Honourable Members of this House coming from Madras be allowed the option of travelling *via* Bombay or Calcutta as hitherto ? (Laughter).

**MEMORIAL OF MAUNG BA OBN, LATE INSPECTOR OF INCOME-TAX, BAZAR CIRCLE, RANGOON.**

**732. \*U. Tok Kyi :** (a) Will Government be pleased to state if they have considered the memorial dated the 21st August 1928 submitted by Maung Ba Obn, late Inspector of Income-tax, Bazaar Circle, Rangoon, who has been removed from his appointment for the alleged attempt to obtain illegal gratification from one Daw Saw Mya ?

(b) Are Government aware of the opinion informally expressed by Sir William Keith, the late Finance Member of the Government of Burma, that the evidence against Mg. Ba Obn is inadequate to justify an order of removal ?

(c) If they are, do Government propose to reinstate Mg. B. Obn and inflict on him no more punishment than a warning or a fine which would amply meet the justice of the case ?

**The Honourable Sir Bhupendra Nath Mitra :** (a) The memorial is receiving consideration.

(b) Yes.

(c) The Honourable Member is referred to the reply to part (a) of his question.

†733\*.

**PURCHASE IN INDIA OF BELTING REQUIRED BY THE STATE-MANAGED RAILWAYS.**

**734. \*Mr. Mukhtar Singh :** Will the Government be pleased to state :

(a) the price of the belting consumed in the years 1924-25, 1925-26 and 1926-27, in the different railways under the direct control of the Railway Board ?

(b) the price of the belting purchased from the belt manufacturing companies in the country during the above-mentioned years ?

(c) the reasons as to why the entire quantity of belting required in the Railways was not purchased from the Indian belting companies ?

(d) if any attempt has been made by the Railway Board to entirely replace the imported belting by the indigenous belting ? If the answer be in the affirmative, will the Government be pleased to state in detail the attempts made in this direction ?

\* For this question, see at the end of the list of starred questions for the day.

**Mr. A. A. L. Parsons :** I regret that this information is not procurable. Instructions have been issued to all State-managed Railways that no indents for cotton and hair beltings are to be sent abroad unless tenders have first been invited in India.

**FREIGHT RATES CHARGED ON REVENUE ACCOUNT FOR FUEL, STORES, ETC., ON STATE-MANAGED RAILWAYS.**

735. **\*Mr. Mukhtar Singh :** (a) Are the freight rates charged on Revenue account for fuel, stores, etc., on the Government-managed Railways the same as charged from the public for similar articles ? If there is any difference, will the Government be pleased to state the reasons as to why the difference is maintained ?

(b) Do the special rates allowed in the days of scarcity of fodder cover the cost of the Railways or are the rates charged less than the cost incurred by the Railways ?

If it covers the cost, will there be any difficulty to reduce the railway rates for all times on fodder ?

(c) Is there any difference in the freight rates of oil cakes used for cattle food and oil cakes used for manure ? If both the sorts of cakes are charged the same rates, do Government propose to reduce the freight rates on castor, *mhowna*, sunflower and *nim* cakes ?

**Mr. A. A. L. Parsons :** (a) The answer to the first part of the question is in the negative. Railway stores are carried at a rate which is intended to represent as nearly as possible the actual cost of transportation.

(b) I am afraid I am unable to give the Honourable Member an exact answer, but the ordinary charge for fodder is 3 annas 6 pies per mile per four-wheeler broad gauge wagon. In times of scarcity the concession rate paid by the consignor is 1 anna per four-wheeler broad gauge wagon, the difference of 2 annas and 6 pies is paid to railways by the Provincial Governments concerned.

(c) The answer to the first part of the question is in the negative. With regard to the second part I must point out to the Honourable Member that the rates for these articles are fixed by the Indian Railway Conference Association and not by Government, but if they are higher than those for oil cake I see no reason why the question of their reduction should not be considered, if and when we are in a position to undertake further reduction of rates, and I will bring the Honourable Member's question to the notice of the Conference Association.

**REDUCTION OF THE RAILWAY FREIGHTS ON SUGAR, Bura, Jaggery AND Shakkar.**

736. **\*Mr. Mukhtar Singh :** (a) Will the Government be pleased to state since when the present freight rates on Railways are fixed on sugar, *shakkar* and *jaggery* ? What were the rates charged before fixing the present rates ? Will the Government be pleased to state the reasons why the rates were increased ?

(b) Will the Government be pleased to state the reasons as to why the same rates are charged on sugar, *bura*, *shakkar* and *jaggery* ?

(c) Will the Government be pleased to state the time since when the rates on sulphuric acid have been increased? Will the Government be pleased to state the reasons as to why the increment in rates was made?

(d) Do Government propose to take steps to decrease the rates on sugar, *bura*, *jaggery* and *shakkar* and further not to class all the four articles in one classification?

(e) In view of the scarcity of fresh milk in cities, do Government propose to reduce the rates on milk carried by the State Railways?

**Mr. A. A. L. Parsons :** (a) With effect from the 1st April 1922, the freight rate charged for sugar and *shakkar* was second class at railway risk, viz., 42 pie per maund per mile. This rate represents an enhancement of 25 per cent. on the rates prior to the 1st of April 1922, when the enhancement was made to replace the surcharge imposed under the Finance Act of 1921.

*Jagree* was carried at the same rate until this year when the rate was lowered to the extent explained in this year's budget memorandum on the State-managed Railways and the Madras and Southern Mahratta Railway and the Bombay, Baroda and Central India Railway Companies.

(b) For the purposes of charge it is the practice to group articles of the same kind and use under one classification. It would be impracticable to grade off charges to suit every variation in the price of a commodity.

(c) With effect from the 1st of April 1922 the rates charged for sulphuric acid were raised from .666 pie per maund per mile at owner's risk to .83 pie per maund per mile at owner's risk, i.e., by about 25 per cent. in order to replace the surcharge imposed under the Finance Act of 1921.

(d) As explained, *jagree* is not now charged at the same rate as sugar, *bura* and *shakkar* on certain Railways. I am unable at present to say whether it will be possible to contemplate any reduction or further reduction in the freights of these commodities.

(e) Fresh milk carried by passenger trains is charged at half parcel rates. As was explained in the budget memorandum, a reduction in the rates for parcels is being undertaken.

#### FREIGHT CHARGES ON CERTAIN ARTICLES.

737. **\*Mr. Mukhtar Singh :** Have Government taken any steps to examine the complaints about the freight charges of different articles mentioned in my speech in the Assembly on the 27th February 1927? If the answer be in the affirmative, will the Government be pleased to state the result of their investigation? If the answer be in the negative, will the Government be pleased to state the reason why they have not done so?

**Mr. A. A. L. Parsons :** An investigation into the complaints made by the Honourable Member regarding the freight rates on certain articles is being made. Government are not yet in a position to make a statement as to the result of these investigations.

†738\*—744\*.

†For these questions, see at the end of the list of starred questions for the days.

# CARRIAGE OF LUGGAGE OF OFFICERS AND CLERKS OF THE GOVERNMENT TELEGRAPH OFFICES, SIMLA AND DELHI.

745. **\*Mr. Satyendra Chandra Mitra :** Is it a fact that the officers and clerks employed in the Government of India are allowed to carry their luggage through private contractors when they move to Delhi and *vice versa* ? If so, do the Government propose to allow officers and clerks employed in the Government Telegraph Offices, Simla and Delhi, to carry their luggage through private contractors and produce receipts from them ? If not, why not ?

**The Honourable Mr. A. C. McWatters :** The staff referred to in the first part of the question receive fixed sums as travelling allowance under the Simla Allowances Code and Government are not concerned with the arrangements they make for the carriage of their luggage, whether through the agency of contractors or otherwise. The staff of the Government Telegraph Office, on the other hand, are entitled to travelling allowance under rules which provide for payment by Government of the actual cost of transporting personal effects within certain prescribed maxima, and claims have ordinarily to be supported by railway receipts for the expenditure incurred. No complaints have been received, but the question of accepting transport contractors' receipts will be examined.

## RECRUITMENT ON A COMMUNAL BASIS IN THE INDIAN POSTAL AND TELEGRAPH DEPARTMENT.

746. **\*Mr. Satyendra Chandra Mitra :** (a) Is it a fact that a General Circular letter has been issued to all the heads of branches and offices in the Posts and Telegraph Department that further recruitment in the various offices should be made on a communal basis ?

(b) If the above is true, will the Government state the number of telephone supervisors, electrical supervisors and general scale telegraphists since the issue of the above circular and state to what community they belong ?

**The Honourable Mr. A. C. McWatters :** (a) No. The orders of Government are to prevent the preponderance in Government service of any one community and for this purpose one-third of the vacancies are to be reserved for the adjustment of communal inequalities.

(b) Does not arise.

## THE SIMLA ALLOWANCES CODE.

747. **\*Maulvi Abdul Matin Chaudhury :** 1. Will Government lay on the table of the House the correspondence leading to the enactment of the Simla Allowance Code Book.

2. Did Government grant the allowances mentioned in the Code Book to those officers and employees only who were transferred from Calcutta or also to officers who were recruited locally ?

3. Will Government state the number of Government employees who receive benefits under the Simla Allowance Code Book ? Also will the Government state how many of these were brought up from Calcutta and how many recruited locally ?

4. Will Government be pleased to state the grounds on which house rent allowance is granted to officials and clerks employed in the Government of India ?

5. Was it the ground for granting the allowance that the employees concerned were shifted from Calcutta ? If so, on what ground was this benefit extended to those recruited locally ?

**The Honourable Mr. J. Crerar :** (1) The correspondence and orders on the subject, extending as they do for over half a century, are voluminous, and Government do not consider that any useful purpose would be served by laying them on the table.

(2) It is not clear how far there was any local recruitment when a special scale of allowances for Simla was first introduced but no distinction has ever been based on the place of recruitment.

(3) I would refer the Honourable Member to Rule 1 of the Code, copy of which is in the Library. I have not the figures of the exact number of men affected, nor details as to the place where each was recruited.

(4) The ground in the case of clerks is the high rate of house rent prevailing in Simla. Officers do not receive house allowances.

(5) The allowance had no exclusive reference to Calcutta, though naturally when it was first introduced the majority of the establishment were Calcutta men. The second part of the question does not arise.

#### TRAVELLING ALLOWANCE OF CAVALRY AND INFANTRY OFFICERS OF THE ARMY IN INDIA RESERVE OF OFFICERS.

748. **\*Sardar Muhammad Nawaz Khan :** (a) Are Government aware of the fact that cavalry and infantry officers of the Army in India Reserve of Officers are borne on cadres of certain units ?

(b) Are Government also aware of the fact that such units are not always stationed in the Command in which such officers generally reside ?

(c) Are Government also aware of the fact that if an officer elects to undergo training with his unit stationed in another Command than the one in which such officer generally resides then he is only entitled, under paragraph 49 of the Regulations for the Army in India Reserve of Officers, to draw travelling allowance up to the amount admissible had he elected to go to the most distant military station in the Command in which he generally resides ?

(d) If answers to (a), (b) and (c) are in the affirmative, do Government propose to remove this restriction and permit officers of the Army in India Reserve of Officers to draw travelling allowance at the temporary duty scale when proceeding to their units for annual training and when returning to their places of residence in India irrespective of the limits now imposed ?

**Mr. G. M. Young :** (a), (b) and (c). Yes.

(d) This small restriction exists solely on the score of expense. I will have the question examined, but cannot hold out much hope of funds being available to remove it at present.

**Pandit Hirday Nath Kuneru :** With reference to the answer given to part (d) of the question, may I know whether Indians in the Indian Army Reserve of Officers are attached to the Indianised units only ?

**Mr. G. M. Young :** I must ask for notice of that question.

**RESTRICTIONS RELATING TO THE PART TIME EMPLOYMENT OF OFFICERS OF THE ARMY IN INDIA RESERVE OF OFFICERS.**

**749. \*Sardar Muhammad Nawaz Khan :** (a) Are Government aware of the restrictions imposed on General Officers Commanding-in-Chief by paragraph 26 (a) of Regulations for the Army in India Reserve of Officers, and Appendix F thereto, regarding part time employment of officers of the Army in India Reserve of Officers ?

(b) If the answer to (a) is in affirmative, do Government propose to remove these restrictions and leave it to the General Officers Commanding-in-Chief to determine the purposes for and occasions on which such officers may be employed ?

**Mr. G. M. Young :** (a) Yes.

(b) The matter is already under consideration.

**INDIAN DELEGATES TO THE INTERNATIONAL LABOUR CONFERENCE.**

**750. \*Mr. Sarabhai Nemchand Haji :** (a) Are Government aware of the satisfaction expressed at the last sittings of the International Labour Conference by the Officers of the International Labour Office and the Delegates of the International Labour Conference at the fact that the whole of the Indian Delegation consisted, for the first time, of national delegates only ?

(b) If so, will Government please state if they propose to repeat, in making nominations for the next International Labour Conference, the course which has given complete satisfaction both in India and in Geneva ?

**The Honourable Mr. A. C. McWatters :** (a) No. They have however seen some newspaper reports of conversations on the subject.

(b) Does not strictly arise, but in any case in selecting non-official delegates and advisers to the International Labour Conference, Government are bound by the provisions of Art. 389 of the Treaty of Versailles.

**ASSESSMENT OF NON-INDIAN SHIPPING COMPANIES TO SUPER-TAX.**

**751. \*Mr. Sarabhai Nemchand Haji :** (a) Will Government please state the amount of super-tax paid during the last five years by :

(i) Indian shipping companies ;

(ii) British shipping companies ;

(iii) other foreign Shipping Companies ?

(b) Is it a fact that the non-Indian Companies pay a very small super-tax as compared to the huge profits made by them in the coastal and the overseas trade ? If not, will Government please state the amount of super-tax realised together with the amount of the profits on which such super-tax was payable during the last five years ?

**The Honourable Sir Bhupendra Nath Mitra :** (a) and (b) The information asked for in part (a) of the question and in the second half of part (b) is not available as the requisite statistics have not been collected in the past. The method of assessing non-Indian shipping companies is laid down in paragraphs 84-A to 86 of the Income-Tax Manual, Part III. The Government have no reason to believe that this method leads to the under-assessment of that part of the companies' profits that is earned by their Indian business.

**Mr. Sarabhai Nemchand Haji :** Is it a fact, Sir, that the non-Indian shipping companies trading on the Indian coast did not pay any income-tax until the attention of the Government was drawn to that non-payment in the year 1922 ?

**The Honourable Sir Bhupendra Nath Mitra :** I have no information on that point, Sir. If the Honourable Member will kindly put down a question I shall see that it is answered.

**Mr. Sarabhai Nemchand Haji :** Another supplementary question, Sir. With regard to the question of super-tax will the Honourable the Finance Member make enquiries which will give to the House an idea as to whether the non-Indian shipping companies pay any super-tax on their earnings in India, particularly in view of the fact that, following their previous practice in regard to income-tax, it is not improbable that they are also evading super-tax ?

**The Honourable Sir Bhupendra Nath Mitra :** I will have that point looked into.

#### TRAINING OF INDIANS IN MARINE ENGINEERING.

752. **\*Mr. Sarabhai Nemchand Haji :** Will Government please state if they have made any arrangements for Indians being trained in Marine Engineering ?

**The Honourable Sir George Rainy :** Government have formulated a provisional scheme in consultation with the High Commissioner for India. The proposals will now be placed before the Standing Advisory Committee of the Commerce Department and thereafter before the Standing Finance Committee.

#### APPOINTMENT OF INDIANS AS TRADE COMMISSIONERS ABROAD.

753. **\*Mr. Sarabhai Nemchand Haji :** (a) Will Government please state if they have made any arrangements for the appointment of Indians as Trade Commissioners at different trade centres in the world ?

(b) Are any arrangements made for such Trade Commissioners to work as Indian Commercial Attachés to the British Embassies and Consulates at such centres ?

**The Honourable Sir George Rainy :** The question of appointing Indian Trade Commissioners abroad is under consideration.

#### GRANT OF SPECIAL FACILITIES TO PASSENGERS BY THE P. AND O. STEAMERS REGARDING JOURNEYS ON INDIAN RAILWAYS.

754. **\*Mr. Sarabhai Nemchand Haji :** Is it a fact that Government have given special facilities to passengers by the P. & O. steamers regarding

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their travels on Indian Railways ? If so, have other shipping companies interested in the passenger trade between India and Europe been given the same facilities ?

**Mr. A. A. L. Parsons :** The only arrangement with the Peninsular and Oriental Steam Navigation Company relates to the Imperial Indian Mail which connects with the incoming and outgoing weekly mail steamers. The Peninsular and Oriental Steam Navigation Company carry out the reservation of berths for this train from Bombay to Calcutta in their London office. It is only with regard to the mail steamers that such arrangements have so far been made.

**Mr. Sarabhai Nemchand Haji :** Will Government consider the advisability of making similar arrangements for other shipping companies in case they approach the Government ?

**Mr. A. A. L. Parsons :** If we are approached, we shall certainly be prepared to consider any proposal in which we see a chance of profit.

**Mr. Sarabhai Nemchand Haji :** Is it a fact that up to this moment the treatment meted out to the P. & O. Company is one of particular favouritism ?

**Mr. A. A. L. Parsons :** I do not know in what respect the Honourable Member alleges favouritism ; it is certainly not the case with regard to the department which I am representing.

**Mr. Sarabhai Nemchand Haji :** Is it a fact, Sir, that the Government have not given similar facilities to other shipping companies ?

**Mr. A. A. L. Parsons :** If the Honourable Member would explain more fully what facilities he refers to, I may be able to answer him ; but I cannot answer a vague question of that kind.

**Mr. Sarabhai Nemchand Haji :** I was referring naturally to the facilities to which I have referred in my question, namely, facilities of giving special train accommodation to passengers who arrive in India by steamers other than those belonging to the P. & O. Company.

**Mr. A. A. L. Parsons :** Those facilities were not given for any reason connected with the Company itself ; but it happens that the mail steamers to India are run by the P. & O. Company ; also that those steamers carry more first class passengers destined for Calcutta than most other steamers ; and it is therefore possible to get a full train load of passengers ordinarily from Bombay to Calcutta. It is purely a matter of business.

#### CONVENIENCES FOR THIRD CLASS PASSENGERS AT THE PROPOSED CENTRAL RAILWAY STATION IN BOMBAY.

755. **\*Mr. Sarabhai Nemchand Haji :** Will Government please state the arrangements made for the conveniences of third class passengers at the proposed Central Railway Station in Bombay ?

**Mr. A. A. L. Parsons :** I propose with your permission. Sir, to answer questions Nos. 755 and 756 together. Government have no detailed information, but they understand that the suitability of the position assigned to the third class waiting hall has been challenged. They have written to the Agent of the Bombay, Baroda and Central India Railway asking him to explain what the present position is, and will communicate with the Honourable Member on receipt of his reply.

**Mr. N. M. Joshi :** May I ask, Sir, in view of the fact that the Railways earn from third class passengers more than they earn from first and second class passengers, whether they will reserve all the rooms in the new Victoria Terminus for the third class passengers ?

**Mr. A. A. L. Parsons :** Sir, my Honourable friend, Mr. Joshi, in his enthusiasm for the third class passenger has taken me from the Bombay, Baroda and Central India Railway to the Great Indian Peninsula Railway. I must ask for notice of that question, if he wishes alterations to be made in the arrangements at Victoria Terminus.

**SUITABILITY OF THE POSITION ASSIGNED TO THE THIRD CLASS WAITING HALL IN THE PROPOSED CENTRAL RAILWAY STATION IN BOMBAY.**

†756. **\*Mr. Sarabhai Nemchand Haji :** (a) Is it a fact that the Honorary Secretary of the Passengers' Traffic and Relief Association of Bombay has written a letter to the Agent of the Bombay, Baroda and Central India Railway Company, Limited, regarding the grievances certain to arise in case the present plan of the station is adopted without modification ?

(b) Will Government please state what action they propose to take in the matter ?

**TRAINING OF INDIANS IN MARINE WIRELESS TELEGRAPHY.**

757. **\*Mr. Sarabhai Nemchand Haji :** (a) Will Government please state the arrangements made by them for the training of Indians in Marine Wireless Telegraphy ?

(b) Are Government aware of any action taken by private individuals or companies to provide facilities for such training ?

(c) If so, will Government please state if they have made any concessions in that respect ?

**Mr. P. G. Rogers :** (a) The Honourable Member is referred to the information furnished in reply to Khan Bahadur Sarfaraz Hussain Khan's unstarred questions No. 304 of the 7th March and No. 105 of the 4th September 1928.

(b) Government are aware that certain institutions offer to provide such training.

(c) No.

**DEPUTATION OF THE CHIEF PUBLICITY OFFICER OF THE STATE RAILWAYS TO AMERICA.**

758. **\*Mr. Sarabhai Nemchand Haji :** (a) Is there any truth in the rumour that the Chief Publicity Officer of the State Railways is going to be sent on a world tour with the ultimate object of stimulating traffic in India by novel methods ?

(b) Do Government propose to make an effort towards securing the services of an Indian during the absence on world tour of the Chief Publicity Officer ?

†For answer to this question, see answer to question No. 755.  
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(c) Is it the intention of Government to nominate an European officer ?

(d) Will Government be pleased to place on the table the correspondence relating to the acting appointment and also disclose the special qualifications of their nominee to justify the exclusion of an Indian, if such exclusion is contemplated ?

**Mr. A. A. L. Parsons :** The gentleman who has recently been the Chief Publicity Officer is being sent on deputation to America to open a branch office of the Indian State Railways Publicity Department in New York. He has been temporarily replaced, during his absence, by an officer already in railway service, who has had wide traffic and commercial experience. There has been no correspondence with regard to the acting appointment.

#### PRINTING OF THE INDIAN STATES RAILWAY MAGAZINE.

759. **\*Mr. Sarabhai Nemchand Haji :** (a) Will Government be pleased to state whether open tenders were called for the printing of the Indian States Railway Magazine which is now edited at Delhi and printed in Bombay ?

(b) Were Indian Presses given an opportunity to quote competitive rates ?

(c) Are Government aware that there is a grievous complaint among Indian printing presses in connection with railway publicity ?

**Mr. A. A. L. Parsons :** (a) and (b) I have not yet got definite information, but am obtaining it for the Honourable Member. My recollection is, however, that the Chief Publicity Officer found that no press in India had the type required for the printing of the Indian States Railway Magazine ; he therefore arranged with the *Times of India* Press to obtain the type from England.

(c) Government have received no such complaints.

**Mr. Sarabhai Nemchand Haji :** Will the Honourable Member, when making inquiries, further inquire if the Chief Publicity Officer took any particular pains to find out if other Indian presses did not have the required type ?

**Mr. A. A. L. Parsons :** I have already said that the Chief Publicity Officer took steps to discover whether any press in India could provide the type for the printing of the magazine in the style which was desired.

**Mr. Vidya Sagar Pandya :** Not even in Madras ?

#### NUMBER OF POSTERS AND PAMPHLETS ISSUED BY THE STATE RAILWAYS PUBLICITY DEPARTMENTS.

760. **\*Mr. Sarabhai Nemchand Haji :** (a) Will Government be pleased to state how many posters and pamphlets were issued by various State Railways Publicity Departments in the past year ? How many of these posters were designed by Indian artists ? What was the total value of the posters drawn and how much of it went to Indian artists ?

(b) How many of the hand-books printed were produced by Indian authors and how many by non-Indian authors ? Did any part of the amount spent under this head go to Indians ? If so, how much ?

**Mr. A. A. L. Parsons :** I am obtaining the information for the Honourable Member from the Central Publicity Officer and from all State-managed Railways. I am aware that some posters have been designed by Indian artists, but I do not yet know the exact number. I can also give the Honourable Member the assurance that the Publicity Department will always be prepared to consider suitable designs for posters from Indian artists.

#### EXPENDITURE ON PUBLICITY FOR THE STATE RAILWAYS.

761. **\*Mr. Sarabhai Nemchand Haji :** (a) Will Government be pleased to state what sum of money is annually spent in the name of publicity for the State Railways ?

(b) How many officers are there in the State Railways Publicity Services, who draw salaries above Rs. 1,000 per mensem ?

How many of them are Indians ?

**Mr. A. A. L. Parsons :** (a) Between 3½ and 4 lakhs.

(b) Four. None of these is at present an Indian.

#### TOURS OF THE PRESIDENT OF THE LEGISLATIVE ASSEMBLY.

762. **\*Mr. Sarabhai Nemchand Haji :** (a) Has the attention of Government been drawn to the comments in the leading Indian newspapers expressing their approval of the practice of the President of the Legislative Assembly making tours to the seats of provincial Legislatures ?

(b) Did the practice start with the first President of the Legislative Assembly ? If so, will Government please lay a statement showing year by year the places visited by the first President of the Legislative Assembly and the expenditure incurred in connection with each of the visits ?

**The Honourable Mr. J. Crerar** (Leader of the House) : (a) The reply is in the affirmative.

(b) The practice existed during the time of the first President and the attention of the Honourable Member is invited to the statement which was laid on the table of the House on the 11th September 1928 in reply to a similar question by Mr. Gaya Prasad Singh.

**Mr. Sarabhai Nemchand Haji :** May I know, Sir, if the statement gives the amount of money spent on tours by the first President of the Assembly ?

**Mr. Gaya Prasad Singh :** Yes ; that is given in it.

#### PROLONGATION OF THE STAY OF THE GOVERNMENT OF INDIA IN NEW DELHI.

763. **\*Mr. Sarabhai Nemchand Haji :** (a) Has the attention of Government been drawn to the newspaper report that the Secretary of State has addressed a despatch to the Government of India regarding the latter's stay in Delhi for a period of six months every year ?

(b) Have the Government considered the desirability of prolonging their stay in Delhi ; if so, will they be pleased to state the decision they have arrived at ?

(c) Is it a fact that the stay of the Government of India in Delhi last winter extended up to the middle of April, 1928 ? If so, in what way did the stay affect the efficiency of the Departments ?

(d) If it affected them adversely from the point of view of health, will they be pleased to state the percentage of officers and assistants that fell ill owing to the climate of Delhi and were thereby prevented from attending to their normal duties and functions ?

(e) Have the Government of India made inquiries from the proper authorities regarding the fitness of New Delhi during the month of October for purposes of the earlier return of the Government of India to their Capital ?

(f) If the reply received was favourable, why are the Government of India staying on in Simla till the 26th of October ?

(g) If it was unfavourable, will Government please lay a copy of the same on the table ?

(h) Has the attention of the Government been drawn to the public demand in favour of the Government of India staying on in Delhi for 7 months in the year as promised in the despatch of the Government of India recommending the establishment of the Capital at Delhi ?

(i) Will the Legislative Assembly be allowed an opportunity to discuss the whole subject on the floor of the House before Government decides against the longer stay in Delhi ?

**The Honourable Mr. J. Crerar :** The question is still under consideration and I regret I am unable to make any statement at present.

#### APPOINTMENT OF AN INDIAN AS A MEMBER OF THE RAILWAY BOARD.

764. **\*Mr. Jamnadas M. Mehta :** (a) Will Government be pleased to state whether they could not find an Indian to fill the place of Sir Austen Hadow on the Railway Board ?

(b) How long do Government propose to appoint Europeans as Members of the Railway Board ?

**The Honourable Sir George Rainy :** (a) The post held by Sir Austen Hadow is that of Technical Member of the Railway Board, and it cannot be held by any officer not possessing the requisite technical qualifications. When the time comes to make a permanent appointment in his place, the claims of all Indian officers with the necessary qualifications will be fully considered, but the final choice must be guided by consideration of fitness alone irrespective of race or nationality.

(b) Appointments on the Railway Board are not reserved for European officials.

**Mr. Jamnadas M. Mehta :** In theory or in practice ?

**The Honourable Sir George Rainy :** I cannot add to the answer I have given, Sir.

**Pandit Hirday Nath Kunzru :** Is any particular period of service laid down as a qualification for appointment as Member of the Railway Board ?

**The Honourable Sir George Rainy :** So far as I am aware, no, Sir.

**Pandit Hirday Nath Kunzru :** Have any members with nineteen or twenty years' service been appointed to the Railway Board ?

**The Honourable Sir George Rainy :** Not within my knowledge, but I must ask for notice of that question.

**Mr. Jamnadas M. Mehta :** Have Government made any attempts to find a suitable Indian ?

**The Honourable Sir George Rainy :** On every occasion, Sir, when a vacancy occurs in the Railway Board, the question of appointing an Indian is very carefully considered.

**Mr. Jamnadas M. Mehta :** Has the Honourable Member ever heard of a proverb—none so blind as those who will not see ?

**The Honourable Sir George Rainy :** I cannot admit, Sir, that that proverb is applicable to me or to my colleagues.

**Sir Hari Singh Gour :** Will the Honourable Member explain to the House how the answer he has now given is consistent with the express promise made by Sir Basil Blackett on the floor of this House to the effect that when the next vacancy occurred the scales would be weighted in favour of an Indian ?

**An Honourable Member :** The scales went wrong.

**The Honourable Sir George Rainy :** My recollection, Sir, is that the statement of Sir Basil Blackett was with reference to the Financial Commissionership and not to Membership of the Railway Board generally.

**Sir Hari Singh Gour :** Is the Financial Commissioner a Member of the Railway Board ?

**Mr. Gaya Prasad Singh :** You have been badly let down by Mr. Parsons. (Laughter).

**The Honourable Sir Bhupendra Nath Mitra :** The Financial Commissioner is in effect a Member of the Railway Board.

#### LABOUR UNREST ON THE GREAT INDIAN PENINSULA RAILWAY.

765. **\*Mr. Jamnadas M. Mehta :** (a) Are Government aware of the serious developments of labour unrest on the Great Indian Peninsula Railway ?

(b) Are there any labour representatives on the Bombay Local Advisory Board of the Great Indian Peninsula Railway ?

(c) Will Government be pleased to state the names of persons nominated by the Agent of the Great Indian Peninsula Railway to the Bombay Advisory Board since its inception ?

(d) Is it a fact that all the nominees of the Agent have belonged to the *Times of India* ?

(e) Has the policy of the *Times of India* been unfriendly to the Great Indian Peninsula Railway Union ?

(f) Have the Government or any other authority instructed the Agent to confine his choice of nominees to the *Times of India* ?

(g) Do the Railway Board propose to direct the Agent to nominate a labour representative in place of the Editor of the *Times of India* ?

**Mr. A. A. L. Parsons :** (a) Government are aware that certain grievances have been represented to the Agent by certain sections of the staff

on the Great Indian Peninsula Railway. These have either been considered or are being considered by the Agent.

(b) No.

(c) Mr. C. T. Sheppard.

(d) Yes.

(e) Government have seen no indication in the columns of the newspaper to this effect.

(f) No.

(g) No.

**REFUSAL OF PERMISSION BY THE AGENT OF THE GREAT INDIAN PENINSULA RAILWAY TO THE WORKERS' UNION TO AFFIX NOTICES ABOUT THE ORGANISATION OF THE UNION ON THE PREMISES OF THE STATION.**

766. \***Mr. Jamnadas M. Mehta** : Is it the fact, that the Agent of the Great Indian Peninsula Railway recently refused permission to the Workers' Union when they wanted to put up notices on the station about the organisation of the Union even when the Union offered to pay for their advertisement ?

**By Mr. A. A. L. Parsons** : Government understand that this is so. I may further explain that no objection is raised to the 12 NOON. Unions putting up notices regarding meetings at railway stations, and I believe no charge is made for such notices. I am sure this concession is allowed in the terms of recognition of all Great Indian Peninsula Railway Unions, but the request to rent space in a similar way to other advertisers was refused, because it was understood that it would be used for propaganda work.

**AMOUNT OF MONEY PAID BY THE RAILWAY PUBLICITY DEPARTMENT TO THE *Times of India* IN RESPECT OF THE PRINTING OF THE INDIAN STATES RAILWAY MAGAZINE.**

767. \***Mr. Jamnadas M. Mehta** : (a) Will Government please state what is the total amount of money paid up-to-date by the Railway Publicity Department to the *Times of India* in respect of the printing of the States Railway Magazine ?

(b) What is the total amount paid by the State Railways last year to the *Times of India* in respect of (i) the printing of pamphlets and posters ; (ii) other railway publications ?

(c) What is the total amount of money paid to the *Times of India* as ordinary advertising revenue by the State Railways last year ?

(d) Will Government be pleased to state how many of the hand-books and posters produced by the various State Railways Departments were given for printing to the *Times of India* ?

**Mr. A. A. L. Parsons** : I am seeing if I can collect the information for the Honourable Member from the various Railway Administrations ; it is not available in the Railway Board's office.

RECRUITMENT TO THE CENTRAL SERVICES.

768. \***Pandit Hirday Nath Kunzru** : (a) Are Government aware that the Lee Commission recommended that as regards the Central Services not specified in para. 42 (a), (b), (c) and (d) "recruitment should be at the discretion of the Government of India" ?

(b) Has the power of making appointments in these services been delegated to the Government of India by the Secretary of State ?

(c) Has any proportion been fixed for the appointment of Indians and Europeans to these services ? If not, what is the proportion in which they are being recruited at present ?

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

(b) No formal delegation has yet been made ; but in practice appointment to the majority of these Services is already made by the Government of India.

(c) The Government of India have not yet received power to make formal rules fixing proportions. I will furnish the Honourable Member with a statement showing the present position in the various Departments. Statements showing the progress of Indianization are placed annually in the Library of the House.

**Pandit Hirday Nath Kunzru** : Have the Government of India asked for a formal delegation of powers from the Secretary of State ?

**The Honourable Mr. J. Crerar** : These questions regarding establishments and recruitment are of a complicated character, and I should not like to commit myself to a statement without consulting the records. Perhaps the Honourable Member will give me notice of this question.

DEPUTY AGENT, SOUTH INDIAN RAILWAY.

769. \***Pandit Hirday Nath Kunzru** : (a) Are Government aware that the Standing Finance Committee for Railways agreed in November, 1927, to the creation of a temporary post of Deputy Agent for the South Indian Railway "subject to the appointment of an Indian to the post if a qualified man is available" ?

(b) When was this post filled up ? Was an Indian appointed to it ? If not, why not ?

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

(b) The post was filled on the 1st of March 1928. The Agent reported that he had no qualified Indian officer available, but as a result of the creation of the post of Deputy Agent an Indian officer was promoted to be senior Assistant Secretary.

**Mr. B. K. Shanmukham Chetty** : Was any attempt made to find an Indian officer from the State Railways for this post ?

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

**Mr. B. K. Shanmukham Chetty** : May I know, Sir, why in the face of the specific recommendation of the Standing Finance Committee no attempt was made to find an Indian for this post ?

**Mr. A. A. L. Parsons** : The particular post was required, as far as I remember, more particularly to deal with construction proposals on the



South Indian Railway, and obviously a man with local knowledge was required. I may also suggest to the Honourable Member that it is extremely unlikely that any officer from a State Railway would be prepared to accept a transfer to a Company-managed Railway as Deputy Agent without any large increase in emoluments.

**Pandit Hirday Nath Kunzru :** May I ask the Honourable Member whether it is not a fact that the present Agent of the Bombay, Baroda and Central India Railway was sent to that line from a State Railway as Deputy Agent ?

**Mr. A. A. L. Parsons :** No, Sir. The present Agent of the Bombay, Baroda and Central India Railway has been, I think I am right in saying, throughout his service a servant of the Bombay, Baroda and Central India Railway Company.

**Pandit Hirday Nath Kunzru :** Was it Mr. Brayshay ?

**Mr. A. A. L. Parsons :** I have answered the Honourable Member's question as put.

**Mr. Jamnadas M. Mehta :** Is it true that things are so managed that even if there is a vacancy again an Indian cannot be appointed ?

**Mr. A. A. L. Parsons :** It will depend entirely on what officers the Agent has got on his list of the requisite seniority, and I think we can trust the Agent of that Railway not to pass over persons whose claims to promotion are well deserved owing to their previous work, on any racial considerations.

**Mr. Jamnadas M. Mehta :** Is it possible to trust him after this exhibition ?

**Mr. A. A. L. Parsons :** There was certainly no racial discrimination in the appointment which he has made. I have personal knowledge of the officer appointed and of his work, and I think it can safely be said that he is the best officer they could have selected for the post.

**Pandit Hirday Nath Kunzru :** Was not Mr. Brayshay, who acted as Agent of the Bombay, Baroda and Central India Railway for some time, sent from a State Railway ?

**Mr. A. A. L. Parsons :** He was certainly sent to the Bombay, Baroda and Central India Railway to act as Deputy Agent either from the Railway Board Office or from a State Railway. The Honourable Member did not refer in his previous supplementary question to him. He asked about the present Agent of the Bombay, Baroda and Central India Railway.

**Pandit Hirday Nath Kunzru :** Is it a fact that Mr. Muirhead was sent from a State-worked Railway to the South Indian Railway ?

**Mr. A. A. L. Parsons :** That is not within my knowledge.

**Pandit Hirday Nath Kunzru :** If in some instances officers have been sent from State-worked Railways to Company-worked Railways, why was not an attempt made in this particular instance to select a suitable man from a State-worked Railway to act as Deputy Agent of the South Indian Railway ?

**Mr. A. A. L. Parsons :** For the reasons which I have already explained to the House.

**Mr. K. C. Neogy :** Was not this fact brought to the notice of the Standing Finance Committee for Railways before the appointment was actually made ?

**Mr. A. A. L. Parsons :** It is not my practice, Sir, to give away details of discussions that take place in the Standing Finance Committee, but I think I may say that at the time I told them that I thought it was very unlikely that there would be an Indian available for this particular appointment.

**Mr. M. S. Aney :** Even after the appointment of a European was made to this post, was the matter brought to the notice of the Standing Finance Committee ?

**Mr. A. A. L. Parsons :** No, Sir, because, as I explained when the question of the appointment came before the Standing Finance Committee, it was not really within their functions to consider how a particular appointment would be filled. Their duty is to see whether there is necessity for a particular appointment, and that the expenditure is justified.

#### QUESTIONS NOT ASKED AT THE MEETING, OWING TO THE ABSENCE OF THE QUESTIONER, WITH ANSWERS TO THE SAME.

##### EMPLOYMENT OF SIKHS IN THE OFFICE OF THE DIRECTOR GENERAL OF ARCHAEOLOGY IN INDIA.

680. **\*Sardar Kartar Singh :** (a) What is the total ministerial strength of the office of the Director-General of Archaeology in India, Simla, and how many in that office are Hindus, Muhammadans and Sikhs ?

(b) Is it a fact that there is not a single Sikh in this office ?

(c) Is it also a fact that this fact has been brought to the notice of the Government on many occasions since 1924 through Assembly questions ?

(d) How many vacancies occurred in this office since 1924 and how many were given to Sikhs as against Hindus and Muhammadans ?

(e) Are Government aware of the advertisement in the *Tribune*, dated the 6th September, 1928, from the Director General of Archaeology, inviting applications from Muhammadans only and not from Sikhs only, and what are the reasons therefor ?

(f) Did Government ever similarly invite application from Sikhs in previous vacancies ? If so, when, if not, why not ?

(g) Do Government propose to order the recruitment of a Sikh in the vacancy now advertised by the Director General or ask the Public Service Commission to give him a Sikh by supplementing the list of passed men as they did in the case of Army Headquarters ?

**Mr. G. S. Bajpai :** (a) The sanctioned strength of the ministerial establishment of the office of the Director General of Archaeology in India is 25, but the actual strength at present is only 23, of which 15 are Hindus and 8 Muhammadans.

(b) Yes.

(c) So far as I can trace, there have been no Assembly questions since 1924, dealing specifically with the case of Sikhs in the Director General of Archaeology's office.

(d) 13, of which nine were filled by Hindus and four by Muhammadans. Applications received from Sikh candidates were duly considered, but none of them was found suitable for appointment.

(e) Yes. A Muhammadan clerk was asked for to replace a Muhammadan transferred to the Department of Agriculture, Punjab.

(f) No. It is not the general practice to ask for candidates of any particular community.

(g) No. I may add, however, that the Director General of Archaeology in India has asked the Public Service Commission to recommend a Sikh candidate, if possible, for the other of the two posts now vacant in his office.

#### EMPLOYMENT OF SIKHS AS ASSISTANTS AND SUPERINTENDENTS IN THE INDIAN STORES DEPARTMENT.

681. \***Sardar Kartar Singh** : (a) What is the total number of Assistants and Superintendents in the Indian Stores Department and how many of them are Sikhs as against Muhammadans and Hindus ?

(b) Do Government propose to order the recruitment of Sikhs in that grade ? If not, why ?

**The Honourable Mr. A. C. McWatters** : (a) The total number of Assistants and Superintendents is 53, of whom 2 are Sikhs and 44 Hindus or Muslims.

(b) As regards recruitment to the grade of Assistant, the ordinary policy of Government in respect of communal representation is observed. Appointment to the grade of Superintendent, which is a selection grade, is by promotion and Government cannot agree to basing it on communal considerations.

#### EMPLOYMENT OF SIKHS IN THE OFFICE OF THE COMMISSIONER, NORTHERN INDIA SALT REVENUE, DELHI.

682. \***Sardar Kartar Singh** : (a) How many vacancies occurred in the office of the Commissioner, Northern India Salt Revenue, Delhi, since 1927 and how many of them were given to Sikhs ?

(b) If none, why ?

**The Honourable Sir Bhupendra Nath Mitra** : (a) Three vacancies have occurred in the clerical establishment of the Commissioner's office at Delhi since the 1st January, 1927. None of them were given to Sikhs.

(b) The Commissioner, whose office is situated in Delhi, does not appear to have thought it necessary to take special measures to secure the recruitment of candidates from communities which belong mainly to other parts of the country.

**EMPLOYMENT OF SIKHS IN THE OFFICE OF THE DEPUTY ACCOUNTANT GENERAL, POSTS AND TELEGRAPHS.**

683. \*Sardar Kartar Singh : (a) Is it a fact that there is no Sikh in the office of the Deputy Accountant-General, Posts and Telegraphs, Delhi ?

(b) If so, are Government prepared to take Sikhs in the present vacancies ?

The Honourable Sir Bhupendra Nath Mitra : Enquiries are being made and a reply will be given to the Honourable Member in due course.

**FITTING OF TRAINS RUNNING AT NIGHT WITH ELECTRIC SEARCH LIGHTS.**

684. \*Mr. A. H. Ghuznavi : (a) Are Government aware that there is a rule that engines of all trains running at night should be fitted with electric search-lights, and that this rule is not observed by several Railways in India, especially the Bombay, Baroda and Central India Railway and the Bengal and North-Western Railway ?

(b) Are Government aware that the practice referred to in part (a) is dangerous, particularly in the monsoon months ?

(c) Is it a fact that brake evans of goods trains in several of these Railways are provided with kerosine lamps instead of electric lights ?

(d) Do Government propose to insist on the observance of this rule by all railways and also to provide electric lights in brake vans instead of kerosine lamps ?

(e) Is it a fact that the wagons in goods trains running on the Bengal and North Western Railway, the Rohilkund and Kamaon Railway and the U. C. Railway are not fitted with vacuum brakes ?

(f) Do Government propose to take steps to provide vacuum brakes in wagons in goods trains ?

Mr. A. A. L. Parsons : (a) and (b). There is no such rule. The Honourable Member is referred to the reply I gave to Mr. Joshi in reply to his question No. 272 on the 8th September, that all locomotives working mail, passenger and mixed trains are expected to be fitted with electric search-lights by the end of the year. We are also starting to equip locomotives employed in working goods trains with search-lights.

(c) and (d). There is no intention to fit the brake vans of all goods trains with electric light. This matter would be very costly both in respect to initial equipment and maintenance and the batteries are likely to discharge if they are not kept in constant use.

(e) Yes.

(f) This question has been taken up with all Railways.

**LOCATION IN THE SAME AREA OF MUSLIM EMPLOYEES OF THE BENGAL NAGPUR RAILWAY AT KHARAGPUR.**

685. \*Mr. A. H. Ghuznavi : (a) Are Government aware that communal feeling is running very high in the railway quarters at Kharagpur under the Bengal Nagpur Railway ?

(b) Are Government aware that there are not more than 1,100 Muslim railway employees as against 13,000 Hindu employees in that area ?

(c) In view of the above disparity in numbers and the tension of feeling prevailing in that area owing to the riots do Government propose to arrange things so as to bring all the Muslim employees in the same area, preferably at Golbazar Type No. 3½, where there are mosques and maktabs necessary for the Muslim population ?

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

(b) I am not aware of the exact numbers, but I am prepared to take it from the Honourable Member that the figures given by him are approximately correct.

(c) The Honourable Member has already given me some papers on this subject and the Railway Board propose to discuss the position at Kharagpur with the Agent, Bengal Nagpur Railway, when he arrives in Simla this month.

#### ISSUE OF WEEK-END TICKETS AT REDUCED RATES ON THE BENGAL NAGPUR RAILWAY.

**733. \*Pandit Nilakantha Das :** (a) When did the system of issuing week-end tickets at reduced rates begin on the Bengal Nagpur Railway ?

(b) Was the system actually acted upon in all stations on that date ?

(c) When did it begin in Cuttack station, if it has yet begun there at all ?

(d) Did the Agent take notice of the various Press comments and other complaints on this subject ?

(e) How have the officer or officers to whose neglect of duty it was due, been dealt with ?

**Mr. A. A. L. Parsons :** (a) The exact date is not known, but it was some time before October 1927.

(b) No. Between certain selected stations only.

(c) In May 1928.

(d) and (e). Government are not aware that the public did complain about these week-end tickets, and that there was any neglect of duty on the part of officials of the Bengal Nagpur Railway.

#### ISSUE OF INSTRUCTIONS BY THE POSTMASTER GENERAL, BENGAL AND ASSAM CIRCLE, TO OFFICERS UNDER HIM NOT TO SUBMIT ANY PROPOSALS FOR INCREASING THE STAFF.

**738. \*Rai Bahadur Tarit Bhushan Roy :** (a) Has the attention of the Government been drawn to an article "A destructive economy" published in June 1928 issue of *Labour* ?

(b) Is it a fact that the Postmaster General, Bengal and Assam Circle, has issued instructions to the officers under his control not to submit any proposal for increasing the staff this year ?

(c) Will the Government be pleased to state what is the reason of issuing such instructions to the officers under his control ?

(d) Is it not a fact that almost all the post offices are undermanned ? If so, why has there been delay of sanctioning adequate staff ?

**The Honourable Mr. A. C. McWatters :** (a) Yes.

(b) to (d). The information is being collected and will be furnished to the Honourable Member in due course.

**RAISING OF THE PAY OF THE POSTMASTERS OF THE BOW BAZAR, DHARAMTOLA AND PARK STREET TOWN SUB-OFFICES IN CALCUTTA.**

739. **\*Rai Bahadur Tarit Bhusan Roy :** (a) Will the Government be pleased to intimate what is the standard of raising the pay of a Postmaster of a Post Office to Rs. 350/650 ?

(b) How many clerks, sorting postmen, overseer postmen, packers, etc., are there in the Kalbadevi and Mandvi town sub-offices in Bombay and the Bow Bazar, Dharamtola and Park Street town sub-offices in Calcutta ?

(c) Do the Government propose to raise the pay of the Postmasters of the Bow Bazar, Dharamtola and Park Street town sub-offices to Rs. 350/650 ?

**The Honourable Mr. A. C. McWatters :** Sir, I propose to answer questions No. 739 and No. 742 together.

There is at present no fixed standard for determining when the pay of a Postmaster should be raised to the Rs. 250—350 or to the 350—650 grade. Decisions in such cases are taken in consideration of the importance of the offices, the numbers of staff supervised, and so forth.

The question of laying down definite standards for fixing the number of selection grade appointments in the Post Office generally is however receiving the Director-General's attention.

The cases of the Sub-Postmasters, Bow Bazar, Dharamtola and Park Street will be reviewed as soon as the revised standards are laid down. Information is being collected on the other points touched on by the Honourable Member and will be furnished to him in due course.

**WORKING HOURS OF THE OFFICIALS OF THE SAVINGS BANK DEPARTMENT OF THE GENERAL POST OFFICE, CALCUTTA.**

740. **\*Rai Bahadur Tarit Bhusan Roy :** (a) Has the attention of the Government been drawn to a publication in the *Forward*, dated the 9th August under the caption "To work for 13 hours" ?

(b) Is it a fact that the officials of the Savings Bank Department of the Calcutta General Post Office were compelled to work for 13 hours a day ?

(c) If the reply be in the affirmative, will the Government please intimate why they were compelled to work for such long hours ?

(d) Is it also a fact that in this year the depositors' pass books were accepted for entry of interest from 1st August 1928 instead of 16th June as is done every year ?

(e) If so, what is the reason for such delay ?

(f) Is it a fact that the Audit Office has made over certain work of the Savings Bank to the Post Office not done before for facility of work of the Audit Office ?

(g) Is it a fact that Mr. C. D. Rae, late Presidency Postmaster, Calcutta, in his G. O. No. 1085, dated 12th February, 1926, introduced certain additional work in the Post Offices under him for the advantage of the Audit Office without the sanction of the higher authorities ?

(h) Is it not a fact that for the above reasons the clerks of the Savings Bank Branch, of all the Post Offices in Calcutta have to do some additional duties which are not covered by the time-test on the basis of which the staff is sanctioned ?

(i) Has the additional staff been sanctioned to cope with the increased work thus thrown on the Savings Bank Department of the Post Office ?

(j) Do the Government propose to compensate the staff who had to work 13 hours a day by giving them overtime allowance ?

(k) What action do the Government propose to take so that the staff of the Savings Bank Department may not be subjected to so much hardship ?

**The Honourable Mr. A. C. McWatters :** Government have no information, but will enquire.

#### DISCHARGE OF 15 APPROVED CANDIDATES OF THE OLD CALCUTTA SORTING DIVISION.

741. **\*Rai Bahadur Tarit Bhusan Roy :** (a) Is it a fact that 15 approved candidates of the old Calcutta Sorting Division have been discharged after the office was amalgamated with the Calcutta Head Post Office on the ground that they did not possess the requisite educational qualifications ?

(b) If the reply be in the affirmative, will the Government please intimate why those men were at first recruited, understanding being given that they would get permanent appointment ?

(c) Do Government propose to consider their case and take them back ?

**Mr. P. G. Rogers :** The information is being collected and will be supplied to the Honourable Member in due course.

#### RAISING OF THE PAY OF THE DEPUTY POSTMASTER, HATKHOLA TOWN SUB OFFICE IN CALCUTTA.

742. **\*Rai Bahadur Tarit Bhusan Roy :** (a) What is the standard of fixing the pay of a Postmaster of a Post Office in the grade of Rs. 250—350 ?

(b) How many clerks and sorting postmen are there in the Amherst Street and Hatkhola town sub-offices in Calcutta ?

(c) Is it a fact that the pay of the Postmaster, Amherst Street is Rs. 250—350, while that of Hatkhola is only Rs. 160—250 ? If so, what is the reason for it ?

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†For answer to this question, see answer to question No. 739.

(d) How many clerks and sorting postmen are there in the Intally town sub-office in Calcutta ?

(e) Is it a fact that although the pay of the Deputy Postmaster, Intally, has been raised to Rs. 160—250, the pay of the Deputy Postmaster, Hatkhola, has not been raised to that grade ?

(f) If the reply be in the affirmative, will the Government please state the reason why the pay of the Deputy Postmaster, Hatkhola, has not been raised ?

**ALTERATION OF THE TIMINGS OF THE 88 DOWN BURDWAN-HOWRAH LOCAL TRAIN, EAST INDIAN RAILWAY.**

743. **\*Rai Bahadur Tarit Bhusan Roy :** (a) Is it a fact that some passengers above Bandel Junction, East Indian Railway, made representations to the Agent, East Indian Railway, requesting him to alter the timings of the 88 Down Burdwan-Howrah local train to suit their convenience ?

(b) If so, will the Government please state the reason why their request was not complied with ?

(c) Is it a fact that the timing of this train has now been changed in such a manner that it has caused serious inconvenience to the passengers—as it starts from Burdwan about 10 minutes earlier and reaches earlier also—which is not suitable for them ?

(d) Do Government propose to enquire and alter the timings of this particular train to suit convenience of the passengers above Bandel Junction ?

**Mr. A. A. L. Parsons :** (a) Government understand from a copy of the representation to the Railway Board that this is so.

(b), (c) and (d). Government regret that they are unable to take any part in the preparation of time-tables.

**COMPLAINT BY THE GLOBE NURSERY OF CALCUTTA AGAINST THE STAFF OF THE SHAMBAZAR TOWN SUB-OFFICE.**

744. **\*Rai Bahadur Tarit Bhusan Roy :** (a) Is it a fact that the Globe Nursery of Calcutta complained to the postal authorities that the addresses of parties who placed orders with them were systematically tampered with and secretly communicated to rival nurseries by the staff of the Shambazar T. S. O. and that they had sustained heavy loss in business due to this illegal action of the Post Office staff ?

(b) Was the charge substantiated by the departmental enquiry and were the sub-postmaster and three clerks who were suspected of complicity in the matter transferred from the office ?

(c) Is it a fact that the complainants distinctly requested the authority not to entrust the investigation of the case to Mr. Phani Bhusan Mustaphi, Inspector of Post Offices of the Sub-Division concerned alleging that he had intimacy with the proprietors of the Minerva Nursery and that the investigation, if entrusted to him, was likely to be frustrated.



(d) Is it a fact that the authority acceded to the complainants' request and actually deputed the Inspector of another Sub-Division to enquire into the case ?

(e) If so, what action do Government propose to take ?

(f) If not, why not ?

**The Honourable Mr. A. C. McWatters :** Government have no information. The Honourable Member's question has been forwarded to the Postmaster-General, Bengal and Assam, for report.

### UNSTARRED QUESTIONS AND ANSWERS.

#### GRANT OF INVALID PENSIONS TO POSTMEN AND TELEGRAPH MESSENGERS.

**401. Khan Bahadur Sarfaraz Hussain Khan :** (a) Is it a fact that postmen and telegraphmen of the menial class of staff are not allowed pension if after 15 years of service they are declared unfit on medical examination ?

(b) If so, will Government please state if they are willing to consider the desirability of making some provision for the hard-worked postmen and telegraphmen of the menial class of staff after their services of 15 years ; and if willing, will Government please state what provision they intend to make ?

**The Honourable Mr. A. C. McWatters :** It is presumed that by the expression " telegraphmen " the Honourable Member refers to telegraph delivery messengers. If so, the reply is :

(a) postmen are eligible for invalid pensions after 10 years' service and invalided telegraph messengers to a gratuity after 5.

(b) Does not arise.

#### GRANT OF OVERTIME TO TELEGRAPH DELIVERY MESSENGERS.

**402. Khan Bahadur Sarfaraz Hussain Khan :** (a) Is it a fact that telegraphmen of the menial class of staff are considered to be on duty for all 24 hours of the day and though ordinarily only 8 hours work is exacted from them they are really speaking on duty for all 24 hours ?

(b) If so, will Government please state if telegraphmen of the menial class of staff when required to work at unusual hours are paid any extra allowance ?

**The Honourable Mr. A. C. McWatters :** It is presumed by the expression " telegraphmen " the Honourable Member refers to telegraph delivery messengers. If so, the reply is :

(a) telegraph messengers who are wholetime servants of Government are sometimes required to work beyond the ordinary hours of duty. The Honourable Member's attention is invited to rule 11 of the Fundamental Rules.

(b) Overtime allowance is paid to telegraph messengers on fixed pay under the conditions specified in paragraphs 221 and 222 of the Telegraph Manual, Volume II.

## AIR SERVICE TO INDIA.

403. **Khan Bahadur Sarfaraz Hussain Khan :** (a) Has the attention of Government been drawn to the paragraph published in the issue of the *Statesman* of the 26th August 1928, page 10, under the heading " Britain's new Airships—for India service—to be completed this year " ?

(b) If so, will Government please state how matters stand with regard to the matter dealt with in the paragraph ?

**The Honourable Mr. A. C. McWatters :** (a) Government have seen the article in question.

(b) An airship shed has been built by the Air Ministry at Karachi on land provided by the Government of India. The Government of India have no official information regarding the other matters mentioned in the article.

## PRICE OF FURNITURE SUPPLIED IN THE CART ROAD QUARTERS, SIMLA.

404. **Mr. Gaya Prasad Singh :** (a) Are Government aware that the values of furniture supplied to Honourable Members in the Cart Road quarters are generally put very high ?

(b) Are Government aware that the values of the following articles of furniture have been put as under :

	Rs.
1 Round table .. .. .	80
1 Upholstered chair .. .. .	50
1 Writing table .. .. .	55
1 Dressing table with mirror .. .. .	85
1 Cupboard .. .. .	60
1 Wash-stand .. .. .	35

while these could be obtained at less than half the costs mentioned above ?

(c) Who is responsible for the supply of these articles of furniture of comparatively inferior quality at such ridiculous prices ?

(d) Do Government propose to depute a responsible officer to actually inspect the furniture with a view to find out the actual prices paid for them, and to prevent fraud ?

**The Honourable Mr. A. C. McWatters :** (a) The values are fixed at the prices paid, and are not put up at a higher level.

(b) The values have been correctly quoted by the Honourable Member ; I cannot accept the statement he has added to his question.

(c) The furniture was purchased in 1921 with the approval of the Superintending Engineer ; but I am unable to concur in the Honourable Member's opinion of the transaction.

(d) In view of the answer I have given to (a), this does not arise.

## ANNUAL INCOME FROM THE COTTON CESS, ETC.

405. **Mr. Abdul Haye :** Will Government please state the annual income from the cotton cess for the last three years, also the annual

expenditure incurred by the Indian Central Cotton Committee during this period ?

**Mr. G. S. Bajpai :** Information is being obtained and will be supplied to the Honourable Member later.

**SALARIES PAID ANNUALLY TO THE INDIAN AND NON-INDIAN EMPLOYEES OF THE INDIAN CENTRAL COTTON COMMITTEE.**

†406. **Mr. Abdul Haye :** Will Government please state separately the total amount of salaries paid annually to the Indian and non-Indian employees of the Indian Central Cotton Committee ? Will Government please state the highest pay paid to an Indian and the highest and the lowest pay paid at present to a European by this Committee ?

**INDIANISATION OF THE STAFF EMPLOYED UNDER THE INDIAN CENTRAL COTTON COMMITTEE.**

†407. **Mr. Abdul Haye :** What steps have so far been taken by the Indian Central Cotton Committee to give effect to the policy of the Government, regarding Indianization of Services ? By what date is it expected that most of the posts under this Committee will be held by Indians ?

**TRAINING OF INDIANS TO HOLD HIGH POSTS UNDER THE INDIAN CENTRAL COTTON COMMITTEE.**

†408. **Mr. Abdul Haye :** (a) Will Government please state what steps the Indian Central Cotton Committee has so far taken to qualify Indians to hold high posts under it ?

(b) If the answer to part (a) is in the negative are Government prepared to issue instructions to the Committee to prepare a scheme for giving training to suitable Indians so that they may qualify themselves to hold all such posts after 5 years ?

**NUMBER OF OFFICERS OF NON-ASIATIC DOMICILE EMPLOYED UNDER THE INDIAN CENTRAL COTTON COMMITTEE.**

†409. **Mr. Abdul Haye :** Will Government please state the total number of officers of non-Asiatic domicile at present employed by the Indian Central Cotton Committee ? How many of them are on short term contracts ? Is it contemplated to appoint Indians to these posts when the contracts of the present incumbents expire ?

**RENDERING OF ASSISTANCE BY THE INDIAN CENTRAL COTTON COMMITTEE TO THE CULTIVATORS AT THE TIME OF THE FAILURE OF THE COTTON CROP.**

†410. **Mr. Abdul Haye :** Did the Indian Central Cotton Committee render any help to the cultivators at the time of the failure of the cotton crop ? If so, what assistance was given ?

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†For answer to this question, see answer to question No. 405.

**REVISED SCALE OF PAY FOR TOWN INSPECTORS OF POST OFFICES.**

411. **Mr. Anwar-ul-Azim :** (a) Is it a fact that Government gave effect from 1st September 1927 to the revised scale of pay to the Town Inspectors of Post Offices attached to the First Class Head Offices ?

(b) Are Government aware that some of the Postmasters-General postponed giving effect to the revision from the date notified in the Government orders, and that the officials actually holding the posts on the revised scale were not paid the actual pay of the posts ?

(c) If so, what action has been taken by the Government ?

**The Honourable Mr. A. C. McWatters :** I propose to deal together with questions numbers 411 to 413, 415 to 420 and 431 to 438, answering first question No. 411 by Mr. Anwar-ul-Azim to which the replies are ; (a) Yes ; (b) and (c) Government are not aware that officials actually holding the posts on the revised scale were not paid the actual pay of the posts. They will, however, make enquiries and, if necessary, issue orders on the point.

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

**PROMOTIONS OF POSTAL OFFICIALS OF THE MUFASSIL TO THE LOWEST SELECTION GRADE POSTS IN THE GENERAL POST OFFICE CADRE.**

†412. **Mr. Anwar-ul-Azim :** (a) Will Government be pleased to say whether there is a Departmental standing procedure to the effect that "promotions up to and including the former grade of Rs. 175—225 should be confined to the officials within the respective General Post Office cadre, and that the officials of the post office after attaining that grade permanently should be graded with the mufassil officials for the purposes of promotion to the next higher grade, viz., Rs. 250—350 ?

(b) Are Government aware that the above standing procedure has not been acted on by some Postmasters-General who have brought mufassil

†For answer to this question, see answer to question No. 411.

officials of the ordinary time-scale of pay to the lowest selection grade posts in the General Post Office cadre ?

(c) If so, what action, if any, has been taken by the Government to redress the grievances thus caused to the officials of the General Post Office cadre ?

#### REVISION OF PAY OF CERTAIN CLASSES OF POSTAL OFFICIALS.

†413. **Mr. Anwar-ul-Azim :** (a) Is it a fact that the Director-General's budget estimate for the year 1927-28 was based on the personal pay of the permanent holders of the posts in the four classes of officials specified in paragraph (1) of the Government Orders 11 P. T. E., dated the 5th August 1927 ? If not, will Government be pleased to state the basis of calculating the total amount Rs. 1,80,000 for the above budget estimate as sanctioned by the Standing Finance Committee in January 1927 ?

(b) Is it a fact that Government revised the pay of four classes of officials in paragraph 1 of their Orders, dated August 1927, issued by the Department of Industries and Labour ?

(c) If so, has the effect of the revised scale of pay been given to all the four classes with the same condition, viz., exemption from examination as appeared in the improvements passed by the Standing Finance Committee in January, 1927, as also in the Government Orders, dated August, 1927, appearing in the *Labour* ?

(d) If not, why not ?

#### REFUSAL TO CERTAIN CLERKS OF THE CONCESSIONS GRANTED IN CONNECTION WITH THE TRANSFER OF THE HEADQUARTERS OF THE NON-MIGRATORY PORTION OF THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS FROM CALCUTTA TO DELHI.

†414. **Mr. Anwar-ul-Azim :** (a) With reference to my starred questions Nos. 482 and 488 answered on the 19th and 20th March, 1928, will Government be pleased to lay on the table a statement showing the names of clerks who have been refused the concessions only because they were recruited in Simla and Delhi, showing their emoluments monthly and annually ?

(b) Are these clerks, since the date of their recruitment drawing the allowances admissible under the Simla Allowance Code throughout the year whether in Simla or Delhi ?

(c) Were these clerks given the Simla allowances against the pay which they were entitled to owing to their recruitment in Simla ?

(d) Were the Simla allowances consolidated in the case of the employees of other offices ? If so, why was it not done in the case of clerks of the Director-General's Simla Office ?

(e) Do Government propose to look into the case of these clerks sympathetically and give them an assurance that they will be a permanent unit for service in the Director-General's Simla office and if removed shall be duly compensated ?

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†For answer to this question, see answer to question No. 411.

**The Honourable Mr. A. C. McWatters :** (a) A statement will be furnished to the Honourable Member.

(b) and (c). A portion of the Director-General's Office is required to move between Delhi and Simla and the Wireless Branch of the office is located at Simla. So long as any of these clerks is attached to the moving portion or to the Wireless Branch he draws compensatory allowance throughout the year under the Simla Allowances Code. The place of recruitment does not affect the question.

(d) Yes, in some cases. It would be administratively inconvenient however to consolidate the pay and allowances of the portions of the Director-General's office which I have just mentioned as they are only part of a larger office the bulk of which is non-migratory and stationed at Delhi.

(e) Government have already exhaustively examined the case of the clerks in question.

As regards what may be necessary if and when any portion of the staff is permanently removed from Simla, this is a hypothetical case which Government are not willing to discuss in anticipation.

#### **POWERS OF APPOINTMENT, TRANSFER AND PUNISHMENT OF SUBORDINATES VESTED IN THE TOWN INSPECTORS OF POST OFFICES IN MADRAS.**

†415. **Mr. Satyendra Chandra Mitra :** (a) Is it a fact that the Town Inspectors of Post Offices are not authorised to appoint, transfer, and punish their subordinates and to maintain their character sheets in accordance with Rule 346 of the Post Office Manual Volume 2 ?

(b) Is it a fact that the Town Inspectors of Post Offices in the Madras Town have been issuing orders appointing, granting leave and transferring their subordinates and maintaining their character sheets for many years ?

#### **DUTIES OF THE TOWN INSPECTORS OF POST OFFICES IN MADRAS AND CALCUTTA, RESPECTIVELY, ETC.**

†416. **Mr. Satyendra Chandra Mitra :** Will Government be pleased to lay on the table the following information :

- (a) a list of the duties done by the Town Inspectors of the Post Offices in the Madras Town ;
- (b) a list of the duties done by the Town Inspectors of Post Office in Calcutta Town ;
- (c) total number of postal Town Inspectors in Calcutta and how many of them were transferred to the clerical line, after 1st September 1927 ; and
- (d) total number of Postal Town Inspectors in Madras city and how many of them have been transferred to the clerical line after 1st September 1927 ?

**STARTING RATES OF PAY OF TOWN INSPECTORS OF POST OFFICES IN CALCUTTA AND MADRAS BEFORE THE INTRODUCTION OF THE TIME SCALE OF PAY IN 1920.**

†417. **Mr. Satyendra Chandra Mitra :** (a) Will Government be pleased to state the starting pay in the case of a postal Town Inspector in Calcutta, before the introduction of the time-scale of pay in 1920 ?

(b) What is the starting pay in the case of a postal Town Inspector in Madras city prior to the introduction of the time-scale of pay in 1920 ?

**DUTIES OF THE CLERKS OF THE GENERAL POST OFFICE, MADRAS, ETC.**

†418. **Mr. Satyendra Chandra Mitra :** (a) Is it a fact that the duties attached to the clerks of the Madras General Post Office and its town sub-offices were the same prior to the 1st September, 1927, in comparison with the duties of Town Inspectors of Post Offices in Madras City ?

(b) If not, which class had to perform superior duties ?

**DUTIES OF THE TOWN INSPECTORS OF POST OFFICES.**

†419. **Mr. Abdul Latif Sahib Farookhi :** (a) Is it a fact that the Town Inspectors of Post Offices attached to the First Class Head Post Offices are required to perform more duties than those specified in Chapter 4 of the Post Office Manual, Volume 2 ?

(b) If so, what are those duties ?

(c) Will Government be pleased to state where the duties are laid down for the Town Inspectors of Post Offices attached to the Post Offices other than the First Class Head Post Offices ?

(d) Is there a provision in the Fundamental Rules issued under the authority of the Secretary of State in Council to the effect that "any two posts are said to be equal if the duties attached to the two posts are the same in character or degree of responsibility" ? If so, are Government aware that the postal Town Inspector attached to the First Class Head Offices had the authority both before and after 1st September, 1927, to certify the fitness or otherwise of clerks and Sub-Postmasters in the jurisdiction of the Town Inspector and to control and supervise the work of the Sub-Postmasters and the clerks whether the latter classes of officials were with more years' service than the Town Inspector ?

**REVISION OF THE PAY OF TOWN INSPECTORS OF POST OFFICES, ETC.**

†420. **Mr. Abdul Latif Sahib Farookhi :** (a) Will Government be pleased to say :

(i) whether it is a fact that for the recent revision of the Town Inspector's pay, the Town Inspectors attached to some of the First Class Head Post Offices have been made to work under the clerks whose work the Town Inspectors have been supervising for years together ;

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†For answer to this question, see answer to question No. 411.

(iii) the total period the Town Inspectors who have been reverted to the clerical line worked in the post on the revised scale of pay from 1st September, 1927 ;

(iii) whether their work in those posts on the revised scale for the period they were in those posts have been recommended by their immediate superiors as satisfactory ?

(b) Are Government aware that no reasons for removal were recorded in the Orders of the Postmasters-General transferring the permanent Town Inspectors from their permanent posts of Town Inspectors to the subordinate rank of clerks ?

**TOTAL AMOUNT OF COAL USED FOR HOT WATER FOR BATHS OF HONOURABLE MEMBERS LIVING IN THE CART ROAD AND SUMMER HILL QUARTERS, SIMLA, DURING THE LAST FOUR YEARS.**

421. **Mr. Gaya Prasad Singh** : Will Government please state the total amount of coal, and its value, consumed for hot water for the baths of Honourable Members living in the Cart Road quarters, and Summer Hill quarters, during the last four years, separately for each year ?

**The Honourable Mr. A. C. McWatters** : The information required is as follows :

Year.	Quantity.		Amount.
	Charcoal.	Firewood.	
	Mds.	Mds.	Ra. aa.
1924-25. . . . .	72	4	260 10
1925-26 . . . . .	179½	17½	586 12
1926-27 . . . . .	171	14	578 15
1927-28 . . . . .	333	41	906 15

**NOMINATIONS TO THE INDIAN CIVIL SERVICE.**

422. **Sardar Kartar Singh** : Is it a fact (a) that, since 1922, in the majority of or in many of the cases of sections of Hindu, Muhammadan and Christian qualified candidates for nomination to the I. C. S. in India, similar candidates, higher in the pass list, were passed over ; (b) that considerations other than merit in the examination weighed in making these selections ; (c) that the principles observed in so doing are still in force equally for the Sikh community ?

**The Honourable Mr. J. Orerar** : Since the establishment of the Public Service Commission the practice is for the Government of India



to indicate the communities from which they desire to make nominations and for the Commission to recommend the particular individuals. It is probable that normally the Commission consider that the candidate who stands highest in the examination list is the most suitable and make their recommendations accordingly.

**BOOK BY CAPTAIN R. E. PARRY, ENTITLED "THE SIKHS OF THE PUNJAB."**

**423. Sardar Kartar Singh :** (a) Have Government seen a book, called "The Sikhs of the Punjab" by Captain R. E. Parry, of the Indian Army, and what he describes to be "The Outward signs of Sikhism", such as wearing "Kes" or long hair, bearing the title of "Singh" as part of the name, initiation into "Pohl" or Sikh baptism, and abstinence from tobacco?

(b) Is it a fact that only persons observing the essentials mentioned in (a) were recruited, as Sikhs, (i) in Sikh regiments and companies, and in the Indian Army Department, (ii) also in the Civil Departments before the year 1928?

**Mr. G. M. Young :** (a) No, Sir.

(b)-(i) Ordinarily only those Sikhs observing the essentials mentioned in part (a) of the question are accepted in units of the Indian Army. The acceptance or rejection of any Sikh recruit on religious grounds is decided by the Gurdwara Committee of the unit.

(ii) No principle has ever been laid down in the Civil Department.

**NOMINATION OF MR. TARLOCHAN DAS BEDI TO THE INDIAN CIVIL SERVICE.**

**424. Sardar Kartar Singh :** Is it a fact that by "One Sikh" "appointed by nomination" to the I. C. S. in India this year, mentioned in the Honourable the Home Member's answer to Dr. Moonje's question in this Session the other day regarding the I. C. S., is meant one Tarlochan Dass Bedi, son of Bawa Ishwar Dass, of Dera Baba Nanak, Punjab?

**The Honourable Mr. J. Crerar :** Yes.

**NOMINATION OF A SIKH TO THE INDIAN CIVIL SERVICE.**

**425. Sardar Kartar Singh :** (a) Are Government aware of the fact that the selection of Tarlochan Dass as a Sikh has caused discontent and dissatisfaction among Sikhs?

(b) Is it a fact that the feeling of the Sikh community to the effect that the I. C. S. post reserved for the community and given to Tarlochan Dass should be given to a qualified Sikh candidate and that the one given to the former be treated as an additional post, has been conveyed to the Government?

(c) Do Government propose to take favourable action regarding (b) and thus remove the just cause for discontent and dissatisfaction?

**The Honourable Mr. J. Crerar :** (a) The Honourable Member's attention is invited to my reply to part (7) of Sardar Gulab Singh's question No. 32 on the 4th instant.

(b) The suggestion was made in some of the representations received.

(c) Government do not see their way to take any action in the matter.

**MEMORIAL OF THE STAFF OF THE ACCOUNTS DEPARTMENT OF THE EAST INDIAN RAILWAY.**

426. **Mr. K. C. Neogy :** (a) Has the attention of Government been drawn to a statement that appeared in the *Forward* of the 20th May last, under the headings " E. I. Railway—How they treat their employees—Accounts Department Staff " ?

(b) If so, are Government in a position to say whether or not the grievances mentioned therein are generally based on facts ?

(c) Is it a fact that the Financial Commissioner, Railways, withheld memorials addressed to the Governor General in Council by the East Indian Railway Accounts staff on this subject ? If so, on what grounds, and under what rules ?

(d) What enquiries were made by the Financial Commissioner into the grievances mentioned in the said memorials, and with what result ?

(e) Why is it that the East Indian Railway Accounts office staff have not been placed on a time-scale of pay, while similar staff on the Eastern Bengal, Oudh and Rohilkhand and North-Western Railways have been so placed ?

**Mr. A. A. L. Parsons :** (a) Yes, by the Honourable Member's question.

(b) Some of the statements made are correct.

(c) Yes, the memorials were withheld under the ordinary rules governing the submission of memorials by railway subordinates.

(d) The results of my investigation are contained in the reply, a copy of which I am sending to the Honourable Member.

(e) The scales of pay in the East Indian Railway Accounts Office are time scales.

**FILLING UP OF VACANCIES IN THE HIGHER APPOINTMENTS OF THE ACCOUNTS DEPARTMENT OF THE EAST INDIAN RAILWAY.**

427. **Mr. K. C. Neogy :** (a) Is it a fact that most of the vacancies in the higher appointments of the subordinate staff of the East Indian Railway Accounts Department have been, and are being, filled up by outsiders on recommendations or personal requests emanating from the Railway Board office ; and that as a result qualified and experienced men of the East Indian Railway Accounts office fail to obtain promotion to these vacancies ?

(b) Do Government propose to enquire from the Chief Accounts Officer, East Indian Railway, as to how many of such vacancies have so far been filled by men recommended by an officer or officers of the Railway Board ?

(c) Is it the view of Government that the Chief Accounts Officer, East Indian Railway, is not competent to make his own selection from among his staff for promotion to these vacancies ?

(d) Is it a fact that about forty temporary posts have lately been created for the purpose of pulling up arrears of the Provident Fund and Stores Accounts branches of the East Indian Railway Accounts Department, resulting from the introduction of accounting machines ; and that all these temporary posts have been filled up by men selected by an officer or officers of the Railway Board ? If so, why ?

(e) Is it a fact that the East Indian Railway Central Construction Accounts Office is manned almost exclusively by a staff either imported from other railways by the Railway Board or recruited direct by or on behalf of the Railway Board ? If so, why ?

(f) Is it a fact that one Mr. Myers who had previously been discharged by the Eastern Bengal Railway on the score of inefficiency, has been made an Accounts Officer on the East Indian Railway, on the personal recommendation of an officer of the Railway Board to whom he is alleged to be related ?

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

(b) and (c). The answer to (c) being in the negative, Government do not think there is any necessity to obtain the information asked for in (b).

(d) 24 temporary posts have been created for bringing up arrears which I should add are not the result of the introduction of accounting machines.

The selections for these temporary posts were made by the Chief Accounts Officer.

(e) The staff was intended for special work and included a training reserve. It was partly recruited from qualified men from other offices.

(f) Mr. Myers was taken as a senior accountant on the East Indian Railway when his post in the office of the Agent, Eastern Bengal Railway, was about to be brought under reduction. He has lately been appointed Crew Accounts Officer by the Financial Commissioner of Railways. The allegations that he was appointed on the recommendation of an officer of the Railway Board related to him and that he had been previously discharged on the score of inefficiency are untrue.

#### **ALLEGED IRREGULARITIES AND CORRUPT PRACTICES IN THE RAILWAY CLEARING ACCOUNTS OFFICE, DELHI.**

428. **Mr. K. C. Neogy :** (a) Has the attention of Government been drawn to a publication named " The Survey of Railway Clearing Accounts Office (India) and Schemes and their pernicious effects ", printed and published by Ahmed Said, at the Army Press, Lahore ?

(b) If so, what inquiries have been made by Government into the allegations made therein about irregularities and corrupt practices prevailing in the Railway Clearing Accounts Office, Delhi ? When were the inquiries made, by whom and with what result ?

(c) Has the attention of Government also been drawn to similar allegations published in the Indian Press from time to time ?

(d) Are Government in a position to make any definite statement regarding the correctness or otherwise of the different imputations, contained in the said publication and newspapers, against certain officers of the said office ? Will Government be pleased to lay on the table any report of any inquiry which may have been made in this matter ?

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

(b) The Government did not think it worth while to undertake an enquiry into allegations of this nature.

(c) and (d). I would refer the Honourable Member to my reply to Haji Abdoolla Haroon's question No. 82 of 1st February, 1928.

**WORKING COST OF THE EAST INDIAN RAILWAY FOREIGN TRAFFIC IN THE RAILWAY CLEARING ACCOUNTS OFFICE FOR THE YEAR 1927-28.**

429 **Mr. K. C. Neogy :** (a) Is it a fact that the working cost of the East Indian Railway foreign traffic in the Clearing Accounts Office for the year 1927-28 has been about Rs. 5,00,000, against a budget estimate of Rs. 2,80,000 ? What was the average normal cost of this work in the East Indian Railway office prior to the creation of the Clearing Office ?

(b) Will Government be pleased to make a statement showing the total number of persons employed in the Clearing Accounts Office in different grades ; how many of them were taken from the staff of the different Railways, and how many were recruited direct ?

(c) Will Government be pleased also to make a comparative statement showing the actual number of men transferred from each Railway for the work transferred to the Clearing Office and the actual number of men employed on such work at present ?

**Mr. A. A. L. Parsons :** (a) The two figures are not strictly comparable with each other. The estimate of Rs. 2,80,000 was an estimate of the cost of the establishment required in the Clearing Accounts Office for the work of the East Indian Railway transferred thereto. The actual amount debited to the East Indian Railway, which is approximately 5 lakhs, includes in addition its share of non-recurring expenditure such as travelling allowance and concessions to the staff transferred, the cost of a year's supply of cards as a working balance and leave salaries of certain senior officers who took leave shortly after joining the Clearing Accounts Office. The total grant allotted to the Clearing Accounts Office for 1927-28 was Rs. 10,91,000 and the expenditure was Rs. 48,000 less.

The average normal cost of this work previously on the East Indian Railway was 4½ lakhs.

(b) The total number of ministerial staff is 862, of whom 696 were taken from other railways.

(c) The information will be obtained and supplied to the Honourable Member.

**COMPLAINTS FROM RAILWAYS WHO ARE NOT PARTIES TO THE RAILWAY CLEARING ACCOUNTS OFFICE, OF IRREGULARITIES.**

430. **Mr. K. C. Neogy :** (a) Is it a fact that complaints are being received from Railways who are not parties to the Clearing Office, of irregularities ?

(b) Has the Bengal Duars Railway, for instance, complained that it did not receive its apportionment of freight balance of through traffic transactions from April to November 1927 ?

(c) Is it a fact that the Clearing Accounts Office in its Coaching Division Sheets showed the East Indian Railway to be in debit to the North Western Railway for May and June 1927, while the case was actually the reverse of it ?

(d) Will Government be pleased to state what enquiries have been made into these irregularities, by whom and with what result ?

**Mr. A. A. L. Parsons :** The answer to parts (a), (b) and (c) is in the negative and part (d) does not arise.

#### POWERS OF APPOINTMENT, TRANSFER AND PUNISHMENT OF SUBORDINATES VESTED IN THE TOWN INSPECTORS OF POST OFFICES.

†431. **Rao Bahadur M. C. Rajah :** (a) Is it a fact that the Town Inspectors of Post Offices are not authorised to appoint, transfer and punish their subordinates and to maintain their character-sheets in accordance with Rule 346 of the Post Office Manual Vol. 2 ?

(b) Is it a fact that the Town Inspectors of Post Offices in the Madras Town have been issuing orders appointing, granting leave and transferring their subordinates and maintaining their character-sheets for many years ?

#### DUTIES OF THE TOWN INSPECTORS OF POST OFFICES IN MADRAS AND CALCUTTA, RESPECTIVELY, ETC.

†432. **Rao Bahadur M. C. Rajah :** Will Government be pleased to lay on the table the following information :

- (a) a list of the duties done by the Town Inspectors of Post Offices in the Madras Town :
- (b) a list of the duties done by the Town Inspectors of Post Offices in Calcutta Town :
- (c) total number of postal Town Inspectors in Calcutta and how many of them transferred to clerical line, after 1st September 1927 :  
and
- (d) total number of postal Town Inspectors in Madras City and how many of them have been transferred to the clerical line after 1st September 1927 ?

#### STARTING PAY OF A TOWN INSPECTOR OF POST OFFICES IN CALCUTTA AND MADRAS BEFORE THE INTRODUCTION OF THE TIME-SCALE OF PAY IN 1920.

†433. **Rao Bahadur M. C. Rajah :** Will Government be pleased to say :

- (a) the starting pay in the case of a postal Town Inspector in Calcutta, before the introduction of the time scale of pay in 1920 :  
and
- (b) the starting pay in the case of postal Town Inspector in Madras city prior to the introduction of the time scale of pay in 1920 ?

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†For answer to this question, see answer to question No. 411.

**DUTIES OF CLERKS OF THE GENERAL POST OFFICE, MADRAS.**

†434. **Rao Bahadur M. C. Rajah :** (a) Is it a fact that the duties attached to the clerks of the Madras General Post Office and its town sub-offices were the same prior to the 1st September 1927 in comparison with the Town Inspectors of Post Offices in Madras City ?

(b) If not, which class had to perform superior duties ?

**STARTING PAY OF POSTAL CLERKS AND TOWN INSPECTORS OF POST OFFICES IN BOMBAY TOWN PRIOR TO THE INTRODUCTION OF THE TIME-SCALE OF PAY.**

†435. **Mr. Narayan Prasad Singh :** Is it a fact that prior to the introduction of the time-scale of pay in the Post Office :

(a) the starting pay in the case of a postal clerk in the Bombay town was Rs. 20,  
and

(b) the starting pay in the case of Postal Town Inspectors in Bombay town was Rs. 100 ?

**MINIMUM PAY OF CLERKS AND TOWN INSPECTORS OF POST OFFICES IN BOMBAY TOWN AFTER THE INTRODUCTION OF THE TIME-SCALE OF PAY.**

†436. **Mr. Narayan Prasad Singh :** Will the Government be pleased to say :

(a) the minimum pay to which the pay of the clerks in the Bombay Post Offices was raised from Rs. 20 after the introduction of the time scale of pay in the Post Office : and

(b) the minimum pay to which the pay of the Town Inspectors in the Bombay Town was raised from Rs. 100 after the introduction of the time scale of pay ?

**NON-REVISION IN 1920 OF THE PAY OF TOWN INSPECTORS OF POST OFFICES IN BOMBAY TOWN.**

†437. **Mr. Narayan Prasad Singh :** Is it a fact that in 1920 no revision was made in the case of the postal Town Inspectors in the Bombay Town for the betterment of their pay like that sanctioned to other classes of postal employees ?

If not, why not ?

**TOWN INSPECTORS OF POST OFFICES IN BOMBAY TOWN.**

†438. **Mr. Narayan Prasad Singh :** (a) Is it a fact that the Town Inspectors of the Bombay Town have been inspecting since long years the sub-post offices in-charge of postmasters in the selection grades ?

(b) Is it a fact that the permanent Town Inspectors, who have been exercising the aforesaid powers and other supervisory powers over the clerks, senior or junior, have been replaced by men from the subordinate clerical line ?

†For answer to this question, see answer to question No. 411.

(c) Is it a fact that the permanent Town Inspectors who were originally taken as recruits from clerks for the Rs. 100 grade of Town Inspectors have been working without duty allowance which the Director-General decided to grant to them in his communication No. AX-106, dated 3rd October, 1921, for the arduous nature of their duties ?

(d) If so, what steps, if any, have been taken by the Government ?

#### DEMOLITION OF RUBBISH BINS IN KASAU LI CANTONMENT.

439. **Pandit Thakur Das Bhargava** : 1. Are Government aware that in 1926, the Cantonment Authority, Kasauli, required house-owners to provide rubbish bins in their compounds and the same were accordingly provided by them ?

2. Is it a fact that in January 1928, the Board resolved to ask the house-owners to demolish those bins ?

3. Is it a fact that on receiving intimation about this, the house-owners asked the Cantonment Board to compensate them for the demolition under the terms of section 138 (3) of the Cantonments Act of 1924 ?

4. Is it a fact that instead of proceeding in the matter according to the section quoted above, the Cantonment Board has now issued notices asking the house-owners concerned to demolish the rubbish bins within 14 days failing which the same are to be demolished through the Cantonment agency ?

5. Will the Government be pleased to state why the claim of the house-owners for the cost of rubbish bins to be demolished, is ignored when the bins were constructed at the instance of the Cantonment Authority ?

6. Do Government propose to direct the Cantonment Authority of Kasauli either to withdraw their order regarding demolition of bins or to pay the cost thereof to the owners of the houses ?

**Mr. G. M. Young** : The matter is one for the Cantonment Authority to deal with, and the Government of India do not propose to interfere. A copy of the Honourable Member's question has however been conveyed to the Cantonment Authority.

#### REMOVAL OF LALA MAHABEER PERSHAD FROM THE FINANCE COMMITTEE OF THE CANTONMENT BOARD, LUCKNOW.

440. **Pandit Thakur Das Bhargava** : 1. Are Government aware that the Finance Committee, Lucknow Cantonment Board, passed the following Resolution on 18th May, 1928 :

“ Resolved that as the continuous absence of Lala Mahabeer Pershad from the sub-committee meetings and his objectionable habit of keeping the Executive Officer in ignorance of his intention to absent himself till up to the Committee time is over, not only causes a great deal of inconvenience and trouble to the members but also leads to great delay in the disposal of public work, his conduct should be brought to the notice of the Board with the recommendation that he should be removed from this committee and Rai Sahib Parbhu Dayal should be appointed in his place.”

2. Is it a fact that this Resolution was confirmed by the Cantonment Board in its meeting of 28th May 1928 ?

3. Are Government aware that Mr. Mahabeer Pershad in his registered letter, dated 22nd August, 1928, to the G. O. C.-in-Chief, Eastern Command, pointed out that the statement of his continued absence from Finance Committee meetings made in the Resolution quoted above was absolutely false and that during the period of 2½ years for which he had served upon the Finance Committee, he was absent only from one meeting, and that for the one in which the said resolution was passed ?

4. Is it a fact that even in the Finance Committee held on 18th May, from which Mr. Mahabeer Pershad was absent, he had written in time to the Executive Officer about his having been forced by circumstances not to attend the meeting ?

5. Are Government prepared to enquire how far the statement of the Finance Committee is correct and to direct the Cantonment Board to reinstate Mr. Mahabeer Pershad in his seat in the Finance Committee if the statement is found to be wrong ?

**Mr. G. M. Young :** I am making enquiries and will let the Honourable Member know the result.

#### USE OF DRINKING WATER FOR IRRIGATION PURPOSES IN AMBALA CANTONMENT.

441. **Pandit Thakur Das Bhargava :** 1. Are Government aware that a non-official member of the Cantonment Board, Ambala, brought to the notice of the Cantonment Board that water supplied for drinking in the Robert's Pavilion was being used for purposes of irrigation ?

2. Is it a fact that no action has been taken by the Cantonment Board, Ambala, to stop this mis-use of drinking water ?

3. Is it a fact that there are several applications for public hydrants and the Assistant Health Officer has reported that there is the danger of the outbreak of an epidemic owing to the people using unwholesome water for drinking on account of their not getting enough drinking water ?

4. Do the Government propose to insist that stringent action be taken to prevent pipe water being used for irrigation purposes, and issue directions for the same ?

**Mr. G. M. Young :** It is neither possible nor desirable for the Government of India to interfere with the Cantonment Authority in a matter of this kind. The attention of the Honourable Member is drawn to section 51 (2) of the Cantonments Act, which provides for the control of Cantonment Boards in matters affecting public health, safety and convenience.

#### STOPPAGE OF THE IMPORT OF ICE IN AMBALA.

442. **Pandit Thakur Das Bhargava :** 1. Are Government aware that on 27th July 1928, the Cantonment Board passed a Resolution stopping the import of ice in Ambala ?

2. Is it a fact that the Resolution in question directed the Health Officer to notify when the cholera epidemic prevailing in some place or places not specified in the Resolution, subsided ?



3. Is it a fact that after the said Resolution was passed, the Manager of the Patel Ice Factory, Saharanpore, saw the Health Officer and the restriction was removed in the case of the above Factory by the Executive Officer without any reference to the Cantonment Board or without having recourse to section 25 of the Cantonments Act ?

4. Is it a fact that the Resolution in question gave no power to the Health Officer and to the Executive Officer, to suspend its action in case of their being satisfied either with the hygienic conditions of the Factory or with the wholesome character of the ice manufactured therein ?

5. Are Government aware that this action of the Executive Officer has caused great resentment among those connected with the sale of ice ?

6. Will Government be pleased to state why the Executive Officer suspended the action of the Cantonment Board Resolution referred to above, without reference to the Cantonment Board or without having recourse to the emergent provisions of section 25 of the Cantonments Act ?

7. What steps do Government propose to take to effectively stop such action on the part of the Executive Officer ?

**Mr. G. M. Young :** Questions Nos. 442 and 446 are answered together. It is within the competence of the Cantonment Board to dispose of the matters contained in these questions. The Government of India see no reason to interfere.

#### **HOLDING OF MEETINGS IN CAMERA BY THE CANTONMENT BOARD, AMBALA.**

443. **Pandit Thakur Das Bhargava :** 1. Is it a fact that in the meetings of the Cantonment Board, Ambala, held in June, July and August, there were items that were discussed in camera under the arbitrary instructions of the President ?

2. Are Government aware that no note of these ' discussions ' held in camera was made in the proceedings nor were any reasons given as to why the discussions were held in camera, as was required by section 42 of the Cantonments Act ?

3. Will Government be pleased to state what action it proposes to take against the President for non-compliance with the provisions of section 42 of the Cantonments Act with a view to stop the repetition of holding meetings in camera and non-compliance with the provisions of section 42 of the Cantonment Act ?

**Mr. G. M. Young :** Government have no information but are making inquiries.

#### **ALLEGED INSULT TO A SHOPKEEPER BY COLONEL WILLIAM, HEALTH OFFICER, AMBALA.**

444. **Pandit Thakur Das Bhargava :** 1. Has the attention of Government been drawn to a note that has appeared in the Cantonment Advocate of June 1928, under the heading " An Irate Colonel " ?

2. Is it a fact that the officer to whose conduct the note referred was Colonel William, the Health Officer, Ambala ?

3. Is it a fact that as stated in the Advocate, he used the words "A damn Ass" to a respectable shopkeeper while passing through the Grain Market ?

4. Are Government aware that the shopkeeper insulted, intended to take legal action in the matter, but it was dropped through the intervention of the non-official members ?

5. Are Government prepared to take steps to impress upon the military officers, entrusted with the civic duties, to avoid discourtesy in all forms to the people with whom they come in contact in the discharge of their duties ?

**Mr. G. M. Young :** Government have seen the note referred to. They have no intention of investigating so trivial an incident as that alleged to have taken place.

**CONDUCT OF THE CORRESPONDENCE OF THE CANTONMENT BOARD BY  
COLONEL MORAN, EXECUTIVE OFFICER, AMBALA.**

445. **Pandit Thakur Dass Bhargava :** 1. Is it a fact that Colonel Moran, Executive Officer, Ambala, has been carrying on correspondence with the Northern Command and the Government on behalf of the President, during the latter's absence from the station due to the shifting of his headquarters to Kasauli.

2. Is it a fact that during this time the correspondence was carried on, the Vice-President was all the time at the station ?

3. Will Government be pleased to state :

(a) If it is admissible for the Executive Officer under the Act to ignore the Vice-President during the absence of the President from the station and to carry on correspondence himself on behalf of the latter ?

(b) If so, under what section of the Cantonments Act is this procedure admissible ?

**Mr. G. M. Young :** 1. The Government of India have received no letters signed by the Executive Officer of the Ambala Cantonment. They are not aware how correspondence with the Command has been conducted, but it is the normal function of the Executive Officer, as Secretary of the Board, under section 13 of the Act, to conduct the Board's correspondence.

2. The Government of India have no information.

3. (a) and (b). There is no question of ignoring the Vice-President. The Vice-President's function is to perform the statutory duties of the President during his absence and the conduct of correspondence is not one of those duties. On the other hand it is one of the duties of the Executive Officer under section 13 of the Act, and he performs that duty on behalf of the Board and not on behalf of the President or the Vice-President.

**STOPPAGE OF THE IMPORT OF ICE OF THE SIRHIND ICE FACTORY IN AMBALA  
CANTONMENT.**

†446. **Pandit Thakur Das Bhargava :** 1. Is it a fact that the Assistant Health Officer recommended the stopping of the import of the ice of

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†For answer to this question, see answer to question No. 442.

the Sirhind Ice Factory on the ground that the Health Authorities, Ambala, could not be sure if the Factory was being run on sanitary lines ?

2. Is it a fact that the Cantonment Board stopped the import of all ice from outside in Ambala Cantonment in its meeting of 27th July, 1928 ?

3. Are Government aware that as a result of this action of the Cantonment Board, the Manager of the Sirhind Factory had to take the Assistant Health Officer, Ambala, to Sirhind on payment of a heavy fee ?

4. Will Government be pleased to state :

(a) whether they approve of the action of the Assistant Health Officer to undertake the inspection of the Factory after his having moved the stopping of the import of its ice without the permission of the Cantonment Board : and

(b) if the Assistant Health Officer took permission for leaving the station for that purpose ?

5. Are Government aware that the above proceeding on the part of the Assistant Health Officer had led to an impression among the people that they should get the Factory inspected by the Assistant Health Officer before the manufactured ice can be allowed to be sold in the Ambala Cantonment ?

**NOTIFICATION IN THE LOCAL GAZETTE OF THE NAMES OF ELECTED OR NOMINATED MEMBERS OF CANTONMENT BOARDS BEFORE THEY CAN SIT ON THE BOARD.**

**447. Pandit Thakur Dass Bhargava :** 1. Is it a fact that under the Cantonments Act, 1924, no elected or nominated member can sit on the Board unless his name has been notified in the local gazette ?

2. Are Government aware that one Major Steel was allowed to sit on the Cantonment Board meeting of 24th August, 1928, though his name had not yet been notified in the Punjab Gazette ?

3. Will Government be pleased to state :

(a) Who was responsible for this illegality ?

(b) What action do the Government propose to take against him ?

(c) What steps do Government propose to take to prevent the recurrence of such an illegality in the future ?

**Mr. G. M. Young :** (1) The law on the subject is contained in sections 14 (2), and 15 (3) and (4) of the Cantonments Act, 1924.

(2) and (3). Inquiries are being made and the Honourable Member will be informed in due course.

**NOTICE ISSUED UNDER SECTION 239 OF THE CANTONMENTS ACT TO MR. GANESH PERSHAD OF JUBBULPORE CANTONMENT.**

**448. Pandit Thakur Dass Bhargava :** 1. Are Government aware that one Mr. Ganesh Pershad of Jubbulpore received alleged rude treatment from Captain Ram Mohan, Assistant Health Officer, Jubbulpore, on 2nd June 1927 ?

2. Is it a fact that instead of Captain Ram Mohan's making amends for his objectionable behaviour, the Executive Officer, Jubbulpore, wrote a letter No. 631, dated 9th June 1927, to Mr. Ganesh Pershad, demanding from him an apology within seven days for obstructing Captain Ram Mohan in doing his duty on 2nd June, 1927, at 6-30 P.M. ?

3. Are Government aware that after the above letter was issued, the Brigade Commander, Colonel C. J. B. Hay, served upon Mr. Ganesh Pershad a notice No. 708, dated 17th June 1927, under section 239 of the Cantonments Act, to show cause why he should not be excluded from the Cantonment ?

4. Is it a fact that this notice, though issued by the Colonel Commandant from the Brigade Headquarters, was sent by the Executive Officer under an A. D. registered cover ?

5. Are Government aware that the notice under section 239 was subsequently withdrawn by the letter of the Executive Officer, Jubbulpore, No. 756, dated 22nd June 1928 ?

6. Are Government aware that section 239 of the Cantonments Act can be applied only when there is an actual or apprehended tampering with the loyalty of troops ?

7. Will Government be pleased to state how the causing of alleged obstruction to a public servant in the performance of his duty, even if true, could be a legitimate reason for the use of section 239 of the Cantonments Act ?

8. Are Government aware that the issuing of the above notice was regarded by the people of Jubbulpore as a palpable abuse of section 239 and caused great consternation among them ?

9. Do Government propose to take suitable action against Colonel Hay for attempting to misuse section 239 and take steps to prevent such an attempt in any Cantonment of India in future ?

10. Will Government be pleased to state why the notice served by Colonel Hay under section 239 was subsequently withdrawn and to lay upon the table the apology that may have been asked from Mr. Ganesh Pershad ?

**Mr. G. M. Young :** Government have no information about this matter. Enquiries are being made and the results will be communicated to the Honourable Member in due course.

#### ISSUE OF A NOTICE UNDER SECTION 239 OF THE CANTONMENTS ACT TO MR. RAJA RAM OF JUBBULPORE CANTONMENT.

**449. Pandit Thakur Das Bhargava :** 1. Are Government aware that Colonel Commandant C. J. B. Hay of Jubbulpore Brigade issued a notice under section 239 of the Cantonments Act on Mr. Raja Ram of Jubbulpore in June 1928 ?

2. Is it a fact that the issuing of the notice was due to certain differences between Mr. Raja Ram and the Assistant Health Officer Captain Ram Mohan of Jubbulpore ?

3. Are Government aware that this notice was subsequently withdrawn ?

4. Will Government be pleased to state :

(a) Why and for what specific acts on the part of Mr. Raja Ram was this notice served upon him ?

(b) Why and under what circumstances was it withdrawn ?

5. Are Government aware that the people of Jubbulpore regard it as an act of highhandedness, on the part of the authorities to terrorise people into a silent submission to the alleged illegal acts of the Cantonment Authority of Jubbulpore ?

6. Do Government propose to take suitable steps to allay this feeling ?

**Mr. G. M. Young :** Government have no information about this matter.

I am making enquiries and will let the Honourable Member know the result as soon as possible.

#### LOAN TO THE MILITARY AUTHORITIES OF SOME LORRIES PURCHASED BY THE CANTONMENT BOARD, JUBBULPORE, FOR CONSERVANCY PURPOSES.

450. **Pandit Thakur Das Bhargava :** 1. Is it a fact that the Cantonment Board, Jubbulpore, purchased seven lorries in December 1927 for conservancy purposes ?

2. Is it a fact that on two occasions some of these lorries were lent to the local military authorities, for use in manœuvres or for some other military purposes ?

3. Will Government be pleased to state if the Cantonment Board, Jubbulpore, formally sanctioned the lending of these lorries to the military authorities and, if so, under what resolution and on what terms ?

4. Will Government be further pleased to state if it is advisable in the public interest, to lend lorries purchased for an important municipal service to the military authorities ?

5. Will Government be pleased to state the amount of hire the Cantonment Board received from the military authorities for the use of the lorries on each occasion and if the amounts so received were duly credited to the Cantonment Fund ?

6. Is it a fact that the amounts of hire for both the occasions were about Rs. 1,950 and Rs. 984, respectively, and the above amounts were paid to the Cantonment Board by the military authorities ?

7. If the reply to question No. 5 be in the negative, will Government be pleased to state why no " hire " was charged ?

8. If the hire was charged and received as stated in question No. 6, will Government please specify the date on which it was received by the Cantonment Board and the date on which the same was credited to the Cantonment Fund ?

**Mr. G. M. Young :** Government have no information. Enquiries are being made and the result will be communicated to the Honourable Member in due course.

### CONSTRUCTION OF PLATFORMS FOR INGRESS TO AND EXIT FROM HOUSES IN CANTONMENT BAZARS.

451. **Pandit Thakur Das Bhargava :** (a) Is it a fact that the Government of India (Army Department) have been pleased to issue a letter No. 316-22|2-A.D. by virtue of which all platforms for ingress to and exit from houses in Cantonment bazars in existence prior to the date of the letter have been deemed to form part of the original grant and allowed to stand ?

(b) What have Government proposed to do in respect of future application for construction of platforms for ingress to and exit from houses in Cantonment bazars ; whether the sites adjoining freehold sites are to be given free of charge or they propose to charge rent in respect of such sites also ?

**Mr. G. M. Young :** (a) Yes.

(b) All future applications for the grant of sites for the construction of platforms in front of houses in Cantonments will be dealt with under the Cantonment Land Administration Rules, 1925.

### NOMINATION OF A NON-OFFICIAL MEMBER TO THE CANTONMENT BOARD, PESHAWAR.

452. **Pandit Thakur Das Bhargava :** (a) What are the considerations to which the Government pay regard while nominating non-official members to the Cantonment Boards ?

(b) Is dismissal from the Cantonment Committee for some misconduct a qualification or a disqualification for such nomination ?

(c) Is private service of British officials of the Cantonment a qualification or a disqualification ?

(d) Is it a fact that a person dismissed from the Cantonment Committee and a private teacher to some British officials has been nominated as a non-official member to the Peshawar Cantonment ?

(e) If the answer to the above question is in the affirmative will the Government kindly give reasons why such a man was selected for nomination ?

**Mr. G. M. Young :** (a), (b) and (c). The attention of the Honourable Member is invited to sections 14, 28, 34 and 35 of the Cantonments Act, 1924.

(d) and (e). I am making enquiries and will let the Honourable Member know the result.

### HOUSE ACCOMMODATION FOR MILITARY OFFICERS IN THE PESHAWAR CANTONMENT.

453. **Pandit Thakur Das Bhargava :** (a) With reference to the reply to question No. 536 asked by Pandit Hirday Nath Kunzru on 26th March, 1928, when Government was pleased to inform the House that an officer was deputed to enquire into the conditions of house accommodation for military officers in Peshawar, has the report of that officer been received ? Will the Government lay a copy of the report and the orders if any passed on the same on the table ?

(b) Is it a fact that under the orders of the Army Department the old freehold site under bungalow No. 8, Fort Road, Peshawar, is being resumed ?

(c) If the reply is in the affirmative will the Government kindly state under which law or contract they are proceeding in the matter ?

(d) Is it a fact that the owner of the bungalow has recently made extensive alterations in the bungalow making the same suitable for Indian style of living and is himself occupying the bungalow ?

(e) Will the Government kindly state the military necessities, which force the Government to resume the site ?

**Mr. G. M. Young :** (a) The officer, who was the Deputy Secretary in the Army Department, conferred both with the military authorities and with the house-owners on the subject of accommodation for military officers in the Peshawar Cantonment. He made notes of the conferences, but submitted no report as on his return he was appointed officiating Secretary in the Army Department. Action has been initiated on these notes, but the Government of India do not propose to lay them on the table.

(b) Orders have been issued for the resumption of bungalow No. 8, Fort Road.

(c) The grant of sites for the purpose of building houses for military officers in cantonments is governed by rules issued from time to time. A copy of the Rules, Regulations and Orders in force before the publication of the Cantonment Code has been placed in the Library. The Cantonment Code itself was subsequently superseded by the Cantonment Land Administration Rules, 1925. It is under the above mentioned Rules and Regulations that Government are proceeding in the matter, as this particular site was granted before the publication of the Cantonment Code in 1899.

(d) I understand that the owner has very recently made some such alterations.

(e) The bungalow was until lately regularly occupied by military officers. Government were informed that the owner had allowed the bungalow to fall into such a state of disrepair that the military officer last in occupation was compelled to leave the bungalow, whereupon the owner instantly took steps to occupy the bungalow himself. The military necessity for resumption is the shortage of bungalow accommodation for officers in the Peshawar Cantonment, coupled with the fact that this bungalow, like others, was built for the accommodation of military officers on a site granted for the purpose. Government have no intention of interfering unnecessarily with the established and *bona fide* occupation of houses by civilians, even if such houses may have been built on sites granted for the specific purpose of accommodation of military officers. But they are obliged to make use of their legal powers when attempts such as the above are made to deprive military officers of their accommodation.

#### TRIAL OF CASES UNDER THE CANTONMENTS ACT IN HAZARA, BANNU AND DERA ISMAIL KHAN.

**454. Pandit Thakur Das Bhargava :** (a) Is it a fact that the *ex-officio* representatives such as District Magistrates on Cantonment Boards

in Peshawar and Kohat are not allowed to try cases under the Cantonments Act and such cases are tried by magistrates unconcerned with the Board ?

(b) Will the Government state if the same rule obtains in Hazara, Bannu and Dera Ismail Khan ? If not, why not ?

**Mr. G. M. Young :** (a) and (b). Government have no information. The matter is at the discretion of the Chief Commissioner and Agent to the Governor General, North-West Frontier Province.

#### RESIGNATION OF MR. NARSINGH DAS, AN ELECTED MEMBER OF THE CANTONMENT BOARD, JUBBULPORE.

**455. Pandit Thakur Das Bhargava :** Is it a fact that as a protest against the waste of public money involved in the purchase of seven lorries for conservancy services by the Cantonment Board, Jubbulpore, in the teeth of public opposition Mr. Narsingh Das, an elected member of the Cantonment Board, Jubbulpore, from Ward No. 5 resigned his seat on the Board on 13th December, 1927 ?

**Mr. G. M. Young :** I am making enquiries and will let the Honourable Member know the result in due course.

#### MESSAGES FROM THE COUNCIL OF STATE.

**Secretary of the Assembly :** Sir, two Messages have been received from the Secretary of the Council of State. The first Message runs as follows :

“ I am directed to inform you that the Council of State have, at their meeting held on the 18th September, 1928, agreed without any amendments to the Bill further to amend the Indian Mines Act, 1923, for certain purposes, which was passed by the Legislative Assembly on the 27th March, 1928.”

The second Message runs as follows :

“ I am directed to inform you that the Council of State have, at their meeting held on the 19th September, 1928, agreed without any amendments to the Bill further to amend the Indian Succession Act, 1925, which was passed by the Legislative Assembly on the 22nd March, 1928.”

#### PETITIONS RELATING TO THE SPECIAL MARRIAGE (AMENDMENT) BILL.

**Mr. Deputy President (Maulvi Muhammad Yakub) :** Sir, I have the honour to present the Report of the Committee on Petitions relating to the Bill to amend the Special Marriage Act, 1872. This petition, which is from the Parsee Federal Council, Bombay, is in opposition to the Bill.

#### THE PUBLIC SAFETY (REMOVAL FROM INDIA) BILL.

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

**The Honourable Mr. J. Crerar (Home Member) :** Sir, I move that the instructions given to the Select Committee on the Bill to provide for the removal from British India in certain cases of persons not being Indian British subjects or subjects of States in India to present its Report within three days be withdrawn and that the Select Committee be instructed to present its Report by the 20th September, 1928.

The motion was adopted.



**The Honourable Mr. J. Orerar :** Sir, I present the Report of the Select Committee on the Bill to provide for the removal from British India in certain cases of persons not being Indian British subjects or subjects of States in India.

### THE RESERVATION OF THE COASTAL TRAFFIC OF INDIA BILL.

**Mr. President :** The House will now resume further consideration of the following motion moved by Mr. Sarabhai Nemchand Haji on the 13th September, 1928 :

“ That the Bill to reserve the Coastal Traffic of India to Indian vessels be referred to a Select Committee.”

**Mr. R. K. Shanmukham Chetty** (Salem and Coimbatore *cum* North Arcot : Non-Muhammadan Rural) : Sir, my Honourable friend, Sir James Simpson, in the very admirable but unconvincing speech that he delivered the other day remarked that India's rights and British interests are inter-dependent. I submit that my Honourable friend would have been nearer the truth if he had varied that statement and said that India's rights have always been dependent on British interests. We have had innumerable examples in the political and economic history of this country when the rights of India came into conflict with the interests of Britain and in the struggle the interests of Britain had always triumphed. The Bill which has been introduced by my Honourable friend is a clear case in which India's rights have come into direct conflict with the British interests and India will once again watch with interest as to what will be the verdict of this House on this conflict. I do not think that it is necessary for me to take the time of the House in attempting to prove that India has the undoubted right of reserving the coastal trade of the country to her own nationals. The examples of many other countries in the world go to show that all these countries have exercised this undoubted right. My Honourable friend the Commerce Member referred to the international regime of maritime ports which was held in Geneva in 1923 and which was attended by 31 maritime countries of the world. The Convention and Statute on the international regime of maritime ports makes it perfectly clear that coastal reservation is not inconsistent with international law and usage. In fact, Article 9 of that Convention specifically excludes the coastal trade of any country and states that this Statute does not in any way apply to the maritime coasting trade. In fact, in applying and exercising the right of coastal reservation, some countries of the world have gone even beyond recognised international usage and have adopted a course of action which has caused alarm in British shipping circles. It is stated in the Survey of Overseas Markets that in contradistinction to the view that the coasting trade should be limited to voyages between ports in the same territory, the Governments of the United States and of Portugal have held that it should also cover voyages to Colonies and overseas Dominions ; and the United States Government reserved voyages between the United States of America and Alaska and the United States of America and Hawaii and the United States Merchant Marine Act of 1920 provided for the closing of the trade, as coasting trade, between the United States and the Virgin Islands and the Philippines when adequate American shipping services had been established ; and it is remarked in this book very pertinently that any serious extension of this principle would do considerable harm to British shipping and to international commerce. While the extension

of this principle might undoubtedly do serious harm to British shipping and to international commerce it is not for a moment contended that the United States of America and Portugal have gone beyond their rights in exercising this right of reserving coastal trade. In face of the example of great countries like the United States of America in this direction I hope the House will agree with me that it is not necessary to go into the question whether we have got the right by international law to reserve the coastal trade of our country to our own nationals.

Let us, Sir, examine it from the point of view of how it affects the rights of the other countries of the British Empire ; whether India in exercising this right will in any way violate the rights of any of the dominions of the British Empire. Now, in dealing with this aspect of the question, I might consider it in two aspects ; whether we infringe the legal rights of either Britain or of any of the Dominions and whether we infringe the moral right of either Britain or any of the Dominions. The question whether we would infringe the legal rights of any part of the British Empire by enacting these laws will, I presume, be discussed at a later stage when the objection of the European Group of which they have given notice to you, Sir, is taken into consideration ; and at that stage we on this side of the House hope to convince you, and this House that in exercising this right we would be acting in conformity with the provisions of the British Merchant Shipping Act, which governs cases of this nature. I would, therefore, turn to the question whether we affect and infringe the moral right of Britain or any of the Dominions. In connection with this aspect of the questions, my Honourable friend the Commerce Member brought up the example of South Africa, and pointed out that the passage of any legislation of this nature by this House might seriously hamper the very delicate negotiations which the Government of India are always engaged in carrying on with the Government of the Union of South Africa. I am glad Sir, that my Honourable friend the Commerce Member took the example of South Africa rather than any other part of the British Empire. This Bill has been described in various quarters as a discriminatory measure, and if there is one part of the British Empire rather than another where discrimination has been practised as a fine art it is the Union of South Africa. Let us, examine whether in enacting the provisions of this Bill we would do anything to wound the susceptibilities of the South African people ; whether we would affect the rights that they have got as citizens of the British Empire and whether we would be doing anything in contravention of the agreement which the Government of India has recently arrived at with the Union of South Africa. Sir, it has been conceded by the Imperial Conference that every part of the British Empire has got the right to regulate the character of its own population and I ask : has not the Union of South Africa exercised this right against the whole Indian nation ? Have they not enacted a law that no Indian, even though he be a subject of His Majesty the King, can enter South Africa and reside there in future ? And I ask if South Africa thought it fit to exercise the right that has been conferred by the Resolution of the Imperial Conference, how in justice can South Africa complain if we exercise the undoubted right which has been given to us by the British Merchant Shipping Act when we say that the coastal trade of India shall be reserved to Indian nationals and none else ? (Mr. Sorabhai Nemchand Haji : " Has South Africa complained " ?) Well, I do not know whether South Africa has complained. I ask whether South Africa can have any justification for lodging a complaint of this nature. Sir, I do not think for a moment that the House will agree with

[Mr. R. K. Shanmukham Chetty.]

the Honourable the Commerce Member that in enacting this measure we will be doing anything which will make their position with South Africa difficult. I maintain it is not inconsistent even with the agreement that we have arrived at with South Africa.

Having disposed of the point whether we have got in international law the right of reserving our coastal trade to our own nationals, and having endeavoured to show that in exercising that right we would not be violating the rights of any other part of the British Empire, I would now go on to show that we can effectively exercise this right of reservation of the coastal trade to our own nationals. It might be argued that we have got theoretically the right of reserving our coastal trade, but if it can be proved that in practice we cannot effectively exercise that right, there will be no point in our enacting this law and trying to exercise that right. A great portion of the speech of my Honourable friend, the Commerce Member, was devoted to a consideration of this aspect of the question. He devoted a considerable part of his speech to show that, on account of the peculiar position of the Indian Continent, the existence of foreign ports and ports belonging to Indian States, it may prove in practice that though we may enact this law, we will fail to achieve our object. Sir, I would like to examine briefly this contention put forward by my Honourable friend. At first he said that there was some difficulty about the definition of common carrier, and very pertinently he asked the question whether a company like the British India Steam Navigation Company would come under the definition of common carrier as given in the Bill. I am glad my Honourable friend raised this point, because it certainly goes to the very root of the whole matter. I grant that when we look into the definition of common carrier, some doubt might be cast whether it will apply to a company like the British India Steam Navigation Company. But I would like to draw my Honourable friend's attention to a case which was decided in the Madras High Court on this very point. It was in a case reported in 38 Madras, 941, in which the British India Steam Navigation Company were the defendants. The definite question raised in that case was whether the British India Steam Navigation Company were common carriers or not, and the decision of the Madras High Court in that case was that the British India Steam Navigation Company were common carriers.

**The Honourable Sir George Rainy** (Member for Commerce and Railways) : May I have the reference again ? I did not catch it.

**Mr. R. K. Shanmukham Chetty** : 38, Madras, 941.

**Mr. H. G. Cocke** (Bombay : European) : What date ?

**Mr. R. K. Shanmukham Chetty** : I am not certain about the year, but I think it must be somewhere about 1912 or 1913. Unless the legal position of the British India Steam Navigation Company has changed since the decision was given in this case, I contend that the definition of common carrier would cover the British India Steam Navigation Company. But even taking it for granted that the definition may not include the British India Steam Navigation Company, it is, as my Honourable friend remarked, a Select Committee point, and in the Select Committee we might try to find another phraseology or another definition which will achieve the object we have got in view.

My Honourable friend next referred to foreign ports, ports like Pondicherry and Mormugao. My Honourable friend's argument was this, that

if we include these ports in our scheme for coastal reservation we would be directly coming into conflict with the international agreement that we have entered into with them, and if we omit those ports, we may fail to achieve the very object that we have in view. I agree that we cannot include these foreign ports in our scheme. But I contend that the existence of these foreign ports will not seriously affect the scheme of coastal reservation that we propose. For one thing the trade that emanates from and terminates in these foreign ports, as compared with the total volume of the coasting trade of India, is practically negligible. The total coastal trade (imports) of India is Rs. 114 crores of which the trade of these foreign ports is about 2 crores 83 lakhs. The total coastal trade (exports) of the whole of India is Rs. 109 crores of which the foreign ports take about Rs. 1.30 crores, so that in the total coastal trade of about Rs. 219 crores the foreign ports take only Rs. 4 crores. So that their percentage is absolutely negligible. But I can imagine some of my Honourable friends opposite advancing another argument, that if you enact this law your coastal trade might be diverted to these foreign ports.

**Mr. H. G. Cocke :** The whole lot.

**Mr. B. K. Shanmukham Chetty :** The whole lot ? I am glad that my Honourable friend puts it in that strong way, that the whole lot of the coastal trade might be diverted from the British Indian ports to the foreign ports.

**Mr. H. G. Cocke :** I did not say the whole lot. I said the whole argument.

**Mr. B. K. Shanmukham Chetty :** I never thought that my Honourable friend had such a weak case as that. Well, my Honourable friends are business men and I am sure they would certainly understand what I am going to say. If the coastal trade of a country is to be diverted effectively to any port, the argument presupposes the existence of a hinterland behind that port which will take the commodities diverted to it. Now, I ask, is there any hinterland worth the name behind these foreign ports in the continent of India ?

**Sir Victor Sassoon** (Bombay Millowners' Association : Indian Commerce) : The States.

**Mr. B. K. Shanmukham Chetty :** I am now talking of the foreign ports ; I will come to the States later. I am sure my Honourable friends do not imagine that the trade diverted to these foreign ports will be sent on to British India through the land frontier. If they attempted to do that, surely the frontier customs would come into operation which will make it absolutely difficult.

**Sir Victor Sassoon :** Land customs would be the same as the sea customs.

**Mr. B. K. Shanmukham Chetty :** If you attempted to divert cargo, say, to a foreign port like Pondicherry and then take it by train and import it into British India, bearing all these freight charges and paying land customs, does my Honourable friend mean to say that it would be an economical proposition ?

**Sir Victor Sassoon :** Land customs will be the same as the sea customs.

**Mr. R. K. Shanmukham Chetty** : I know that, but the operation of the land customs combined with the cost of the railway freight would make it uneconomical to adopt that course.

**Sir Victor Sassoon** : It depends upon where the goods are going.

**Sir Purshotamdas Thakurdas** (Indian Merchants' Chamber : Indian Commerce) : (to Mr. Shanmukham Chetty) : He admits that.

**Mr. R. K. Shanmukham Chetty** : I shall wait and see what my Honourable friends have to say on this point.

I will now take the case of the ports belonging to the Indian States. Here I maintain that so far as we have been able to understand the attitude of some of the Indian States, they would come into the scheme of coastal reservation. Representatives of the Government of Baroda and of Travancore appeared before the Indian Mercantile Marine Committee and in the evidence that they gave on behalf of their respective Governments they strongly advocated a policy of coastal reservation. So that I take it that it will be to the advantage of these Indian States to come into the scheme of coastal reservation, and if we pass the law, we can by agreement make it equally applicable to Indian States ports also. That is my answer. Even taking it for granted that the Indian States do not come into this scheme of coastal reservation, then I contend the same arguments that apply to the foreign ports would apply to the ports belonging to Indian States also. For one thing their trade also is negligible. Out of a total of 219 crores of coastal trade, while 4 crores as I said went to the foreign ports, only about 17 crores went to the Indian ports. The existence of the foreign ports and the ports belonging to the Indian States will not therefore come in the way of our making the scheme of coastal reservation really effective. (*An Honourable Member* : "What about Kathiawar?") I understand that Jamnagar has already started a shipping concern and I have reason to think that most of the Indian States would readily come into the scheme of coastal reservation. It will be to their interests to do so. The existence of these obstacles on the Indian continent cannot therefore really stand in the way of our enacting a measure of this nature.

I now come to the third part of my speech. Is it to our economic and national interests to exercise the undoubted right that we have of reserving our coastal trade to our own nationals? We have got a right in international law to do this and if we chose to do so we can effectively exercise that right. But if it can be proved that in exercising that right, we will not advance our economic and national interests, I will be the first to say that we should not exercise that right. Now, Sir, I shall come to the famous economic arguments of Sir Charles Innes. My Honourable friend the Commerce Member said that the economic arguments of Sir Charles Innes have not yet been answered in spite of the considerable lapse of time since those arguments were advanced. In the short compass of a speech you will agree with me, Sir, that it is not possible to give a detailed answer to the various arguments of Sir Charles Innes, but I will endeavour to give a brief outline of the answers that I have got to those arguments. My friend Sir Charles Innes began his economic arguments by stating an axiom. And what is that axiom? It is this. He said :

"I take it as axiomatic and I think that nobody will disagree with me when I say that reservation of the coastal trade to your own nationals must involve your country in economic loss, even if such loss may be concealed."

His whole argument is based on what he calls this axiom. I may straight-away say that I emphatically repudiate this axiom. It is contrary to all economic principles and is against the lessons drawn from the experience of other countries of the world. This argument may be advanced against any protective measure. Is it contended that every protective measure will lead to economic loss? I am sure my Honourable friends cannot substantiate a statement like that. I content that this axiomatic statement of Sir Charles Innes is against all economic laws and the experience of the world. His whole argument, being based on this fallacious axiom, falls to the ground. Anyway I will examine some parts of that argument. He said if you reserve the coastal trade for your own nationals, what will be the result. There will be a rise in freight for the coastal trade. He makes a very simple mathematical calculation. He takes the total volume of tonnage that is now carried on in the coastal trade of India, the average freight that is now charged, and then on the analogy of Algiers he presumes that soon after this Bill comes into operation freights will go up 20 per cent. and concludes that the country would be involved in a loss of 70 lakhs per year. This argument is fallacious. Firstly, the argument presumes that the existing freights on the coastal trade of India is economically at its minimum.

**Sir James Simpson** (Associated Chambers of Commerce : Nominated Non-Official) : You want to advance the rate?

**Mr. R. K. Shanmukham Chetty** : What I mean to say is that the present freight that obtains in the coastal trade of India is high and that the British India Steam Navigation Company in the coastal trade of India is really charging more than it ought to charge. My Honourable friend Mr. Birla gave some figures to show the profits of the British India Steam Navigation Company which proves my argument. If you once concede that the rates that exist are themselves considerably high, then there is not sufficient ground to presume that if you create what is called a monopoly the rates will go still higher. The presence of my Honourable friend Mr. Haji in this House has led very many of my Honourable friends to think that there is only the Scindia Steam Navigation Company plying in the coastal trade. There are already seven Indian companies including the Scindia Steam Navigation Company. If this Bill is passed and this protection is given to the Indian coastal shipping, more companies will come into existence and as a result of the competition freights will be at their proper economic level.

**Sir Victor Sassoon** : What is the percentage of the tonnage of the Scindia Steam Navigation Company to the total tonnage of all these companies?

**Mr. R. K. Shanmukham Chetty** : I cannot say that at the moment. What I mean to say is that even under existing conditions there are seven companies which are competing with one another and if you pass this measure, more companies will come into existence and freight will be at its proper level. That is my whole point and whether more companies will come into existence or not is another point on which my Honourable friends have a doubt and I will come to that later on. When I read the axiom of Sir Charles Innes, it took my breath away and when I read the example he gave I must confess I was really astounded. Sir Charles Innes gave the example of Chile. He said that as a result of the coastal reservation of Chile for its own nationals, freight went up about 50 per cent. Now, my Honourable friend does not give the authority for that statement. I hope my Honourable friend Sir George Rainy will give the authority for that

[Mr. R. K. Shanmukham Chetty.]

statement. Sir, here is the report on the industrial and economic situation in Chile, dated September, 1924, and in that report it is stated that the tonnage required by the Chilean owners since the passing of this law resulted in a superabundance of vessels for that nation and then in the report for the next year, that is September, 1925, it is stated that the Chilean shipping companies have suffered from the general depression in the trade.

**Sir James Simpson :** Hear, hear.

**Mr. R. K. Shanmukham Chetty :** I do not exactly know what the Honourable Member means by saying "Hear, hear". I suppose that is meant to expose the fallacy of Sir Charles Innes' argument. If there is superabundance of tonnage, if there is depression.....

**Sir James Simpson :** The shipping trade suffers.

**Mr. R. K. Shanmukham Chetty :** Then, that is very good for the consumers whose interests you have so much at heart. I hope my Honourable friend the Commerce Member will give authority for this statement of Sir Charles Innes. Sir Charles Innes then proceeds to point out that it costs 36s. a ton to ship wheat over a distance of 700 miles of coast and it costs 30s. a ton to ship for 7,900 miles from Chile to the United Kingdom and there is an interrogation mark—I suppose Sir Charles Innes must have put it in in the corrected copy (Laughter) : 36 shillings a ton for the coastal trade of 700 miles and 30 shillings a ton for 7,900 miles, and from this he wants us to draw the conclusion that coastal reservation has ruined Chile. Sir, even without coastal reservation, what is the state of affairs existing in India ? The figures given by Mr. Birla the other day showed that the average freight per ton to carry coal from Bombay to the United Kingdom, a distance of 6,000 miles, is 24 shillings per ton, whereas the average freight per ton for the coastal trade of India, which does not exceed 2,000 miles, is 30 shillings per ton. Is that, Sir, a result of coastal reservation, or is it the result of monopoly or the result of exploitation ? So the example given by Sir Charles Innes does not prove the argument that he wants us to accept.

My Honourable friends would say, "All this is well and good if you take it for granted that as a result of this Bill Indian capital will be forthcoming and new Indian companies will be started." Sir, I maintain that Indian companies will be started, and Indian capital will be forthcoming and in support of what I say I can only give an example of what has occurred in the past. In spite of the serious handicap of Indian shipping, from 1877 to 1927, 32 Indian companies were started with a capital of Rs. 12 crores. 12 crores of rupees were floated, and as a result of the monopoly that the British India Steam Navigation Company has got, as a result of the ruthless rate-war they waged, as a result of the unscrupulous methods of exploitation, what has happened ? 23 out of 32 of these Indian companies went into liquidation ! Twelve crores were floated, of which 8½ crores were sunk, so that 4½ crores of Indian capital is still floating in spite of the existence of the British India Steam Navigation Company. Such a state of affairs is possible because of the existence of the strong monopoly. Sir, I maintain therefore that this measure, far from creating a monopoly, is an anti-monopolist measure. My Honourable friend referred to the fact that the Scindia Navigation Company has entered into this combine. I have seen the agreement that that company has entered into with the British India Steam Navigation Company. The very fact that an Indian company of that status was at the mercy of an English company like the British

India Steam Navigation Company and forced to sign a one-sided agreement shows what protection Indian shipping needs and what monopoly is now being enjoyed by the British India Steam Navigation Company. Far from proving the case of my Honourable friends, the fact that the Scindia Company were forced into entering into that agreement with the British India Steam Navigation Company proves the necessity for this measure. As I said, in the short compass of a speech it is not possible to give any elaborate answer to all the various economic arguments advanced by Sir Charles Innes. But I have attempted to show that his whole argument is based upon a false maxim ; and the examples that he has given, so far as I have been able to verify their correctness, are absolutely wrong and prove the very opposite of what he wants us to believe. I hope Honourable Members who follow me will give more elaborate answers to these economic arguments of Sir Charles Innes. Sir, my Honourable friend, Sir James Simpson referred to the Navy and its relation to a mercantile marine, and I interrupted him by asking whether he could give us an example of any country in which the navy was first created and afterwards a mercantile marine. No. No country in the world would show such a state of affairs. If we are to have a navy to protect the Indian coasts, we must start with the development of a mercantile marine. Sir, there are very many points in the speech which Sir Charles Innes delivered in the House which, if one had time, one could refute. I have endeavoured to show that by international law we have got the undoubted right of reserving the coastal trade. I have endeavoured to show that in practice it is possible for us to effectively exercise that right, and I have also endeavoured to show that by exercising that right, we shall advance the economic and national interests of India. I hope the House will allow an important measure of this kind to go to Select Committee.

**Mr. J. A. Stewart** (Burma : Nominated Official) : Sir, as one of the few representatives of Burma in this Assembly I think it would not have been proper for me to listen quietly to all that has been said of the rights of India without endeavouring to clear the ground a little as regards Burma and to explain to the Assembly what I consider the rights of Burma are in respect of this coastal traffic Bill. In the first place, there is a preliminary point of some delicacy I have got to try to put and I cannot say how successful I shall be in doing it. I saw the other day in a constitutional document which emanated from the other side of the House that it was contemplated to establish Hindustani gradually as the international language of the Indian Empire. Taking that, by way of example, supposing a motion were to be brought in this House for the purpose of making Hindustani the universal language in India, including of course, Burma, it might even be that some of the Burma representatives in this Assembly would approve of the Bill ; and of course there would naturally be a large majority in the House who would tend to give their votes that way, but I think that in an extreme case like that the majority would certainly not attempt to force the pace. They would look at the evidence of the facts and figures in the census reports and would consider it an act of statesmanship to go slow. Well, the position with regard to the Coastal Trade Reservation Bill is somewhat similar. We have got a very small representation of Burma in this House ; I work it out to something like three per cent. of the total. The coastal trade with Burma amounts—if you include the coolie traffic—to something like 50 per cent. of the total coastal trade of India. That trade with Burma across the Bay of Bengal from Calcutta and Madras and also from Bombay, is much the most valuable part of the so-called coastal trade, and



[Mr. J. A. Stewart.]

Burma is the province in India that is most interested in any questions regarding it. Now with that 50 per cent. interest and three per cent. representation on this Assembly, I think that the majority, no matter how desirable they might think it to pass this Bill into law, should be very careful to consider the interests of Burma in the light of the information that it has got, and should be quite sure that this Assembly has really got a clear mandate from Burma, a clear expression of Burma's wish to be brought in as part of this scheme. But I would like to take the House through such evidence as there is for Burma opinion in the strict sense with regard to it. The evidence is very small in bulk and it will not take me more than a few minutes to summarise it. Go back a few years to the time when the Committee was sitting on the Indian Mercantile Marine. I am sorry that the volume of the record of the evidence taken by that Committee has been taken out of the Library and I cannot refer to it at the moment, but I quote from memory. I remember the Chairman in questioning one of the witnesses asked him, why is it that no Burmans have troubled to reply to our questionnaire? The obvious answer of course is that Burmans as a whole were not sufficiently interested in the import and export shipping trade and did not think it was any business of theirs to reply. They were mistaken, but that must have been their attitude. Well, two Burman gentlemen gave evidence before that Committee. One was U. Tok Kyi, my Honourable friend sitting opposite. At that time he was Chairman of the Burmese Chamber of Commerce. U. Tok Kyi was strongly in favour of the reservation of the coastal trade and he spoke as representing the Burmese Chamber of Commerce. Another Burman gentleman, U. Ba Tun, if my recollection serves me, was not by any means such a whole-hogger. U. Ba Tun was in favour of the declared object of the Bill, the institution of an Indian mercantile marine or rather the institution of a Burman mercantile marine, but he was not by any means willing to hand over the trade across the Bay of Bengal to new companies. He preferred to stick by the devil he knew rather than hand that important trade over to a devil or several devils that he did not know. He was in fact a cautious man.

Now, to come to the opinions recently received in favour of the Bill, there was the opinion of the Indian Chamber of Commerce. That is a lengthy document. The Burmese Chamber disposed of the thing in two lines; the Indian Chamber of Commerce took 14 paragraphs to dispose of it—you will find that in the printed opinions—and in the whole of that opinion of the Rangoon Indian Chamber of Commerce you will have to search very closely before you find a reference to Burma, the province in which these gentlemen live and make their fairly comfortable income; and the single reference is contained not in an original part of the letter but in a quotation from the speech of Sir Charles Innes who at that time had nothing to do with Burma. Sir Charles stated that some parts of India might benefit by the reservation, but Burma and Bengal would pay. Now, what do these hard-headed business men of the Indian Chamber of Commerce say in refutation of this economic argument of Sir Charles? They turn up their eyes and in a Pecksniffian attitude of horror they say, "how wicked of Sir Charles to attempt to play on inter-provincial jealousies." That, Sir, is the solitary reference to the interests of Burma in this lengthy document sent in by the Indian Chamber of Commerce. Now, the Honourable the Mover said that the Burma Chamber of Commerce and the Indian Chamber of Commerce were both strongly in support of his Bill. Well,

I have shown how far that statement was justified—the extremely brief, unreasoned letter from the Burma Chamber of Commerce and this lengthy rigmarole from the Indian Chamber of Commerce with practically no reference to Burma or the interests of Burma.

**Mr. Sarabhai Nemchand Haji** (Bombay Central Division : Non-Muhammadan Rural) : What about the opinion of the Burma Chamber of Commerce before the Mercantile Marine Committee ?

**Mr. J. A. Stewart** : That was given by U. Tok Kyi.

**Mr. Sarabhai Nemchand Haji** : U. Tok Kyi is a Burman and you are not.

**Mr. J. A. Stewart** : I was only trying to help the House by showing what support you have got from Burma and what you have not got ; there is no good contending that. Burma has declared in favour of this Bill. Now, the interests of Burma, as I have said, are various and very important and I am not going to deal with the whole of them. But I would just like to point out that the export of rice and paddy from Burma to India is  $\frac{1}{2}$  million or more tons. Well, the surplus rice produced in Burma is of no value to Burma unless it is got abroad to its market. Whatever you may say about freights, we have got an efficient service of ships that can get the produce abroad to India at the time when that is desired. These big companies have got their ships and the stuff is taken away promptly. Now, you are going to substitute new companies for the existing companies. They may do well. I should like to see an Indian mercantile marine and a Burma mercantile marine established. But I would point out that you are asking the cultivator to take the complete risk, the greatest part of the risk, of this scheme that you propose to introduce. It is the cultivator that will always be affected. The merchants will even use any difficulty in exporting produce as a reason for bringing their offer for rice lower than they ought to. It is perfectly well known that these pretexts are always being used. Then, it is the cultivator, that is to say, 90 per cent. or more of the population, that is going to be asked to take the risk. What is the cultivator of Burma going to get ? I do not see that he is going to get anything. Are there any sentimental reasons which would appeal to him ? I really do not think there are any. I do not think that the average up-country cultivator has ever heard of the Scindia Steam Navigation Company. I may be wrong. But I should think that if you talk to him about it, he will ask “ Who is Scindia, what is she ? ” And he will not be very curious to know.

There is just one more point I would touch on before sitting down. I have heard ever since I have been in Burma for the last 22 years a trickle of talk about the question of separation of Burma from India.

I have no opinion to express on that whatsoever. I am a member of the Indian Civil Service and am proud of being a member of the Indian Civil Service, and that of course would incline me personally in favour of maintaining the connection. But Burma has taken some pretty hard knocks in recent times, as a result of its connection with India. There was the import duty on steel to protect an Indian industry that did not exist in Burma, the export duty on hides, which was discussed in this House. There is this export duty on rice, which one of my predecessors from Burma talked about, and now you are going to ask Burma to take this great new risk. I submit that the principle of

[Mr. J. A. Stewart.]

the division of advantage and disadvantage between India and Burma is not right. It seems to me that Burma takes all the kicks and the rest of India gets all the half pence. That is not an equitable division, and no argument will convince me that it is.

Now whatever you may think of this, separation is bound to come if these handicaps are going to be continued. Separation may perhaps be said to be inevitable, but it might also be said that Burma is not yet ready for it. But to pass this Bill will be to force separation on Burma before the time has come for it.

For these reasons I oppose this motion.

**U. Tok Kyi** (Burma : Non-European) : Sir, during the debate on this Bill this day last week the Honourable the Commerce Member invited some of the Members who come from Burma to take part in the discussion. I for one am very glad to contribute my share to this debate, and my Honourable friend, who has just spoken, and who represents not the people of Burma (Opposition Cheers) but the Government of Burma, has had his say. Sir, I have listened to him with the attention he deserves. I wonder what the universal language for India has got to do with the Bill. He has imported another irrelevant matter, that is the question of the separation of Burma from India. I say that the question of the separation of India from Burma has nothing to do whatever with the measure now before the House. The Honourable the Commerce Member has tried to make out that the coastal trade between Burma and India should be excluded from this Bill, and he gave us some reasons for that and the reasons he gave are not new, because they have been advanced by his distinguished predecessor, Sir Charles Innes. Sir Charles Innes said that if reservation of the coastal traffic be given effect to, the freights would rise and the steamer service would become very expensive. Sir, this part of the question has been answered and very ably answered by my Honourable friend Mr. Shanmukham Chetty a little while ago. So, I need not go into this matter again. Sir, a little while ago my Honourable friend, Mr. Stewart, said that the Burmese Chamber of Commerce has given its opinion on the Bill only in two lines. I wonder on what he based his statement. I have got the opinion of that Chamber before me now, and with your permission, I should like to read it.

**Mr. J. A. Stewart** : May I ask the date of it ? (*Honourable Members* : "Order, order.")

**U. Tok Kyi** : It is a printed copy. It says :

"If the Indian mercantile marine is to be developed, it is essential that the coastal trade of India should be reserved to Indian shipping. (Hear, hear and Applause.) Harsh and high-handed treatment which Indian shippers are receiving at the hands of foreign ship-owners at present will vanish (Hear, hear), rates of freights will be more equitably fixed. (Hear, hear.) There will be no more conspiracy between ship-owners and railway authorities to smash Indian shipping (Hear, hear) and help European traders. Coastal trade and ports themselves will improve. New industries will thrive on account of favourable rates of freight. Last but not least, the wealth of the country will increase (Cheers) as crores of rupees of freight will remain in this country and new careers will be opened up for the youth of the country."

Well, Sir, the statement of opinion is no doubt very short, but I must say it is pregnant with arguments.

**Mr. J. A. Stewart** : May I explain, Sir. . . . . (*Honourable Members* : "Order, order.")

**Mr. President :** Order, order.

**Mr. J. A. Stewart :** May I explain, Sir ?

**Mr. President :** The Honourable Member is not entitled to make any personal explanation while another Member is speaking. He must wait.

**U. Tok Kyi :** As I have said, the statement of opinion of the Burma Chamber of Commerce is no doubt very short, but it is pregnant with arguments to show that the Bill now before the House should be passed as early as possible. Sir, the Indian Mercantile Marine Committee recommended the reservation of coastal traffic and they recommended it in no uncertain terms. With your permission, Sir, I should like to read that recommendation :

“ It is our considered opinion that the provision of facilities for the training of Indian officers and engineers alone is not sufficient to meet the requirements of the case and that some further steps are required to achieve the object in view. These further steps we recommend should be in the form of eventual reservation of the Indian coasting trade for ships the ownership and control being interests in which are predominantly Indian.”

The recommendation is not ambiguous. It is quite definite and clear and yet as far as my knowledge goes none of these recommendations have been given effect to by the Government of India. The Committee made their report over four years ago ; more than four and a half years have since elapsed and yet we have not had the benefit of the opinion of Government on it up to this time.

Sir, it has been said and said by no less a man than the late President Woodrow Wilson of the United States of America that those who control the commerce of a country are the real rulers of the country. Sir, in this country the real rulers of the country are those who are sitting there and who represent a small European community outside the House. They are the real rulers of India and I am sorry to say that the Honourable the Commerce Member or any other Member of the Government of India is not among those who are the real rulers of the country. The real rulers, as I say, are sitting over there. Sir, the Government of India have so far ignored the recommendation of the Indian Mercantile Marine Committee. I think the reason is not far to seek. I think that those real rulers of the country are at the bottom of the affair. Sir, I thought that the policy of “ divide and rule ” was adopted only in the sphere of politics. I have since found that the same policy is being adopted even in the sphere of economics. Only a little while ago my Honourable friend Mr. Stewart made some statements which I am afraid will have the effect of setting Burmans against the Indians. I hope and trust that, this will be the first and the last time he speaks in that strain.

Sir, over four years ago I had the honour to represent the Burmese Chamber of Commerce and gave evidence before the Mercantile Marine Committee. One of the members of the Committee—I think it was Sir John Biles—put the following question to me : ( I should like, Sir, with your permission, to read the actual wording of the question ).

“ Burmans will not take to a sea-faring life so long as they have no opportunities of learning work on ships owned by Burmans. The close association which life on board ship entails, combined with the Burmese dislike of working in subordination to or in company with Indians renders it probable that Burmans will take no advantage of facilities which are afforded by Government for the encouragement of an Indian mercantile marine.”

Sir, I had no hesitation in answering that question in the negative and I

[U. Tok Kyi.]

said I did not think that that statement was made by a Burman. That was my answer to that gentleman. Another gentleman, Maung Ba Dun, who was then a member of the Burma Legislative Council, gave evidence before that Committee and a similar question was put to him and his answer was this :

“ I do not think it is a correct representation of the Burman view. The Burman, as I have already said, is a very adaptable sort of man. He will take to any work provided he is treated kindly.”

A further question was put to him :

“ If such a statement is made by anybody, then you say that it is made in ignorance of the true feelings of the Burmans ? ”

And his emphatic answer was :

“ They never consulted us ; that statement might have been drawn purely from their own imagination.”

Sir, from the manner in which the question is put, one can realise that even in such economic matters as this, the policy of divide and rule is being adopted by the Britisher. The Honourable the Commerce Member said the other day that it was very unlikely that for many years to come the Burmese people themselves would take much, if any, part in the coastal trade. Sir, under the present conditions, not only the Burmese people, but also the people of other provinces—Bengal or Bombay or Madras—can hardly take any part in the coastal trade. During the last decade we had in Moulmein a very enterprising Burman. He started an inland steam service ; he started with a small fleet of only a dozen steam launches. No sooner did he start the inland steam service than an attempt was made to crush it, and after three or four years it was completely driven out of existence. Now, when the Britisher, I mean the European community, could not bear to see even such a small concern doing some business, I am sure that they will not allow a big enterprise to get on even for a short time if they can help it. Sir, Sir James Simpson has said that the Bill is based on “ the principle of confiscation of the deepest type ”. I do not agree with him. I think the Bill is based on the principle of self-preservation of the most modern type. I think the Bill is based on the principle of restoration to India of what is her own. Mahatma Gandhi, Sir, used to leave the Assembly and the Councils in the provinces severely alone, but the Bill before the House is of such national importance that he himself has not refrained from giving his opinion on it. Sir, with your permission, I should like to quote from what the Mahatma has said in his paper *Young India* :

“ I hold that every country, especially a poor country like India, has every right and is indeed bound to protect its interest, when it is threatened, by all lawful protective measures and to regain by such measures what has been wrongfully taken away from it. I have my doubts about anything substantial being done under the existing system through legislative effort. But I take up the same position that I have always maintained regarding organized industries such as mills. I should welcome and support all action that would protect them against foreign aggression or free them from foreign competition especially when the latter is grossly unfair as it is in the case of foreign shipping and foreign piece-goods.”

Sir, Mahatma Gandhi is very clear on this point and no one in this House, I think, will disagree with the statement which I have just read out. Sir, as soon as this Bill was circulated for eliciting public opinion, a storm of protests broke out. Most Europeans in the country have characterised the Bill as an anti-European measure. As I said a little while ago, the measure is for the purpose of mere self-preservation. We have no intention of doing

anything against the interests of the European community in the country. The Bill, as it is at present drafted, is, even the Honourable the Mover will admit, not perfect. There are many points which should be discussed in Select Committee and as far as I can see the provisions of the Bill do not in some respects comply with the recommendations of the Indian Mercantile Marine Committee.

**Mr. President :** I think the Honourable Member might resume after Lunch.

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

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

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**U. Tok Kyi :** Sir, I was saying this morning that the Bill, as at present drafted, has exceeded the conditions laid down by the Indian Mercantile Marine Committee. The conditions laid down are, (1) that the ship should be registered in India, (2) that it is owned and managed by individual Indians or by a joint-stock company (public or private) which is registered in India with rupee capital, with a majority of Indians on the directorate and a majority of shares held by Indians, and (3) that the management of such a company is predominantly in the hands of Indians. The Honourable Mover himself must admit that the provisions of the Bill have to some extent exceeded the conditions laid down in that Report, and I hope that he will see his way to complying with those conditions in the Select Committee. Only this morning I received a telegram from the Secretary of the Bengal Muhammadan Association, which runs as follows :

“ To crush Indian and Burma launch owners running launch service in Burma rivers, Bulloch Brothers, Agents, British India Steam Navigation, started free service. Please fix minimum fare and freight to stop this unfair rate-war.”

I brought to the notice of this House this morning how in Burma the Inland Steam Service started by Burmans was crushed out of existence. Here is another attempt on the part of the vested interests to crush out another indigenous enterprise. Sir, in regard to unfair European competition I should like to bring to the notice of the House the opinion of Mr. W. E. S. Holland, a man who knows India very well and who is competent to speak on things Indian with authority. This is what he says :

“ So long as British policy in India is largely dictated by the requirements of British trade and capital, Indians cannot feel that the political determination of their country's economic future can safely be left in foreign hands.

I once asked Mr. Ramsay Macdonald how he reconciled the Labour Party's backing both of the White Australia party, and of the Indian National Congress.

He replied at once : ‘ Perfectly simple. Every nation with complete rights in its own country. A white Australia, and (if I may be pardoned the expression) a brown India’. The two policies surely stand or fall together. If it is right to protect the Australian against unfair Asiatic competition, it is surely equally right to protect the Indian merchant or industrialist from unfair European competition.”

Sir, the Bill now before the House is a serious attempt to do away with unfair European competition. I heartily support the Bill.

**Sir Victor Sassoon :** Mr. President, I rise to-day as the representative of the Millowners' Association and not as representing the European Group. After my friend Mr. Haji's reference to fellow members of my group and Sir James Simpson who has been 32 years in this country as birds of passage, I can only style myself who has only been in India on and off for about seven years, as a non-stop aeroplane. Still, unworthy though I may be in the eyes of certain Members opposite to stand up here for the Millowners' Association, I hope to show the House that I am no faithless representative of a faithful constituency. I admit that I cannot hope to emulate the flights of oratory of my friend Mr. Haji whose stirring words on the theme of good-will must still be ringing in your ears. But there is one prosaic advantage in being a matter-of-fact man. That is that a common place speaker like myself can never hope to so intoxicate his hearers and himself with his own eloquence as to omit telling the House that good-will in the commercial sense, though it may be an intangible asset, still has a definite actuarial monetary value which can properly find its way in the ordinary commercial balance sheet. Though I cannot hope to have the same marvellous command of the English language as the Honourable Mover of the Bill, I do hope to be able to show to this House that the Millowners' Association was not unreasonable in attaching different meanings to the phrase "approving the principle of the Bill" and "sympathising with the principle underlying the Bill." Let me suggest that there might be an invalid with a chronic illness. The doctor came to him and said, "You have tried many medicines. You have not got cured. Take my medicine and it will cure you in two days. Medicines like this have cured many people with similar diseases, but this is even superior to those that have been tried. It has very powerful poisons in it but it will cure you." The patient felt nervous but the doctor said, "Do not argue with me. Either you want to get well or you do not. If you want to get well, take my medicine and pay me my fee. If you will admit the principle of taking my medicine and pay my fee, I will meet you on the details. If you do not like it in liquid form, I will give it in the form of a pill. I might even give you a sugar-coated pill." Would that patient be unreasonable if he said, "I agree with the principle underlying your statement that I wish to be cured, but I do not agree with the principle of your contention that I must take your medicine and that I must pay for it whether I am cured or not." Sir, that illustrates the intentions of my Association and its opinion. We had a very elaborate and a very full discussion on this question when a member of our committee closely connected with the Company of whose organisation Mr. Haji is a shining member—if my friend Mr. Neogy will permit me to make the reference—was very anxious that the committee should commit itself to supporting Mr. Haji's Bill. My committee refused to do so.

So the suggestion was then made that it should commit itself at any rate to approving the principle of the Bill, and with one dissentient voice the Committee turned that down and merely said that it would approve the principle underlying the Bill.

**Sir Purshotamdas Thakurdas :** What is the principle underlying the Bill ?

**Sir Victor Sassoon :** My friend will find it stated in the millowners' own words, "to provide for the employment of Indian tennage on the coastal traffic of India."

**Mr. Sarabhai Nemchand Haji :** That is the object according to the millowners themselves.

**Sir Victor Sassoon :** That at any rate is what the millowners agreed to. What I am here to approve of on their behalf is that object, if you wish. You may call it a principle or you may call it an object: but unless we can find the safeguards which I shall ask for admitted and accepted by my Honourable friend and his supporters, then I shall be constrained to vote against the motion before the House in spite of the allegation that I shall betray my constituency, because as a matter of fact I shall be merely carrying out their instructions.

Mr. Haji in his opening oration stated that he would like to see the ships of the British India Steam Navigation Company confiscated, though what he was proposing was the much milder course of gradually diminishing their participation in the coastal trade of this country so that at the end of five years this participation would be reduced to nil; and when Sir James Simpson foreshadowed the possibility of a jealous eye being cast on other industries, my Honourable friend, Mr. Neogy ejaculated, "Why not?". And when Sir James asked, "Where are you going to stop?", the same Honourable Member retorted, "Why stop?". Now my Association, composed of both Indian and European interests, is agreed on one thing. It is opposed to confiscation. If the national interests so demand, the Millowners' Association approves of acquisition with full and proper compensation, but disapproves of expropriation of assets, whether tangible as in the form of ships, or intangible as in the form of good-will; and I shall require an assurance that this basic principle is approved of by the supporters of the Bill if I am to vote for Select Committee.

Then, Sir, there is another important point. I disapprove just as much as Honourable Members opposite of the present monopoly of the Inchcape group. I disapprove of it as regards the coastal traffic; I disapprove of it as regards the ocean traffic. (Hear, hear). I do not see why I and my fellow millowners should have to pay the same freight on goods going only as far as Aden as on goods going as far as England. But because I disapprove of it, I do not see why I should approve merely the transfer of the monopoly from one set of financial interests to another set. I want competition between the two sets; I would like to see both sets working against each other, and I think there is much more chance of our rates being reduced if that happens than if we merely transferred the monopoly from one financial group to another. I want an assurance, too, that the coastal freight rates which my Honourable friend, Mr. Birla quoted as being Rs. 20 a ton should be reduced to at least Rs. 16 a ton which is the rate between the United Kingdom and India. Will this Bill achieve that?

**Mr. Sarabhai Nemchand Haji :** Certainly.

**Sir Victor Sassoon :** It is all very well to say, as Mr. Birla did, that the average profit over a number of years of the British India Company represent 22 per cent.

**Mr. Ghanshyam Das Birla** (Benares and Gorakhpur Divisions: Non-Muhammadan Rural): What about the match industry?

**Sir Victor Sassoon :** The question is whether those profits were paid for out of the profits made by the Company in the coastal trade or whether they were paid for out of past accumulated reserves. If those



[Sir Victor Sassoon.]

profits have been paid for, or are being paid for, to-day out of the coastal trade profits, how is it....

**An Honourable Member :** How are your reserves made up ?

**Sir Victor Sassoon :** I am talking of the present time.

We are proposing to ship our goods by new concerns in the near future.

3 P.M.

I want to know whether there is any chance of them being able to reduce rates. If it is true that

rates are now too high, as some speaker mentioned, and that 22 per cent. dividends can be paid out of the profits made in the coastal trade, why is not the Scindia Steam Navigation Company, which is enjoying the same rates, earning profits on the same scale ? It seems to me that here are practical questions which do require reasonable and reasoned answers.

There is another consideration of the highest importance. I may illustrate this by referring to my own industry. If the textile industry in India took the same line of argument as Mr. Haji takes, we might come before this House and we might say, " We are in a bad way ; we originally thought of merely asking for an increased amount of protection, but we think it would be much better for us if you ration all the imports of foreign textile goods and so arrange it that at the end of 5 years there will be no imports of foreign textiles. And the prices of our textiles will not go up as there are hundreds of different people concerned in producing textiles on handlooms and powerlooms all over the country, and the production of the largest group of millowners in India is very small compared with the total production, which total production satisfies two-thirds of the needs of India. That is to say, we only require an increase of 50 per cent. on our present production. We can easily expand our production by 10 per cent. per annum for 5 years, and why should you be afraid therefore that prices will go up." Supposing I did make that request ; I think my friend Mr. B. Das would challenge me and say with a great deal of reason, " It may only appear a modest 10 per cent. increase per annum, but if you dislocate supply and demand you might find that the supply did not expand as quickly as the restrictive part of your measures and the price of the commodity may go up considerably for a period at any rate." And I should find very great difficulty in replying to the criticism of my friend Mr. B. Das. But that is what we are asked here to agree to. The Scindia Steam Navigation Company owns a very large percentage, probably more than 50 per cent., of the present Indian tonnage, and the total tonnage is only 13 per cent. not 66½ per cent. of the requirements. You are therefore suggesting that they should expand at the rate of over 125 per cent. per annum for 5 years, and we are asked to agree that this expansion will take place so very easily, that there will be plenty of competition and freight rates will not rise. I feel as a practical man I cannot accept such statements in that way. Now, you might have Mr. B. Das's suggestion that there should be maximum limits for the rates ; that by legislation we should provide that freights must not rise above a certain rate. I disapprove of such legislation. It never works out in practice, because suppose the limit you put is too low, what does it mean ? It means that you are not going to give a sufficient return to your investor on his money, and therefore he will not put any more money into the industry. It will therefore mean that you will have the amount of outside freight decreasing year by year and no increased national freight

to take its place. It will be the same situation as we had in the war. The shipowners will only be allowed to charge a certain freight. Shippers in the absence of competition will pay more, but that will not go into the pockets of the shipowners, it will merely go into the pockets of the freight speculators, and that, Sir, is what I wish to avoid.

Now, Sir, I do not feel at all satisfied that this Bill is necessary merely to carry out the restriction of coastal traffic to Indian nationals. I think this might be done more satisfactorily in another way ; and, Sir, I do think that we must consider my friend Mr. Haji's remarks ; we must examine his statements with the greatest care. There was an objection taken to a reference made by my friend Sir James Simpson as to Mr. Haji being a paid servant of the Scindia Steam Navigation Company. I can see nothing derogatory in being a paid servant ; many Honourable gentlemen on these Benches here either are or have been paid servants ; and we do not consider it is at all derogatory to be a paid servant ; but Mr. Neogy appears to take exception to the term—perhaps I understand why my friend Mr. Neogy objected—Mr. Neogy is not a paid servant. Mr. Neogy belongs to the legal profession. Mr. Neogy looks down on paid servants because he, like my friends on the Government Benches, might be called a paid master (Laughter) ; we pay and they are our masters. But that we, on these Benches, should object to the term is inconceivable. Now what my friend Sir James Simpson wanted to emphasize was that Mr. Haji represented the shipping interests and was an interested party. Now, Sir, when I get up and I ask for legislation on behalf of the textile industry, everybody knows that I am a member of the Millowners' Association, that I am an interested party and they therefore examine my remarks much more carefully than they would have if made by my friend Lala Lajpat Rai, for instance. It is only natural. Now, what my friend, Sir James Simpson, wanted to show was this : that we must not accept Mr. Haji's remarks without extra careful consideration, because Mr. Haji is in this case an interested party and he is not merely representing the views of the rural voters of the Non-Muhammadan Central Division of Bombay. That is the point ; and I will go further. Mr. Neogy has supported with much vehemence my friend Mr. Haji. Does Mr. Neogy expect us to think when he is supporting this very big maritime question that he is definitely voicing the considered rural opinion of the Non-Muhammadan Division of Dacca ? That is the whole point. Mr Haji must admit that he is an interested party and Mr. Haji therefore cannot resent the fact being brought out in this House or resent it if we examine his arguments more closely than we might otherwise do.

I do not wish to take up the time of the House ; I know there will be many other speakers. I will therefore sum up the requirements which I consider are reasonable, on behalf of my Association. These are the points that I should like to be satisfied on.

1. That there will be no acquisition of assets whether tangible such as ships or intangible such as good-will, without proper compensation.

2. That there will not be so many loopholes as to render the scheme impracticable or unworkable.

3. That the desired end can be achieved without raising freights appreciably, or, at any rate, unreasonably from the traders' point of view ; and

[Sir Victor Sassoon.]

4. That there will be sufficient tonnage at all stages for the needs of merchants.

It is no good saying to me—I quote Mr. Haji,—“ It will not do with any honesty to say that you approve of the desire often expressed to develop Indian shipping, but you regret you cannot approve of this measure.” I ask why should we use his method ? What about the Australian method ? Why should not we say that we will license ships and lay down that every ship that is going to serve the coastal trade should carry out certain conditions ; that they should have an Indian personnel, that when the time comes when we can supply the higher personnel for the officers, that they should be entirely manned by Indians ? In other words, why should we not by license achieve the end in view, viz., that the ships should be manned by Indian personnel ? and that is what we really want. This is what I asked at the millowners’ meeting, and I was told that the difference between the Indian Bill and the Australian Act was that the Australian method only dealt with labour and that this Bill was intended also to benefit the Indian capitalists. (Mr. N. M. Joshi : Hear, hear.) Here Mr. Joshi and I are at one. I am not in favour of special legislation, merely for the benefit of special capitalist interests any more than Mr. Joshi is. Sir James Simpson has shown that the result of this Bill will only result in the transfer of dividends from British shareholders to Indian shareholders. Are we therefore to be asked to approve of this new principle of expropriation, of financial racial discrimination merely to this end ? I should be surprised if this House considered that I was taking an extraordinary view if I suggest “ No ” as the reply. I say that it would be surprising if Members were not prepared to support the conditions and safeguards I have laid down. I sympathise with Mr. Shanmukham Chetty’s views, but I cannot see that because I sympathise with his views that I should be prepared to accept this Bill. License your coastal trade if you like, to ensure that the personnel will be all Indian as soon as you can train your nationals. Lay down the principle that your mail contracts and Government support should go to ships owned by rupee companies, if you wish. Place a surtax on all goods and passengers taken from one port to another in an unlicensed ship, and so give preference to your licensed lines, if you so desire. In all this I will support you, but to a Bill like the one before us, unless it is so radically altered that it will not be the same Bill, I will offer the most strenuous resistance in my power.

**Lala Lajpat Rai** (Jullundur Division : Non-Muhammadan) : Sir, I congratulate the Honourable the Commerce Member on the admirable spirit of his speech, but I am sorry I do not agree either with his argument or with his conclusions.

The Honourable the Commerce Member and the Honourable Members of the European Group made a reference to the observations made in the Nehru Committee Report relating to European commerce, in support of their contention that no discriminatory legislation should be undertaken. In my judgment, the use they have made of these observations was extremely unfair. I do not claim to be one of the authors of that Report, but I do claim to be one of its principal supporters. I have practically accepted that Report entirely, except on some minor points which do not matter much, and I was the mover of the resolution which purported to adopt that Report in the All-Parties Conference. I endorse

the observations to which reference was made, both in their spirit and in their letter, wholeheartedly, and I say that it is not open to the Honourable the Commerce Member and the Members of the European Group to refer to those observations as a reply to this Bill, for the simple reason that we have made it absolutely clear in our resolutions and speeches that that Report stands or falls as a whole. You cannot take it piecemeal. It is extremely unfair on the part of Honourable Members on the other side to pick up one observation in that Report without accepting the rest of the Report. My friend, the Leader of the Opposition, made a sporting offer. Now I make another offer. Let Honourable Members accept that Report as a whole, and they will see that we will actually carry out in practice those observations in a faithful spirit. Then, if we do not do so, they can complain that we have not followed the spirit of the observations. At present they are all engaged in denying to us such political rights as will guarantee to us responsible government; they are opposing very strenuously our right to Dominion Status. Yet they want to take advantage of an observation which can only apply if Dominion Status is granted or secured. I submit that the argument is hypocritical and unfair. Let them accept that Report in its entirety. Let them join with us in obtaining Dominion Status, and they will see that we will carry out the promise implied in those observations to the very letter and will not depart from it by an inch or an iota. But to deny us the political power and then to rely upon these observations is, I repeat, extremely unfair. It is not playing the game. It is hitting below the belt.

Now, Sir, I do not admit that this is a discriminatory piece of legislation. I am going to prove that it is not. But even if it were so, considering that at the present moment all the political power which the Government possess and which the European Members possess, is being used against the Indians, we shall be perfectly justified in passing this piece of legislation, if by this means we can protect our shipping industry, or we can rehabilitate ourselves in matters in which we have suffered loss by the wielding of political power by others. Then, Sir, before I come to the point that this is not a discriminatory piece of legislation, I want to dispose of one of the arguments of the Honourable the Commerce Member in which he referred to the struggle which the Government of India is carrying on with the Dominion Governments for the sake of India. Here again, I must say, Sir, that the argument of the Honourable the Commerce Member was absolutely fallacious and untenable. The argument comes to this. We have tried to get equal status for Indians in the Dominions, and here you come forward with this piece of legislation which denies equality to European merchants engaged in trade in India. I submit, Sir, that that is not the position at all. The Honourable Member has absolutely misread our position. In connection with the Dominions what we want is that the Dominion Governments should recognise our status as Dominion nationals. South Africa, Canada, Australia and all other Dominions deny to us the right of being their nationals and they deny us all political rights which follow therefrom. Here in this country, the Europeans, the members belonging to the European group of merchants, do not want to be Indian nationals at all. They look down upon that status; they treat that status with contempt and rightly too. (*Several Honourable Members of the European Group*: "No, no".) They want to rule over us, they want to exploit us. (*Several Honourable Members of the European Group*: "No, no") They do not want to

[Lala Lajpat Rai.]

become Indian nationals. If they were to become Indian nationals there will be no question of racial discrimination at all. My Honourable friend Sir Victor Sassoon the other day, in the course of the debate on this subject, said "he was not an Indian, he had never pretended to be an Indian"; and so also the other Members of the European Group have never pretended to be Indian nationals. They do not want to be Indian nationals, and yet they want to control Indian legislation, Indian trade, Indian finance and rule over India eternally. The two positions are entirely different. We do not want our rights to be recognised in South Africa and other Dominions as Indians. We want to be recognised as citizens of the Dominion by virtue of our residence, by virtue of our trade and by all those qualifications which can make us nationals of those countries. The Europeans do not want to be recognised as Indian nationals; what they want is exceptional treatment. (*Several Honourable Members*: "No, no".) They want racial discrimination between Europeans and Indians. (*Several Honourable Members*: "No, no".) Yes, Sir, I say, "yes", ten times, twenty times and a hundred times "yes". By denying this you are not going to alter facts. You have reduced yourselves to this anomalous position by refusing to become Indian nationals. You do not claim to be Indian nationals, and yet you claim to control our Legislature. Do you find that position in any other country on the face of the globe? I can understand their right to come and trade in this country. Let them all come and do their business. Let them make any amount of money. But certainly it is extraordinary to claim that by virtue of their political power in this country, they have got the right to control the Legislature of this country. This they claim by virtue of the power which the British possess over India. But that is not what we want to claim in the Colonies. Therefore, there is no analogy between the two cases. Why, Sir? I sometimes wish that Honourable Members do not talk of discriminatory legislation. This does no good to anybody. What do we see in practice? The whole method and the structure of Indian government, fiscal, military and political, is one continued evidence of discriminatory legislation. There is discriminatory legislation even in the Reforms that were introduced in 1919. Take for example this Legislative Assembly where we are supposed to have a majority. Yet we are not sure of passing this measure through the Assembly, nor are we confident of placing it on the Statute-book. Even if the Assembly passes this Bill against the wishes of the Government, they have got the Council of State which is entirely in their pocket. Then they have got the vetoing power of the Governor General. Then they have the vetoing power of the Crown on the advice of the Secretary of State. We cannot be sure of carrying this measure through even if we pass it at this stage, i.e., of enacting it into law. Is this not racial discrimination, is this not discriminatory legislation? For those gentlemen over there to accuse us of discriminating legislation against them is absurd. The whole of their activities, the whole of their trade in this country, is based on discrimination. One comes across discrimination on the railways, discrimination in ships, discrimination everywhere, all down the line. For the Europeans to complain of discriminating legislation by us is, I submit, entirely unreasonable and ridiculous. Sir, I submit that so far as this Bill is concerned there is no question of discriminatory legislation or of racial discrimination, and one evidence of that comes from one of the Members of the European Group itself. In an article

published on August 17th, the Editor of the *Statesman* in the course of a leading article says :

“ Commenting yesterday on Mr. Haji's Bill for the reservation of the coastal trade to Indian shipping, we expressed the unequivocal opinion that it is a bad Bill, but at the same time we took the point that it was not in itself evidence of an Indian desire for racial discrimination, because in fact other countries have protected their coastwise trade, and the hundred per cent. Britisher in Australia does not hesitate to discriminate against the shipping of the Mother Country.”

In another article which appeared on August 16th, the same writer said :

“ There is however another class of measure such as Mr. Haji's Bill for the reservation of the coastal trade and Mr. Neogy's inland water traffic Bill. These are in our opinion bad Bills, but it must be conceded that they are in themselves no proof of racial discrimination. The Dominions not only have the right to pass similar measures but they do pass them, and the hundred per cent. Britisher in Australia does not hesitate to prohibit the shipping of the Mother Country from coastwise trade.”

So, Sir, I submit that we are only trying to do—not doing ; we cannot do it because we have not the power—but we are trying to do what other countries in the world, what the greatest maritime countries have done in this matter to build up their shipping industry. It is a long tale, the tale of the exploitation of India by the British, and I have no time to repeat it here. Clive, Hastings, Macaulay and James Mill all have told that tale. Brooks Adams, the great American writer, has also referred to that fact. He along with some British writers have pointed out that in the seventeenth century England was devoid of money, it was on the verge of a great contraction of money and their currency had substantially depreciated so much so that they had no capital to put into practice the inventions of Watts and others. This was, however, made possible by the help of the treasures they took from India. They built up the whole of their industries—the Industrial Revolution itself was brought about by the loot from India with the help of the treasures they obtained from us. They destroyed our industries by the use of the political power they had obtained over us ; and for over a century by the use of the same political power they have prevented us from developing our industries. That is shown by the history of the textile industry. Shipbuilding has also been included in the same process. Therefore, for them now to come forward and say that our effort to reserve our coastal traffic for our own ships is a measure of racial discrimination is a statement unworthy of them. It really does not come well from men who claim to be honest, who have read the pages of history and know the actual conditions of things that have been going on in India.

Sir, there are other Members who want to speak, so I will not take up much more of the time of the House ; but I submit that this Bill is a perfectly legitimate attempt to rehabilitate our shipping industry. My Honourable friend Sir Victor Sassoon's speech delivered with his usual eloquence and oratory contained but very little about this Bill. Much of his speech was about pills and medicines. He spoke of the textile industry, but may I ask him honestly to say if the textile industry stands on the same footing as the shipping industry ? Shipping is not only a key industry essential to the economic prosperity of any country, but a key industry on which the safety and even the existence of a nation depends. We wish to establish an industry upon which actually our existence as a nation will depend. There is no comparison at all between the textile industry and the shipping industry. If we had the power in our hands—the power of the public purse and the political power—we

[Lala Lajpat Rai.]

would have established this industry long before to-day on a safe basis in the same way as Japan did, as Australia did, and as Chile did—to which country Sir Charles Innes had to go to support his arguments—and as other nations have done. What has Great Britain herself done ? Look at the Encyclopædia Britannica and the article on the maritime shipping of Great Britain ; you will see that at the time when they had no shipping or very little shipping of their own, they prohibited any goods or articles from being brought to England in any ships except British ships : That is how they protected their shipping at first. Now that they have grown fat on Indian riches, Indian trade and the exploitation of India, they say “ No ; your present Bill is discriminatory, we will not support you in any such legislation. We ask you to compete with us on equal terms.” They taunt us and say “ You build your ships in our shipyards ; you get our men to run the ships and yet you want to introduce this racial discrimination.” But, Sir, what is that due to ? Is it not due to the fact that you have destroyed our old shipbuilding industry ; you have made us helpless ? And now that we want to help ourselves a bit you call it racial discrimination. You will not take one single Indian to be trained in your ships. Is that not racial discrimination ? It is all very well for Sir Victor Sassoon to say “ Oh, yes ; let your men come ; we will employ them, and we will employ other Indian labour also. But this Bill is designed to help the Indian capitalist as against the European capitalist. That is objectionable.” But why do you, British capitalists, want to deprive the Indian capitalists of their chance ? Sir, this is a very strange argument. I thought that both kinds of capitalists were in conspiracy to protect their interests ; but here it seems that the British capitalist thinks his interests clash with the Indian capitalists, and therefore he is prepared to strangle the Indian capitalist and keep the whole thing in his hands. Sir, like my friend, Mr. Joshi, I am not a friend of any capitalist—Indian or British—but I must submit that all this talk of personnel and labour is absurd because under the present condition of things no Indian ship can possibly train any Indians to run steamers and ships. Indian shipping capitalised by Indian capitalists is absolutely essential if India is to develop her shipping industry. This has been proved abundantly by the evidence given before the Mercantile Marine Committee. My Honourable friend Mr. Shanmukham Chetty has pointed out how many Indian shipping companies were started and ruined—not because they had no business—but because other companies killed them by the rate-war. I have just received a telegram this morning from the Bengal Muhammadan Association, Rangoon—a different wire from that received by U. Tok Kyi—which says :

“ Bengal Steam Navigation Company Limited with ten lakhs opened steamship service between Rangoon and Chittagong in 1922, but owing to unfair competition of foreign steamship companies which reduced passages from 12 to 2, former failed after five years' hard struggle. Subsequently the latter companies raised the rate from 2 to 14.”

reduced it first from 12 to 2 and then raised it from 2 to 14 after the other company had been killed.

“ Now Bengal Burma Steam Navigation Company floated recently with 25 lakhs running regular service between various ports, foreign capitalists have begun rate-war, reducing passage from 14 to 4 and freight rate from 17 to 4. Unless coastal traffic reserved for Indian capital, no chance for Indian enterprise. Entirely support and wish success Haji's Bill.”

Now, Sir, these are the facts. This is the latest exhibition of fair-play on the part of European shippers. This telegram is sent not by a Hindu capitalist, but by a Muhammadan Association from Rangoon. They have the same complaint as the Hindu capitalist had at one time. They say they want protection and that this competition is extremely unfair. It is like a grown-up man of 30 asking a boy of 10 to stand up in open competition with him. These European shippers now talk of competition. They have taken away our capital ; they have destroyed our industries, they have prevented us from developing our shipping, and to-day they say, " Enter into fair competition with us." How can we possibly do it ? We want our Government therefore to give us the same powers and opportunities which the Governments of other countries have given to their people. We want our Government to use the same powers which the Governments of other countries have used, in building up the shipping industry in this country. Sir, the shipping industry is a key industry. It is absolutely necessary for the defence of the country ; it is absolutely necessary in times to come for our existence as an independent and free nation. Therefore we are asking for protection to rehabilitate our shipping industry, and we are not asking for any racial legislation. That, Sir, is the real way in which this legislation should be looked at. It is not a question of interfering with the business of the Europeans. We do not want to interfere with their business. Let them come and do their business ; by all means come and trade in this country ; we do not object to it at all. We do not want to interfere in any way with their business. But this shipping industry stands on an entirely different footing. It is not like the tea industry ; it is not like the indigo industry ; it is not like the textile industry ; it is an industry upon which practically the life of a nation depends, and therefore, I submit, that there is not racial discrimination implied or involved in this legislation at all. Nor is this a piece of discriminatory legislation. We are using the powers that are given to us by the constitution for the purpose of building up an industry and rehabilitating ourselves against the losses we have suffered in the last two centuries. We are perfectly justified and within our rights to ask for this legislation, and the arguments advanced by several Honourable Members on the opposite side that this would mean racial discrimination are absolutely beside the point.

I shall say one word more, Sir, before I sit down about what the Government have done so far for us in the Dominions. The Government of India take pride—and I think I should thank them for what they have done so far—they take pride for the struggle they have carried on in the Dominions on our behalf. But how could those Dominions respect the representative of the Government of India when they know that in India itself the Indians are nothing better than helots ? When we need no political rights in our own country, when we were no better than helots in our own country, how could the Government of India help us in South Africa ? Under these circumstances how could we with effect claim any political rights and equal citizenship in South Africa ? They knew very well that the Government of India have not given us any political rights, and naturally the Government of India's efforts on our behalf could not achieve much in South Africa. No Dominion will listen to them, because they have the Government of India's own policy and practice before them ; they know that the Government of India's own methods in this country are entirely opposed to the principle which they advocate



[Lala Lajpat Rai.]

for us in the Dominions. Therefore, the Dominions cannot give us equal status there unless we get some political rights in our own country. We cannot pass any law in this country except by the help of the European Merchants because the political power is entirely in their hands. Therefore, I submit, Sir, that these arguments are quite fallacious.

On the merits of the Bill, Sir, certain points were made by the Honourable the Commerce Member and others on the opposite side. My friends Messrs. Chetty and others have replied to them. But if any changes are to be made in the Bill so as to ensure fair treatment to all, they can be made in the Select Committee. We are at the present moment only in the consideration stage; we are only asking that the Bill should be referred to a Select Committee, and therefore my friends opposite are not prevented from having any difficulties they may have, considered in the Select Committee. They are not insurmountable difficulties; it is not so very difficult to overcome them. We have at present only to consider those objections which go to the root of the Bill and which cannot be improved upon and which cannot be considered in the Select Committee. I therefore support the motion.

**An Honourable Member** : I move that the question be now put.

**Mr. G. S. Bajpai** (Secretary, Department of Education, Health and Lands) : Sir, I claim the indulgence of the House for a very few minutes, and I do not desire Honourable Members opposite to buckle up their economic armour, because I do not intend either to seek out the weak spots in that armour or to break a lance against it. It is quite clear, Sir, that nothing is more difficult to contend against in a debate than that intangible but most formidable of all factors, an atmosphere. Honourable Members opposite very strongly favour the provisions of Mr. Haji's Bill. I should be the last person in the world, being an Indian myself, to say that there is not the force of nature and the force of patriotism behind the desire to see revived an Indian mercantile marine.

In fact, Sir, if I understood correctly the statement made by the Honourable the Commerce Member the other day, that is the position of the Government also, namely, that every effort should be made to bring into being an Indian mercantile marine. The question really is, whether the provisions of Mr. Haji's Bill constitute the right method, the right procedure, the right path for achieving this national end.

Now, Sir, as I have already said, I do not wish to break my lance, feeble as it is, against the economic armour of Honourable Members opposite. The Honourable the Commerce Member no doubt will take care of that. But, Sir, I think that it is only right and proper that one aspect of the case which was put by the Honourable the Commerce Member the other day, but perhaps not developed at length, should be explained to the House. I am referring, Sir, to the effect of the proposed legislation on the status and position of Indians in other parts of the British Empire. In the course of his admirable, his characteristically admirable and lucid and pointed speech, Mr. Shanmukham Chetty this morning referred to the Resolution of 1918. He said the Dominion Governments have taken power, and the representatives of the Government of India acquiesced in that, to regulate the composition of their own population. Quite right. That is not challenged. But what does that

amount to ? That does not involve the right to send away either from South Africa or from Australia or from New Zealand the Indians who are already settled there. It does not involve the right to take away from the Indians who have settled in South Africa or Australia or New Zealand such economic rights or privileges as they enjoy to-day. (An Honourable Member : "What are they ?") I shall come to that, Sir. That is not the point in issue at the present moment. Now, Sir, I do not profess to have studied Mr. Haji's Bill very carefully. But judging from the speeches which were made this morning I should say that there was no provision in the Bill to safeguard European capital or the capital of the nationals of other British Dominions, including the United Kingdom which is already invested in the shipping trade in this country. I do not really think, Sir, that the Resolution of 1918 exactly helps my friend Mr. Chetty. For while that Resolution aims in protecting existing rights, Mr. Haji's Bill is silent on that point. Then, Sir, there is another point which was made by the Honourable the Leader of the Nationalist Party. It was this. What is the good of saying that there is an analogy or a parity between the struggle which the Government and the people of India are carrying on in order to secure equality of status for Indians who have settled in other parts of the Empire and the struggle which the representatives of the European group are carrying on to-day in order to safeguard what they consider to be their right ? There is according to my Honourable friends no parity between the two at all, because the Honourable Members of the European Group and the people whom they represent are entrenched in a position of political dominance and power in this country, whereas the Indians in South Africa are not in a position even of political equality. Now, if I may respectfully make a statement or a comment to this effect, that really misses the point. We are not at the present moment comparing the political status of the unofficial European community in this country with the status of the Indian community in South Africa. The question really is whether the underlying principle of the measure which is under consideration now will in any way weaken the struggle which the Government of India, in consultation with and with the co-operation of Honourable Members opposite and Indian opinion outside the House, are carrying on to secure equality of status for Indians who have settled beyond the seas.

**Mr. R. K. Shanmukham Chetty :** If I may be permitted to interrupt the Honourable Member it will clear up the issue. Does my Honourable friend contend that there is any steamship company owned by any of the Dominion subjects which is now plying in the coastal trade of India and which will be expropriated by this Bill ?

**Mr. G. S. Bajpai :** The point is not whether there is a Dominion company plying in Indian waters and whether it will be expropriated by this Bill. Does my Honourable friend opposite contend that the citizens of the United Kingdom who are settled in this country are not British subjects in exactly the same way as Dominion subjects are ?

**Lala Lajpat Rai :** They are not Indian nationals.

**Mr. G. S. Bajpai :** They need not be Indian nationals, but the point is this. Sir Tej Bahadur Sapru at the Imperial Conference of 1923 and the Right Honourable Mr. Sastri before him at the Imperial Conference of 1921 pleaded for political and economic equality for Indians. What was the principle on which they based their plea for political equality, and for economic equality for Indians in the different parts of the British

[Mr. G. S. Bajpai.]

Empire ? The plea was that if you own a common allegiance, then you derive as an inevitable corollary from that common allegiance political and economic equality. What I say is, and I submit that in all humility and with all respect,—what I say is that if you place on the Statute-book in this country any measure which involves an infringement of that principle, the principle of common allegiance involving complete equality of rights—to that extent, to the extent of that infringement, you are weakening the arms of those who are trying to secure equality for Indians who are settled in other parts of the British Empire. I will try and illustrate this by an incident which came within my personal experience. As Honourable Members of the House are aware, the Union Assembly had before it early in 1926 a Bill known as the Areas Reservation, Immigration and Registration Further Provision Bill. It was commonly known as the Class Areas Bill, and one of the provisions in that Bill was that Indians should be allowed to have proprietary rights in land only in areas which were to be set apart for them. We naturally protested against this, and when we went to give evidence before the Select Committee of the Union Assembly on this point, two or three Honourable Members of the Union Assembly said, “But why do you come and say this ? What right have you to come here and say we should not restrict in some form or another the right of Indians to own property ? Are there not parts of India where European British subjects are prevented from acquiring property ?” I retorted, “So far as I am aware, there is no province in British India where any British citizen is prevented from acquiring landed property.” Then one of the gentlemen asked me, “Yes, but what about Kashmir ?” Of course, that gentleman betrayed a profound ignorance of the political geography of this country, and I promptly corrected him. I said that Kashmir was not part of British India. Further, I went on to say that in Kashmir this restriction on the right of acquiring property was applicable not only to the Europeans who apply but to British Indian subjects also and therefore he could not possibly bring that up against us. I proceeded and mentioned that so far as our existing laws were concerned there was no such restriction on European British subjects. Well, Honourable Members are aware as to what the result of the negotiations which started then and were completed at Cape Town early in 1927 was. I merely wish to lay this before the House, that in so far as we embody in our legislation any principle which can be described or which can be construed as marking an infringement of or a subtraction from that principle of common allegiance carrying equal rights, for which we have invariably contended at successive Imperial Conferences, for which we are contending now, and for which we propose to continue to contend as long as Indians in the different parts of the British Empire do not achieve the full equality that we on this side of the House and on the opposite side desire—as soon, I say, as we place on our Statute-book any legislation of this character, we shall stand to lose. The moment we do depart or deviate from the principle on which we base our case, then I fear that there is a possibility, indeed, more than a possibility, there is a grave risk, that we shall be weakening, as I have said, the arms of those whose one endeavour is to secure equality for Indians who have settled in other parts of the Empire. I do not see how the argument which I have put forward does not meet the argument of my Honourable friend, Lala Lajpat Rai. Lala Lajpat Rai’s argument, if I

may say so, is a purely political argument. I am not pursuing a political argument. I am contending, as I say, to establish the sanctity, if you like, of the principle on which our case has so far been based.

**Lala Lajpat Rai :** Who has accepted that principle ? Nobody has accepted that principle.

**Mr. G. S. Bajpai :** Which principle does the Honourable Member refer to ?

**Lala Lajpat Rai :** The principle of equality of British subjects in all parts of the British Empire.

**Mr. G. S. Bajpai :** If that principle is not fully accepted, it does not follow that we are to sit with folded arms and say that it will never be accepted. I really do not admit that that in itself is an argument for our throwing away from our armoury such weapons as we happen to possess. As I have said, I do not pretend to have anything like the experience or ripe judgment of Honourable Members opposite, but I do submit that in a matter of this kind, we would do well to pause and reflect before we take a definite, and, it may be, decisive step on a path which promises prosperity but which, I fear, will lead to peril.

**Lala Lajpat Rai :** Does not the Honourable Member remember the news of the incident which was received only yesterday regarding the treatment of Mr. Sastri by the Deputy Mayor in a place in South Africa where he was being received ?

**Mr. G. S. Bajpai :** I do, Sir, and I may mention to the House that the Governor General of South Africa as the head of the Government of the Union of South Africa promptly dissociated himself from what happened, apologised for what had happened and promised immediate action against the perpetrators of this delinquency.

**Khan Bahadur Haji Abdullah Haji Kasim (West Coast and Nilgiris : Muhammadan) :** Sir, I have great pleasure in supporting the motion moved by my Honourable friend Mr. Sarabhai Nemchand Haji. In doing so, I should like to draw the attention of the House to one or two points in the Bill, which, I think, the author has apparently overlooked. In the first place, there is the case of shipping companies, whose capital is mainly Indian but whose managing agents are foreigners. For instance, take the case of the Bombay Steam Navigation, Co., Ltd., whose capital, as Honourable Members are probably aware, is preponderatingly Indian, but whose managing agents are Messrs. Killick Nixon and Company, of Bombay, which is a foreign agency. Now, such companies, according to sub-clause (3) of clause 2 of the Bill under consideration, will not be able to operate in this country with the result that they will cease to work. Consequently, not only will the share-holders be seriously affected, but also the trading classes and travelling public will be put to great hardship and trouble. The steamers owned by the Bombay Steam Navigation Company being small, having a carrying capacity below 1,000 tons, are catering to the needs of all classes of people on the west coast, and it is highly desirable that small steamers of this type should be encouraged, as far as possible, as they will be very useful in carrying cargo and passengers from large ports to small ports and *vice versa*. Sir, small steamers play a large and important part in the coastal trade of India. They require, as the House is probably aware, a small draught of water and hence can touch smaller ports, where they can anchor nearer the shore

[Haji Abdullah Haji Kasim.]

and facilitate the process of loading and unloading. These small steamers are really a great boon to merchants trading at small ports where harbours, docks and other modern conveniences do not exist. It is, therefore, necessary that some modification should be made in the Bill so as to bring the companies, constituted as the Bombay Steam Navigation Company is, within the purview of this Bill.

Then, Sir, in the second place, the author of this Bill has stipulated a period of five years for complete reservation of the coastal traffic of India to Indian vessels : but, Sir, I fear that complete or even partial reservation may not be practicable by that time. It is doubtful whether Indian capital, which is proverbially shy, will come forward owing to the failure of shipping companies in the past. Sir, at a very modest estimate, I think that about 100 ships will be required to meet the demand of the coastal trade of India, and assuming that it would cost about ten lakhs of rupees per ship, something like ten crores of rupees would be required to purchase the full complement of steamers ; but, as I have already said, I have very grave doubts if the necessary Indian capital will be forthcoming due to its bitter experience in shipping enterprise in the past. Further, the existing foreign companies will naturally, if the Bill becomes law, raise their freights to the great disadvantage and detriment of the Indian consumer, and because of the absence of the full complement of Indian steamers, the coastal trade will, I fear, suffer immensely. Even taking for granted that there are 100 ships ready to take part in the coastal trade, the foreign companies, having been deprived of their legitimate right of participation in the coastal trade, will naturally raise their freight. This will consequently mean a great drain on the purse of the Indian consumer as well as the Indian exporter. At the same time, Honourable Members are well aware that India exports a larger quantity of her raw materials than what she imports from foreign countries, and in this process the passing of the Ratio Bill last year has already severely hit the exporters of this country. If, therefore, the existing foreign shipping companies on whom we have to entirely depend at present for carrying our goods to foreign countries were to enhance their freights, the exporters will be doubly hit. It is therefore absolutely necessary that we should have a sufficient number of large ocean-going steamers to cope with our foreign trade as well as to keep the overseas freights within bounds. Sir, I hope the Select Committee will consider all these points very carefully.

As I have said, I am entirely in favour of the principle of this Bill. Before I resume my seat, I should like to thank Mr. Haji for bringing forward this measure which will go a great way in building up an Indian mercantile marine owned, controlled and managed by Indians.

**Several Honourable Members :** I move that the question be now put.

**Mr. President :** The question is that the question be now put.

The motion was adopted.

**Mr. President :** Has the Honourable Member given a list of the Select Committee ?

**Mr. Sarabhai Nemchand Haji :** Yes, Sir, I gave a list of Honourable Members last time.

**Mr. President :** I was told by the Secretary that the Honourable Member had not given the list, though I was under the impression he had.

**Mr. K. Ahmed :** Sir, other Members should be mentioned, as additional Members ; otherwise the Committee will not be able to deal with this matter. Secondly, there is no mention of Members of the Select Committee in this motion. Under these circumstances, the motion should be postponed till the next Session.

**Mr. Sarabhai Nemchand Haji :** The names of the Select Committee were handed over by me the last time and you were good enough to read out the names.

**Mr. President :** I have an impression that I did read out the names of the members of the Select Committee, but the Secretary says no.

**Mr. Sarabhai Nemchand Haji :** Sir, in making my reply to the speeches which have been delivered in this connection.....

**Mr. President :** Five minutes.

**Mr. Sarabhai Nemchand Haji :** I would just refer my Honourable friend who spoke last to the opinion of the Bombay Steam Navigation Company, Limited, on this Bill. It is to be found on page 72 of paper 2 of the Opinions on the Bill. This company, Sir, about whose welfare my friend is so solicitous, definitely approves not only of the principle of the Bill but of most of the details contained therein. Sir, with reference to my friend Mr. Bajpai who talked about discrimination, I would draw the attention of the Government Benches to the fact that they themselves have adopted the principle of a certain proportion of Indian capital being necessary for licensed Indian enterprises. And I want to know if when this principle was adopted by them did South Africa protest and have Indian interests in South Africa suffered thereby ? Again on the 5th September my Honourable friend the Industries Member said, in reply to a question whether the Government of India had insisted on arranging for 60 per cent. of the capital of the Indo-European Telegraph Company as part of a general policy, that this company had to receive a license from Government. They could not operate without a license and therefore in that case there was a special reason, apart from any general policy, why Government was perfectly entitled to lay down such a condition. My Bill, Sir, recommends that licenses be given for operating ships in the coasting trade of India, and on the analogy of the action of Government already taken, I ask where is there any discrimination here any more than when they insist that a certain percentage of the capital of a company shall be held by Indians ? The same thing is going to happen in the case of the civil aviation company. Why then all this talk about the evil effects of this Bill on the delicate negotiations in South Africa and elsewhere which, as is well known, always come to nothing ? So far as our countrymen in Africa are concerned, I am glad to say that the Bill has the support of all of them. The Indian Merchants' Chamber and the Indian Merchants' Association in Mombasa approve of the Bill. I have here a telegram from the Indian Merchant's Chamber, Mombasa. It reads :

"Cabled Government strongly supporting coastal traffic Bill. Wishing success."

That does not look as though the position of Indians in Africa is going to be worse after the passing of the Bill I have introduced and which is being discussed now. As you have given me only five minutes, Sir, I am

[Mr. Sarabhai Nemchand Haji.]

afraid I cannot go into the details of all those arguments to which the Honourable the Commerce Member referred as appearing in the speech of Sir Charles Innes. I agree with him that most of them are points of fact and therefore points for the Select Committee. It would have been very easy for me to demolish all those arguments and to show from published blue-books that most of the statements in that speech are very open to challenge. Their general character can be judged by the House from the fact that Mr. Shanmukham Chetty so easily and effectively disposed of the Chilian example of Sir Charles.

What is true with regard to Chili is true of other arguments of Sir  
4 P.M. Charles Innes.

Sir, it has been said—and I shall just mention one point—that the coasting trade of India is seasonal and we have been asked what will happen to the Indian ships during the slack season. I have worked out the details and the following is the result. The average sailings from the following important ports are given in this list for every month of the year. The coastal sailings from Rangoon are 48 per month, from Madras 29, from Alleppey 18, from Cochin 18, from Bombay 17 and from Karachi 5. It is quite possible that there may be months in which the sailings may be two or three more or less, but I want to have this average on record, in order that the whole argument about the seasonal character of the trade may be demolished completely. (*An Honourable Member* : “What about the month of July?”). Similarly, Sir, I have got an answer not only with regard to the month of July but with regard to each one of the twelve months of the year, and I am prepared to satisfy the Select Committee with regard to the hollowness of this seasonal trade argument.

Now, Sir, as I have already exceeded the five minutes that you have allotted to me.....

**Mr. President** : Order, order.

**Mr. Sarabhai Nemchand Haji** : Sir, I therefore move the motion standing in my name.

**The Honourable Sir George Rainy** : I do not propose, Sir, after this long debate to address the House at any length ; indeed after the speech I inflicted upon the House last week, it would be unreasonable of me to take up much of the time of this House to-day. There are, however, certain points that have been taken by some of the speakers to-day to which I think I ought to refer, and I will begin with that very interesting speech delivered by my Honourable friend Mr. Chetty. In so far as he dealt with the question how far the passing of this Bill might affect the position of Indians in the Dominions, I do not propose to say anything more, because the point has been very fully and ably dealt with by my Honourable friend Mr. Bajpai. I will therefore pass on to the other points in Mr. Chetty's speech, and I may say I was glad that at any rate one speaker on the other side was prepared to deal with the economic arguments advanced by Sir Charles Innes some 2½ years ago. Mr. Chetty began by repudiating what Sir Charles Innes claimed as axiomatic, namely, that the reservation of the coastal trade would mean economic loss in some form or another. Of course it is not much use claiming as an axiom what other people do not accept, but it seems to me that there are far stronger reasons than Mr. Chetty was prepared to allow for the view that restrictions of this kind

mean economic loss in one form or another, and my Honourable friend Sir Victor Sassoon gave good reasons for thinking so. But I should like to point out that, although it is quite true that Sir Charles Innes did make the claim that the view he expressed was axiomatic, he also did a great deal more, for he proceeded with his usual thoroughness to advance a number of arguments in support of his opinion. Now, one of the reasons he gave for thinking that the reservation of the coastal trade was probably contrary to the economic interests of India and would result in loss was the seasonal character of the coastal trade, and this is a point which, as far as I recollect, has not really been dealt with by any of the speakers on the other side. If in the slack season of the year you need only 60 per cent. of the number of ships which are required in the busy season, then in order to operate the ships economically, you must find some occupation for the odd 40 per cent. in the slack season. That is a very important point. Under present arrangements, when the ships are not required on the coastal trade, they go to other parts of the world and operate there. It is by no means certain that if the coastal trade were reserved, the Indian ships would be able to take themselves to other regions (*An Honourable Member* : "Why not ?") and take part in the trade there, because it is probable they would find themselves in regions up against rather strenuous competition.

My Honourable friend, Mr. Chetty, said that the existing coastal freights were not at the economic minimum, and he drew the inference that, even though the operation of the coastal trade might be rather more expensive under the restrictions, still the Indian companies would be able to carry on at a profit. All I can say is that, from time to time, it has happened that Indian shipowners have come to me and drawn my attention to the fact that the British India company, or some other company, has been cutting freights on the coast. The impression I always get is that these shipowners at any rate regard the existing freights as about the economic minimum. That is the impression I always get from them. The largest of the Indian companies—it is the company which Mr. Haji represents—is engaged at present exclusively in the Indian coastal trade, and it no doubt paid for the goods it carries at the usual freight rates, but I have not observed that it has been making exorbitant profits. Unless I am to infer that the management of that line is very much inferior to that of the British India, and that is not what I personally believe. The natural inference is that the British India and other shipping lines are not at the present time making large profits out of the coastal trade. Therefore although what Mr. Chetty said was perfectly true that, compared with the freights between India and Europe, the coastal freights look very high, still I think the weight of evidence is in favour of the conclusion that at present the Indian coastal trade is not a source of high profit to any of those engaged in it. If so, I think it pretty clear that merchants cannot look forward to any considerable reduction of freights as a result of reservation. And personally I adhere to the conclusion that it is much more likely to lead to an increase.

Mr. Chetty asked me especially to ascertain and inform the House what was Sir Charles Innes's authority for the statements he made about Chili. I have endeavoured to find out his source but have not till now been successful. Knowing Sir Charles Innes and the great care and thoroughness with which he went into such matters, and in view of the very definite and specific nature of his statement, I feel confident that he must have had before him definite information when he spoke. I am not entitled, it is true, to ask the House to take anything for granted in a matter of this kind, and



[Sir George Rainy.]

Mr. Chetty is quite entitled to ask the House to consider that particular instance which Sir Charles Innes gave in the light of the evidence he adduced. The evidence furnished by the reports referred to by Mr. Chetty that the reservation of the coastal trade did not result in an increase of freight in Chili, but rather the contrary. What actually happened according to the report—I think I am quoting the same passage as Mr. Chetty quoted—the tonnage acquired by the Chilian owners since the passing of this law resulted in a superabundance of vessels for the trade, and presumably when there is a superabundance of vessels, it is likely that freights will go up and will not go down. Now let us suppose that the same result happened in India as a result of reservation; suppose that is to say that as anticipated by my Honourable friends on the other side, soon after reservation, so many ships were purchased by Indian owners that there was a reduction in freights owing to superabundance of tonnage. But could that state of affairs be permanent? I am quite sure that if my Honourable friend Mr. Haji thought it was likely to be permanent, or perhaps I had better say if the company which he represents thought so,—for I know very well that my Honourable friend Mr. Haji has the development of an Indian mercantile marine very much at heart—but if the Scindia Steam Navigation Company thought that low freights would follow reservation, I am not sure whether that company would be particularly keen on the Bill. I am very doubtful about that.

I think, Sir, the only other speech to which I need refer is the speech of my Honourable friend Lala Lajpat Rai. I was a little surprised when he characterised the reference which I made, and which my Honourable friend Sir James Simpson made, to the Report presented to the Lucknow Conference as an unfair reference. I thought it had been made plain in the discussion last week that both Sir James Simpson and I had misunderstood the exact meaning of the particular passage we quoted from that Report. I think our misunderstanding was natural, and indeed inevitable, for reasons I gave at the time. Believing as we did erroneously no doubt that the passage we quoted would apply to such things as this Bill for the reservation of the coastal trade, we naturally appealed to the Leader of the Opposition for his support and vote. I do not think there was anything unfair in that. It might have been unfair if we had understood what his real meaning was and in that case, I am very doubtful whether personally I should have referred to the point at all. But my Honourable friend Lala Lajpat Rai went on to say this that we must take the Report as a whole, and that the two things went together, namely, the passage about the apprehensions of European businessmen, and the grant of Dominion status. It was not fair he said, to take one part and put aside the other part. I think that in this connection some rather pertinent questions may arise. I understood from what was said on the last occasion that, if the European business community were to nationalise themselves after the grant of Dominion status, then the undertaking against discriminatory legislation would be fully applicable. But I should like to know, and I imagine the European community will want to know, how they stand at present for, as I have pointed out before, the language used in the passage quoted is very strong and particularly the words "It is inconceivable". However, I will not dwell on that further. No doubt the matter will come up again, and when it does some Members of the European Group may have questions to ask.

Now, Sir, before I sit down I will very briefly sum up the objections which Government urge against the acceptance by this House of the Bill before us. In the first place, we urge that the proposal is economically unsound and is not in the interests of India. We urge that it is likely to be ineffective owing to the existence of a number of non-British Indian ports on the coast of India. We urge that it is unjust to Burma. And finally—and this with me is the most vital argument—the Bill is open to objection in principle as involving both expropriation and racial discrimination, and we apprehend that the latter feature will have most unfortunate repercussions in South Africa and in other British Dominions. For these reasons, Sir, Government ask the House not to accept this Bill.

**Mr. President :** The question is :

“ That the Bill to reserve the Coastal Traffic of India to Indian vessels be referred to a Select Committee consisting of the Honourable Sir George Rainy, Pandit Moti Lal Nehru, Mr. Jamnadas M. Mehta, Mr. R. K. Shanmukham Chetty, Mr. Satyendra Chandra Mitra, Maulvi Muhammad Shafee, U. Tok Kyi, Lala Lajpat Rai, Pandit Madan Mohan Malaviya, Mr. Ghanshyam Das Birla, Mr. K. C. Neogy, Mr. M. S. Aney, Sir Purshotamdas Thakurdas, Maulvi Abdul Matin Chaudhury, Nawab Sir Zulfiqar Ali Khan, Nawab Sir Sahibzada Abdul Qaiyum, Sir James Simpson, Rai Bahadur Tarit Bhusan Roy, and the Mover, with instructions to report before the 10th February 1929 ; and that the number of members whose presence shall be necessary to constitute a meeting shall be six.”

**Nawab Sir Sahibzada Abdul Qaiyum :** Sir I beg leave to withdraw my name.

**Mr. President :** Did the Honourable Member agree to serve on the Committee before his name was put down ?

**Nawab Sir Sahibzada Abdul Qaiyum :** Yes, Sir, but I have changed my mind.

**Mr. H. G. Cocke :** I suggest the name of Mr. Lamb to represent the important commercial interests of Burma on the Committee.

**Mr. Muhammad Rafique :** Sir, I should like to add the names of Khan Bahadur Haji Abdoolah Kasim and Mr. Jehangir K. Munshi.

**Mr. President :** The Honourable Members are not entitled to suggest any more names at this stage.

**Mr. H. G. Cocke :** Mr. Lamb had no opportunity of speaking on the question to-day and he is very anxious to serve on the Committee. Mr. Lamb has special reasons for serving on the Committee as he is interested in the question as oil tankers.

**Mr. President :** The question is :

“ That the name of Mr. Lamb be added to the Committee.”

The motion was adopted.

**Mr. President :** The question is :

“ That the names of Mr. Haji Abdoolah Kasim and Mr. Jehangir K. Munshi be added to the Committee.”

The motion was adopted.

**Mr. President :** The question is :

“ That the Bill to reserve the Coastal Traffic of India to Indian vessels be referred to a Select Committee consisting of the Honourable Sir George Rainy, Pandit Moti Lal Nehru, Mr. Jamnadas M. Mehta, Mr. R. K. Shanmukham Chetty, Mr. Satyendra Chandra

Mitra, Maulvi Muhammad Shafe, U. Tok Kyi, Lala Lajpat Rai, Pandit Madan Mohan Malaviya, Mr. Ghanshyam Das Birla, Mr. K. C. Neogy, Mr. M. S. Aney, Sir Purshotamdas Thakurdas, Maulvi Abdul Matin Chaudhury, Nawab Sir Zulfiqar Ali Khan, Sir James Simpson, Rai Bahadur Tarit Bhushan Roy, Mr. W. S. Lamb, Khan Bahadur Abdoolah Haji Kasim, Mr. Jehangir K. Munshi, and the Mover with instructions to report before the 10th February 1929; and that the number of members whose presence shall be necessary to constitute a meeting shall be six."

I have allowed the Leader of the European Group and Mr. Rafique to move for the addition of further names to the list of the Select Committee at this late stage. This I think is irregular and the procedure will not be treated as laying down any precedent.

The Assembly divided :

AYES—71.

Abdul Matin Chaudhury, Maulvi.  
 Abdullah Haji Kasim, Khan Bahadur Haji.  
 Acharya, Mr. M. K.  
 Aiyangar, Mr. C. Duraiswamy.  
 Aney, Mr. M. S.  
 Ayyangar, Mr. K. V. Rangaswami.  
 Ayyangar, Mr. M. S. Sesha.  
 Belvi, Mr. D. V.  
 Bhargava, Pandit Thakur Das.  
 Bhuto, Mr. W. W. Illahibaksh.  
 Birla, Mr. Ghanshyam Das.  
 Chetty, Mr. R. K. Shanmukham.  
 Chunder, Mr. Nirmal Chunder.  
 Dakhan, Mr. W. M. P. Ghulam Kadir Khan.  
 Das, Mr. B.  
 Dutt, Mr. Amar Nath.  
 Dutta, Mr. Sriish Chandra.  
 Farookhi, Mr. Abdul Latif Saheb.  
 Ghazanfar Ali Khan, Raja.  
 Gour, Sir Hari Singh.  
 Gulab Singh, Sardar.  
 Haji, Mr. Sarabhai Nemchand.  
 Ismail Khan, Mr.  
 Iswar Saran, Munshi.  
 Iyengar, Mr. S. Srinivasa.  
 Jayakar, Mr. M. R.  
 Jogiah, Mr. Varahagiri Venkata.  
 Kelkar, Mr. N. C.  
 Kidwai, Mr. Rafi Ahmad.  
 Kunzru, Pandit Hirday Nath.  
 Lahiri Chaudhury, Mr. Dhirendra Kanta.  
 Lajpat Rai, Lala.  
 Lalchand Navalrai, Mr.  
 Malaviya, Pandit Madan Mohan.  
 Mehta, Mr. Jamsad M.  
 Misra, Mr. Dwarka Prasad.

Mitra, Mr. Satyendra Chandra.  
 Mohammad Ismail Khan, Haji Chaudhury.  
 Moonje, Dr. B. S.  
 Mukhtar Singh, Mr.  
 Munshi, Mr. J. K.  
 Murtuza Saheb Bahadur, Maulvi Sayyid.  
 Naidu, Mr. B. P.  
 Nehru, Pandit Motilal.  
 Neogy, Mr. K. C.  
 Pandya, Mr. Vidya Sagar.  
 Phookun, Srijut Taran Ram.  
 Prakasam, Mr. T.  
 Purshotamdas Thakurdas, Sir.  
 Rafique, Mr. Muhammad.  
 Rahimtulla, Mr. Fazal Ibrahim.  
 Rajan Baksh Shah, Khan Bahadur Makh-dum Syed.  
 Ranga Iyer, Mr. C. S.  
 Rao, Mr. G. Sarvotham.  
 Roy, Mr. Bhabendra Chandra.  
 Sarda, Rai Sahib Harbilas.  
 Shafee, Maulvi Mohammad.  
 Shervani, Mr. T. A. K.  
 Siddiqi, Mr. Abdul Qadir.  
 Singh, Kumar Rananjaya.  
 Singh, Mr. Gaya Prasad.  
 Singh, Mr. Narayan Prasad.  
 Singh, Mr. Ram Narayan.  
 Sinha, Kumar Gangnanand.  
 Sinha, Mr. Rajivaranjan Prasad.  
 Sinha, Mr. Siddheswar.  
 Suhrawardy, Dr. A.  
 Tok Kyi, U.  
 Yakub, Maulvi Muhammad.  
 Yusuf Imam, Mr.  
 Zulfiqar Ali Khan, Nawab Sir.

## NOES—46.

Abdul Aziz, Khan Bahadur Mian.  
 Abdul Qaiyum, Nawab Sir Sahibzada.  
 Ahmad, Khan Bahadur Nasir-ud-din.  
 Alexander, Mr. William.  
 Ashrafuddin Ahmed, Khan Bahadur  
 Nawabzada Saiyid.  
 Bajpai, Mr. G. S.  
 Bharucha, Mr. S. M.  
 Bower, Mr. E. H. M.  
 Chalmers, Mr. T. A.  
 Chatterjee, The Revd. J. C.  
 Coatman, Mr. J.  
 Cocke, Mr. H. G.  
 Crawford, Colonel J. D.  
 Crerar, The Honourable Mr. J.  
 Dalal, Sardar Sir Bomanji.  
 Gavin-Jones, Mr. T.  
 Ghazanfar Ali Khan, Mr.  
 Ghuznavi, Mr. A. H.  
 Gidney, Lieut.-Colonel H. A. J.  
 Graham, Mr. L.  
 Heslett, Mr. J.  
 Hira Singh, Brar, Sardar Bahadur,  
 Honorary Captain.  
 Hla Tun Pru, U.

Jowahir Singh, Sardar Bahadur Sardar.  
 King, Mr. C. M.  
 Lamb, Mr. W. S.  
 McWatters, The Honourable Mr. A. O.  
 Mitra, The Honourable Sir Bhupendra  
 Nath.  
 Mukherjee, Mr. S. C.  
 Parsons, Mr. A. A. L.  
 Raghavayya Pantulu Garu, Diwan Baha-  
 dur T.  
 Rainy, The Honourable Sir George.  
 Rajah, Rao Bahadur M. C.  
 Rau, Mr. H. Shankar.  
 Rogers, Mr. P. G.  
 Roy, Mr. S. N.  
 Sassoon, Sir Victor.  
 Shamaldhari Lall, Mr.  
 Shillidy, Mr. J. A.  
 Simpson, Sir James.  
 Singh, Rai Bahadur S. N.  
 Stewart, Mr. J. A.  
 Sykes, Mr. E. F.  
 Webb, Mr. M.  
 Yamin Khan, Mr. Muhammad.  
 Young, Mr. G. M.

The motion was adopted.

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