

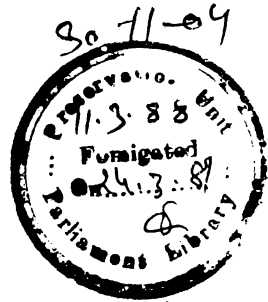
Thursday, 3rd March, 1931

**THE
COUNCIL OF STATE DEBATES**

VOLUME I, 1932

(25th February to 6th April, 1932)

**THIRD SESSION
OF THE
THIRD COUNCIL OF STATE, 1932**



**CALCUTTA : GOVERNMENT OF INDIA
CENTRAL PUBLICATION BRANCH
1932**

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COUNCIL OF STATE.

Thursday, 3rd March, 1932.

The Council met in the Council Chamber of the Council House at Eleven of the Clock, the Honourable Sir Philip Browne, Chairman, in the Chair.

QUESTIONS AND ANSWERS.

MEASURES FOR STABILISING THE PRICE OF SILVER.

56. THE HONOURABLE SIR PHIROZE SETHNA : (a) Will Government state whether they approve of the proposal made last year at the Washington Congress of the International Chamber of Commerce that a conference be held of all interested parties to concert measures for stabilising the price of silver ?

(b) If the reply to (a) is in the affirmative, will they state what action, if any, has been taken or is proposed to be taken in the matter ?

RECOMMENDATIONS OF THE COMMITTEE OF EXPERTS APPOINTED BY THE INTERNATIONAL CHAMBER OF COMMERCE AT PARIS REGARDING SILVER.

57. THE HONOURABLE SIR PHIROZE SETHNA : (a) Has the attention of Government been drawn to the Report of the Committee of Experts appointed by the International Chamber of Commerce at Paris *re* Silver ?

(b) If the reply to (a) is in the affirmative, have Government considered the suggestion made by such Committee to have a sales agreement between the Government of India and the American producers ?

POLICY IN REGARD TO THE SILVER PROBLEM.

58. THE HONOURABLE SIR PHIROZE SETHNA : Will Government be pleased to state their policy in regard to the silver problem ?

THE HONOURABLE MR. A. F. L. BRAYNE : With your permission, Sir, I will reply to Questions Nos. 56, 57 and 58 together. The Secretary of State for India is in communication with Mr. E. L. Franklin, one of the members of the Committee of Experts appointed by the International Chamber of Commerce regarding Silver, on the subject of the recommendations made by this Committee. Discussions at present are directed only to clearing up a number of important points which were left vague in the Report of the Committee. When these discussions have been concluded, the Government of India will be in a position to decide what action should be taken, and in the meantime the whole question is receiving the attention of Government.

RAILWAY PROJECT TO CONNECT BOMBAY WITH KARACHI.

59. THE HONOURABLE SIR PHIROZE SETHNA : (a) Will Government be pleased to state what progress has been made so far regarding the project of a railway to connect Bombay with Karachi ?

(b) If there is more than one project, will Government give particulars in regard to each of them and state what project they favour and why ?

THE HONOURABLE MR. J. C. B. DRAKE : (a) The final location survey of the Bombay-Sind connection has been carried out.

(b) There is only one project under investigation. The actual alignment of the connection will be decided when the project report and estimates have been received and examined. At present they are being printed.

TRANSFER OF THE CONTROL OF THE CIVIL ADMINISTRATION OF ADEN TO THE GOVERNMENT OF INDIA.

60. THE HONOURABLE SIR PHIROZE SETHNA : Will Government be pleased to state whether they have come to any decision with regard to the question of the transfer of Aden to the Government of India, and if so, the particulars of such decision ?

THE HONOURABLE SIR CHARLES WATSON : The Honourable Member has no doubt seen the Press Note on the subject which was issued in December last. Since then the question has been further considered by the Government of India and they have with the concurrence of His Majesty's Government now decided to transfer the control of the civil administration of Aden to the Government of India, the intention being to effect the necessary change by the beginning of the next financial year.

LIST OF BANKS AND FIRMS FROM WHOM STERLING IS PURCHASED ON BEHALF OF GOVERNMENT.

61. THE HONOURABLE SIR PHIROZE SETHNA : Will Government state :

- (a) How many Indian banks are there in the list of approved parties from whom sterling is purchased on behalf of Government ?
- (b) Besides banks are there firms in this list ; if so, how many are Indian and how many non-Indian ?
- (c) Is it a fact that applications from firms for being included in this list have been rejected since the date of the passing of the Currency Act of 1927. If so, what are the reasons for such rejections and how many such firms that applied were Indian and how many non-Indian ?

LIST OF BANKS AND FIRMS FROM WHOM STERLING MAY BE PURCHASED.

62. THE HONOURABLE SIR PHIROZE SETHNA : Will Government be pleased to place on the table a list of the approved parties, both banks and firms, referred to in the previous question ?

THE HONOURABLE MR. A. F. L. BRAYNE : With your permission, Sir, I will answer Questions Nos. 61 and 62 together.

I place on the table a list of banks and firms from whom sterling is purchased on behalf of Government. All applications from firms for inclusion in this list have been rejected since the passing of the Currency Act of 1927 because it is considered undesirable to add to the list pending the establishment of a Reserve Bank. Information regarding the number of applications from Indian and non-Indian firms is being collected and will be sent to the Honourable Member.

List of banks and firms from whom sterling may be purchased.

(Revised on the 28th September, 1931.)

Banks.

- | | |
|--|--|
| 1. Allahabad Bank, Ltd. | 13. Imperial Bank of Persia. |
| 2. American Express Co., Inc. | 14. Lloyds Bank, Ltd. |
| 3. Banco Nacional Ultramarino. | 15. Mercantile Bank of India, Ltd. |
| 4. Bank of India, Ltd. | 16. The Mitsui Bank, Ltd. |
| 5. Bank of Taiwan, Ltd. | 17. National City Bank of New York. |
| 6. Bank of Baroda, Ltd. | 18. National Bank of India, Ltd. |
| 7. Central Bank of India, Ltd. | 19. Netherlands Trading Society. |
| 8. Chartered Bank of India, Australia and China. | 20. Netherlands India Commercial Bank. |
| 9. Comptoir Nationale d'Escampte de Paris. | 21. Peninsular and Oriental Banking Corporation. |
| 10. Eastern Bank, Ltd. | 22. Punjab National Bank, Ltd. |
| 11. Messrs. Grindlay & Co., Ltd. | 23. Sumitomo Bank, Ltd. |
| 12. Hongkong and Shanghai Banking Corporation. | 24. Thos. Cook and Son (Bankers), Ltd. |
| | 25. Yokohama Specie Bank, Ltd. |

Firms.

- | | |
|-------------------------------|------------------------|
| 1. The Bombay Co., Ltd. | 5. Louis Dreyfus & Co. |
| 2. David Sassoon & Co., Ltd. | 6. Ralli Bros., Ltd. |
| 3. E. D. Sassoon & Co., Ltd. | 7. Volkart Bros. |
| 4. Greaves Cotton & Co., Ltd. | |

USE OF INDIAN COAL BY VESSELS OF THE ROYAL INDIAN MARINE.

63. THE HONOURABLE SIR PHIROZE SETHNA : (a) Will Government state if vessels of the Royal Indian Marine take Indian coal when they bunker at Calcutta ?

(b) Do they also take Indian coal when they bunker at Bombay ?

(c) If the reply to (b) is in the negative, will Government give reasons why the Royal Indian Marine do not take Indian coal for bunkering their vessels in Bombay ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : (a) and (b). The answer is in the negative.

(c) Three out of the four sloops of the Royal Indian Marine burn oil. The remaining sloop and the Marine Survey vessel, "Investigator," and various harbour craft, are coal burning ; but, owing to their design, can burn Welsh coal only.

BAN AGAINST SALE OF MR. RAMSAY MACDONALD'S BOOK ENTITLED
"AWAKENING OF INDIA."

64. THE HONOURABLE SIR PHIROZE SETHNA : (a) Will Government be pleased to state if there is still a ban against the sale of Prime Minister Mr. Ramsay Macdonald's book entitled "Awakening of India" ?

(b) If the reply be in the affirmative, will such ban be now removed? If not, why not?

THE HONOURABLE MR. H. W. EMERSON: I would refer the Honourable Member to the answer given in the Legislative Assembly to Mr. K. C. Roy on the 4th February, 1924. There has never been any ban against this book.

REVISION OF THE INDIAN INSURANCE LAW.

65. THE HONOURABLE SIR PHIROZE SETHNA: (a) Will Government state what progress has been made in England in connection with the recommendations by the Clouston Committee?

(b) Is it proposed to delay amending the Insurance Act of this country until such time as the House of Commons has decided on the Clouston Committee's recommendations?

(c) Have Government received representations that the Indian commercial public are anxious for this Act to be amended as soon as possible?

THE HONOURABLE MR. J. C. B. DRAKE: (a) Government understand that no steps have been taken yet to introduce a Bill into Parliament.

(b) As Government have stated on other occasions, they consider it most desirable to await the result of British legislation.

(c) Government have received representations on the subject from the Federation of Indian Chambers of Commerce and Industry.

RETURNS OF BUSINESS SUBMITTED BY NON-INDIAN FIRE INSURANCE COMPANIES.

66. THE HONOURABLE SIR PHIROZE SETHNA: In the returns of business submitted by non-Indian Fire Insurance Companies, do these companies show separately what business they place with offices that are not working in India?

THE HONOURABLE MR. J. C. B. DRAKE: The answer is in the negative.

NAMES AND NUMBERS OF INDIANS EMPLOYED AT THE HIGH COMMISSIONER'S OFFICE, LONDON, AND AT THE LEAGUE OF NATIONS SECRETARIAT, GENEVA, IN RECEIPT OF ANNUAL SALARIES OF £200 AND OVER.

67. THE HONOURABLE SIR PHIROZE SETHNA: Will Government lay on the table tabular statements of the names and nationalities of Indians in the receipt of annual salaries of £200 and over—

(i) at the High Commissioner's Office in London, and

(ii) at the Geneva Secretariat.

THE HONOURABLE SIR BROJENDRA MITTER: (i) and (ii). Statements are laid on the table.

Names and numbers of Indians in receipt of annual salaries of £200 and over at the High Commissioner's Office in London according to communities.

Anglo-Indian community—6.

George, W. G.	Walker, K. J. J., M. C.
Jewett, R. W.	Wood, R. E.
Pounde, H. R. G.	Wright, Q. K. J.

Burmese—2.

Than, M. P.	Tun, M. M.
-------------	------------

Hindu community—26.

Banerjee, N. N.	Marar, K. R.
*Basu, S. R.	Menon, A. M.
Bhargava, M. L.	Menon, K. R., I.C.S.
Biswas, J.	Menon, S. K.
Bose, S. B.	Menon, T. N.
Byahatti, R. R.	Mitra, Sir B. N., K.C.S.I., K.C.I.E., C.B.E.
Chatterjee, M. L.	Mitter, K. D.
Chaudhury, S. K. R.	Punja, B. N.
Chaudri, N. K.	Reghuveeran, G.
*De, A. B.	Roy, K. B.
*Deb, B.	Roy, N. K.
Dutt, P. K.	Urs, H. L. R.
Gupta, P. L.	Wunnam, E. V. S. R.

Indian Christians—8.

Angelo, F. M.	Chatterjee, N. C.
Bonarjee, A. D.	Ker, N. B.
Bose, Miss C. H.	Menon, K. T. N.
Chandra, M. L.	Smith, C.

Jew—1.

Samson, G. Q.

Moslem community—3.

Khan, G. Q.	Khan, R. M.	Khan, F. M.
-------------	-------------	-------------

Parsee—1.

Asli, B. D.

Sikh—1.

Malik, H. S., I.C.S.

Names and numbers of Indians in receipt of annual salaries of £200 and over in the Secretariat of the League of Nations.

Indians—7.

Mr. J. Dalal.	Mr. S. N. Ghose.
Mr. S. M. Dhume.	Mr. K. Kuriyan.
Mr. A. C. Chatterjee.	Mr. R. K. Das.
Dr. P. P. Pillai.	

*These have reported that they belong to the Brahmo Somaj.

NUMBER OF EUROPEANS, ANGLO-INDIANS AND INDIANS IN THE DIFFERENT PORT TRUSTS CARRYING SALARIES OF RS. 500 AND UPWARDS ON 31ST MARCH, 1931.

68. **THE HONOURABLE SIR PHIROZE SETHNA :** Will Government lay on the table a tabular statement giving the number of Europeans, Anglo-Indians and Indians as at 31st March, 1931, in the different Port Trusts, carrying salaries of (1) Rs. 500 to Rs. 1,000, (2) Rs. 1,000 to Rs. 2,000, and (3) Rs. 2,000 and over ?

THE HONOURABLE MR. J. C. B. DRAKE : A statement is laid on the table.

Statement showing the number of Europeans, Anglo-Indians and Indians as on 31st March, 1931, in the different Port Trusts in India, carrying salaries of (1) Rs. 500 to Rs. 1,000, (2) Rs. 1,000 to Rs. 2,000, and (3) Rs. 2,000 and over.

Port Trusts.	Rs. 500 to Rs. 1,000.			Rs. 1,000 to Rs. 2,000.			Rs. 2,000 and over.		
	Euro- peans.	Anglo- In- dians.	In- dians.	Euro- peans.	Anglo- In- dians.	In- dians.	Euro- peans.	Anglo- In- dians.	In- dians.
Rangoon . . .	24	15	4	40	1	2	5	..	..
Chittagong . . .	6	2	..	2	..	..	..	..	..
Calcutta . . .	*55	63	12	68*	7	3	11*	..	..
Madras . . .	7	1	3	6	..	..	2	..	..
Bombay . . .	34	23	33	35	4	4	7	1	..
Karachi . . .	9	2	1	10	..	1	1	..	..
Aden . . .	5	..	1	7	..	..	..	..	..

* Domiciled Europeans have been included under the heading Europeans.

PERIOD OF ARTICLESHIP FOR GRADUATES OF BRITISH AND INDIAN UNIVERSITIES, PRESCRIBED UNDER THE REGULATIONS OF CERTAIN BRITISH INSTITUTES OF ACCOUNTANTS.

69. **THE HONOURABLE SIR PHIROZE SETHNA :** (a) Is it a fact that the Society of Incorporated Accountants and Auditors permit graduates of British and Indian Universities to serve their articles for a period of only three years instead of a period of five years as is insisted upon in the case of non-graduates ?

(b) Is it a fact that the Institute of Chartered Accountants do not give the same concession to graduates of Indian Universities as stated in (a) above but insist upon their serving their articles for full five years ?

THE HONOURABLE MR. J. C. B. DRAKE : (a) The Bye-laws of the Council of the Society of Incorporated Accountants and Auditors, London, show that they require candidates for membership to serve for five years under Articles of Clerkship unless they are graduates of British Universities when they are required to serve for only three years. The Government of India have, however, recently seen a copy of certain new regulations made by the Society under which it is open to the Council of the Society, upon special application being made to it, to consider a reduction in the period of Articles from five to three years in the case of graduates of certain Indian Universities who possess certain specified qualifications.

(b) So far as the Government of India are aware, the rules of the Institute of Chartered Accountants in England and Wales require five years to be served invariably by all candidates who have not graduated in any University in the United Kingdom.

AMOUNT SPENT UP TO 31ST DECEMBER, 1931 ON THE FOUR INDIAN ARTISTS TO WHOM SCHOLARSHIPS WERE GIVEN TO PROCEED TO ENGLAND.

70. THE HONOURABLE SIR PHIROZE SETHNA : (a) Will Government be pleased to state what is the amount which has already been spent upto 31st December, 1931 on the four Indian artists to whom scholarships were given to proceed to England further to prosecute their studies as also to do mural decorations at India House, London ?

(b) Have all or any of these students returned to India ?

(c) If they have not, how much longer are all or any of them expected to stay in Europe and what is the estimate of the further cost on them from 1st January, 1932 to the date of their proposed return ?

THE HONOURABLE MR. J. A. SHILLIDY : (a) The information is being obtained from the High Commissioner for India, and will be supplied to the Honourable Member when received.

(b) Of the four artists, one has returned to India and one has recently left England for India.

(c) The remaining two artists are expected to arrive in India before the close of the current financial year.

MURAL DECORATIONS, ETC., IN INDIA HOUSE, LONDON.

71. THE HONOURABLE SIR PHIROZE SETHNA : (a) Will Government be pleased to state if they are considering any scheme whereby more Indian artists will be sent to England for the work of mural decorations, etc., in India House, London ?

(b) If there is any such scheme in contemplation, will Government state the details thereof ?

THE HONOURABLE MR. J. A. SHILLIDY : (a) The answer is in the negative.

(b) Does not arise.

MURAL DECORATION OF GOVERNMENT BUILDINGS IN NEW DELHI.

72. THE HONOURABLE SIR PHIROZE SETHNA : (a) Will Government state whether the work done by Indian artists at the New Delhi Secretariat and other buildings in New Delhi has proved satisfactory ?

(b) Do Government propose to issue a report on the work done ?

(c) If the reply to (a) is in the affirmative, will Government be pleased to state whether any more work of this kind is to be entrusted to Indian artists and if so, where and when ?

THE HONOURABLE MR. J. A. SHILLIDY : Owing to financial stringency Government have decided not to take any further action at present in connection with the mural decoration of Government buildings in New Delhi.

THE HONOURABLE SIR PHIROZE SETHNA : There is no reply to (b), Sir.

THE HONOURABLE MR. J. A. SHILLIDY : No, Sir. We do not propose to issue a Report.

THE HONOURABLE SIR PHIROZE SETHNA : Any reason as to why, Sir ?

THE HONOURABLE MR. J. A. SHILLIDY : I would ask notice of that question.

PROJECT FOR THE ESTABLISHMENT OF AN ORIENTAL MUSEUM IN LONDON.

73. THE HONOURABLE SIR PHIROZE SETHNA : (a) Are Government aware of the project of an Oriental Museum in London recently launched by the India Society ?

(b) Have Government promised the Museum or the India Society any monetary help in this connection and if so, the particulars thereof ?

THE HONOURABLE KHAN BAHADUR MIAN SIR FAZL-I-HUSAIN : (a) Yes.

(b) No.

GRANT OF MONETARY ASSISTANCE TO THE EXHIBITION OF THE BURLINGTON FINE ARTS CLUB, LONDON.

74. THE HONOURABLE SIR PHIROZE SETHNA : (a) Will Government state whether any monetary help was given to the Exhibition of the Burlington Fine Arts Club held in London in May last and if so, the amount ?

(b) Were any exhibits lent to the Exhibition by the Archæological Department or other Departments ?

(c) If the reply to (b) is in the affirmative, will Government state whether the Archæological Department has hitherto made any similar educational efforts in India itself ?

THE HONOURABLE KHAN BAHADUR MIAN SIR FAZL-I-HUSAIN : (a) The Government of India agreed to meet an expenditure not exceeding Rs. 2,000 on the freight and insurance of specimens sent by the Archæological Department to the Exhibition.

(b) Yes.

(c) In 1927 the Archæological Department held an exhibition of typical antiquities discovered in the course of excavations in the preceding year. Facilities have also been provided from time to time for the display of specimens of archæological interest at other exhibitions in India.

PRIZE OF DELHI SCHEME FOR THE ENCOURAGEMENT OF INDIAN ART.

75. THE HONOURABLE SIR PHIROZE SETHNA: Will Government state what progress is being made in regard to what is known as the Prize of Delhi scheme?

THE HONOURABLE MR. J. A. SHILLIDY: The Prize of Delhi scheme for the encouragement of Indian art was not adopted by Government. In January, 1926, the Government of India consulted Local Governments regarding the possibility of establishing a Central Art Institute at Delhi. The proposal did not find favour with the majority of the Local Governments and was therefore abandoned.

RESOLUTION *RE* PAYMENT OF GRATUITIES TO THE FAMILIES OF GOVERNMENT SERVANTS WHO DIE BEFORE RETIREMENT.

THE HONOURABLE MR. G. S. KHAPARDE (Berar Representative): Sir, the Resolution which I beg to propose reads as follows:

"This Council recommends to the Governor General in Council that pending introduction of provident fund in place of pension for all the non-gazetted employees of Government (superior and inferior) payment of gratuity may be made to the families of those who die before retirement on the basis of at least one month's pay for every completed year of service put in by the deceased employee."

This subject is not new. It came up as early as in 1924, and I then amended the Resolution and my amendment was fortunately accepted. Then, last year, I again brought up the subject and my Resolution was admitted. So, as there is a rule in law, and, I believe, also in the Legislature, that points admitted by the opposite side need not be proved, I am not now called upon to prove that the provident fund system should be put in place of the pension system. The pension system therefore goes. I need not argue about it.

The other question again is similarly admitted as to what the pension or rate of provident fund should be. That also, to a certain extent, as I claim, has been admitted by the other side, namely, that perhaps the system obtaining on State Railways should be adopted. That also has been conceded. So what remains for me to argue to-day is what we in law call interim orders. This provident fund scheme is rather a complicated matter. I believe it involves a good deal of accounting. Perhaps it also involves consultation with the Local Governments. It has already taken seven years and I should not be surprised if it took another one or two years or even three. In the meantime what are we to do? There is a proverb among the Persians that until the medicine arrives from Iraq the patient may have died. It has happened in the present case. There was an old Jamadar of our Council who had served for 30 years and died the other day. What are his family and children to get? Absolutely nothing. I could not quote a better instance than this. This Jamadar, having served nearly 30 years, died, and his wife and children are to get nothing. They have no claim on Government because he was on a pension basis and pension dies with the man. So this is a matter of urgent importance. So what I urge is that from the beginning of this year, if Government servants die without earning their pension, their heirs should be entitled to the provident fund to which he would have been entitled. Failing that, supposing that the scheme takes a long time to be introduced,

[Mr. G. S. Khaparde.]

I propose that the families of those who die in service should get at least as many months' pay as the number of years of his completed service. The poor family of this Jamadar, to whom I have referred, would have got 30 months' pay, but now they get nothing. That is my whole case put in brief. It does not require much argument and I do not propose to argue it unless the admissions which I have alluded to are disputed. Sir, I move.

THE HONOURABLE MR. A. F. L. BRAYNE (Finance Secretary): Sir, I am very glad that my Honourable friend Mr. Khaparde has brought forward this Resolution again as it gives me an opportunity of explaining to the House what has been done since this matter was debated at great length in the House last February, when my predecessor, Sir Arthur McWatters, gave an assurance that a decision would be come to in the matter within a year. Subsequent to that Government placed the whole case before the Conference of provincial representatives, that is to say, of Finance Members and Secretaries of the various provinces. They considered the whole evidence before them and came to the general conclusion that a system on the lines of the English Superannuation Act was preferable to a provident fund scheme. The English superannuation system is one by which in return for a lump sum, at death or on retirement, an officer gives up a certain proportion of his pension, which in the case of the English Act is about 1/4th of his pension. Government considered the proceedings of the Conference very carefully and decided to go in for a scheme, which I may call a combination scheme on the lines of the English Act. But it was necessary to calculate what the financial effect of this would be, because Government do not wish, if they can avoid it, to add to the heavy non-effective charges which they already bear. In the result they referred the matter to the Government Actuary. This was in June last. Now, the House knows that these actuarial calculations take a great deal of time. It was necessary to collect a great many data. The Actuary had already data about the superior services, but it was necessary to collect data with regard to the clerical services to which mainly this new scheme will apply. The report of the Actuary was furnished to the Government at the end of December last. In brief, the proposition put forward by the Actuary was that, in return for one year's pay at death in service or on his retirement, it would be necessary for the Government servant to give up about 30 per cent. of his pension unless of course Government was to lose by the arrangement, that is to say, unless the new scheme was to cost more than the present pensionary system. That calculation of 30 per cent. is based on 4½ per cent. interest. If the interest is higher, if it is 5½ per cent. or 6 per cent. it will be necessary either to reduce the sum paid to say, 10 months or 11 months' pay, or to increase the percentage of pension which the Government servant will have to surrender. Government decided that they should go in for this scheme as preferable to the scheme of contributory provident fund, and they hope to devise some means by which it will be made more attractive, if possible, than it looks at present. The reason for giving up the provident fund system is briefly this. It is very difficult to devise a system of provident fund which would not cost more than the present pensionary system. Further it is very difficult to please all Government servants, because the majority of the Service Associations want a scheme on the lines of the railway scheme which, in addition to a contribution by the Government, gives a substantial gratuity to the servant. That is a position which the Government could not face, because it would cost the Government more than they would be prepared to accept. Another reason for giving

up the provident fund system is that it is very difficult for present incumbents, who are on a pension system to be transferred over to a provident fund system. It is very difficult to devise a scheme of transfer which will be fair both to Government and to the person concerned. And lastly, the pension system is much more acceptable from the administrative point of view than a provident fund as the former secures greater stability and continuity in the services. Provident funds are alright where you have got short term service, but the pension system is much better for long term service. On the other hand, there are the following points in favour of what we may call a combination scheme, the English system. Firstly, it is very simple; secondly, it can be easily introduced in favour of existing incumbents if they wish to come in; thirdly, it affords a substantial amount to the dependants of the Government servant if he dies in service; and lastly, it has the benefit of experience behind it as we know that in England it has been working with great success since 1909. Therefore Government have considered that this scheme is preferable to a provident fund scheme and they are at present engaged in working out the details. They could of course bring it into force for their own servants, but that would be hardly fair to Provincial Governments, because Provincial Governments will probably find themselves obliged to follow. Therefore Government have decided to consult Provincial Governments in the first instance and they propose to do that as soon as possible, probably within a month or so. That, Sir, is how the matter stands.

As regards my Honourable friend Mr. Khaparde's proposal that in the meantime something should be done for dependants, I have every sympathy with him. I have had the cost of his scheme worked out. It appears that if you gave one month's pay for each year of service—the Honourable Mr. Khaparde gave an instance where a family will get 30 months' pay—of course if the pay is small the amount will be small—but the total cost works out to something like $7\frac{1}{2}$ per cent. annually on the total pay bill of the civil services, excluding Railways. The cost of the civil services, provincial and central, in India amounts to Rs. 59 crores. The cost of Mr. Khaparde's scheme might thus be something in the nature of 4 crores per annum spread all over India as the pension bill increases.

THE HONOURABLE MR. G. A. NATESAN (Madras: Nominated Non-Official): May I ask for a further elucidation of that point. I am not able to follow on what basis that calculation is arrived at. All the people are not going to die immediately.

THE HONOURABLE MR. A. F. L. BRAYNE: No, but we have worked it out that, practically, dependants would, in most cases, get between 18 months and two years' pay, as the great majority of deaths would occur towards the end of service. That is what it works out to. It seems a large sum, I admit, and I am not entirely satisfied that it is right, but those are the figures that have been so far roughly worked out. Anyhow, even if it was only a crore of rupees spread all over India, Government could hardly face that additional charge at the present time when they are retrenching so heavily in every direction and discharging personnel. On the civil side excluding Railways something like 7,000 are being discharged from the Central Government establishments.

With this assurance, that a decision has been arrived at as to the general form which the relief will take, that the scheme is being referred to the provinces and that as soon as the provinces have given their consent or have put forward

[Mr. A. F. L. Brayne.]

their views and those views have been considered, a scheme will be brought into force as soon as possible, I trust that my Honourable friend will withdraw his Resolution.

THE HONOURABLE SIR MANECKJI DADABHOY (Central Provinces : Nominated Non-Official) : Sir, I compliment the Government on having come to some decision at last. The matter has been pending since 1924 and on three distinct occasions debates have taken place in this House on this particular question. It is a matter of gratification to me that the Government have at last accepted the suggestion which I made last February in this Council. When Government then said that there were numerous difficulties to contend with and when Sir Arthur McWatters mentioned his three schemes, A, B and C, about which reference had been made to Local Governments, I said that the best thing to do was to adopt the English Superannuation Act of 1909. I am glad that the conference which met lately with the aid of Government have now come to the decision to adopt the provisions of that Act. But my Honourable friend Mr. Brayne has not told us whether that Act will be adopted bodily or only section 2. On this point I would like Government to ascertain the opinion of Local Governments when they make a further reference to them. Further, I am also not clear whether this measure of relief to be given under the English Superannuation Act will be allowed to the family of a deceased servant only when that servant has served for a period of five years and upwards. That was the purport of that Act. But I presume that the grant of pensions will not be affected in any way, i.e., that its scale will not be reduced. I would like to have some information on the subject.

THE HONOURABLE MR. A. F. L. BRAYNE : The actual details have not been worked out. We have merely agreed to the general principles. The details are being worked out and I will take a note of the points which my Honourable friend has made.

THE HONOURABLE SIR MANECKJI DADABHOY : Thank you very much. The attitude the Government has now adopted is very satisfactory and I trust before long that justice will be done to the families of a class of devoted servants who spend a lifetime on small emoluments and salaries in the service of Government. The step which the Government proposes to take is I think a very humane one and will commend itself to all the Members of this Council.

THE HONOURABLE MR. JAGADISH CHANDRA BANERJEE (East Bengal : Non-Muhammadan) : Sir, much as I recognise the fact that the Resolution of our Honourable friend, Mr. Khaparde, whom we may call the "Father" of this Honourable House, does not sound quite reasonable in these days of the economy campaign, I can not help but support it from the view-point of humanity. Sir, the non-gazetted officers forming a distinct class by themselves of faithful, dutiful, and loyal servants to Government often die in harness, "unwept, unsung and unhonoured." They are known to be patient, industrious, intelligent and obedient and an obliging class of servants on whom Government always rely for long hours of efficient work that evoke admiration from their superiors. It certainly redounds to the credit of these devoted band of Government servants on whom rests this disciplined system of administration in India. Inconsequential people though they may be in comparison with the high officials drawing fat salaries, they are

no doubt an important factor to be reckoned with and as such they are entitled to have special consideration at the hands of Government. If the system of provident fund is introduced by Government in all the provinces, then, I hope, there is no need for the proposed payment of gratuity to the families of this class of subordinates and non-gazetted officers who die before retirement; but pending introduction of such a fund it will not be unwise on the part of Government to sanction such financial help to the families of this class of subordinate officers as has been wanted by the Honourable the Mover of this Resolution.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS (Punjab : Non-Muhammadan) : Sir, I fully endorse what my Honourable friend Sir Maneckji Dadabhoy has said and I only want to add that, as the Honourable Mr. Brayne said that owing to financial stringency the whole scheme cannot be taken in hand, I would suggest that as far as the subordinate services are concerned, action be immediately taken, because in these times of unprecedented economic depression the subordinate services are feeling it acutely and they have practically no savings on which to depend. With these remarks, Sir, I support the Resolution.

THE HONOURABLE DIWAN BAHADUR G. NARAYANASWAMI CHETTI (Madras : Non-Muhammadan) : Sir, while thanking the Government for the sympathetic action they have taken, I would only appeal to them that there should be no further delay in the matter. Last year the Honourable Mover tabled a Resolution which was practically accepted by the Honourable Sir Arthur McWatters, who said that Government would do their best in the matter. The matter is still the subject of correspondence with Local Governments and my only request is that Government will treat this as an urgent matter and solve the problem as early as possible, so that these unfortunate families may have the benefit of whatever system the Government may introduce. With these few words I would appeal to Government that early steps be taken to solve this question. I beg to support the Resolution.

THE HONOURABLE MR. G. S. KHAPARDE : Sir, in view of what has been said by the Honourable Mr. Brayne and the support which I have received, I think it best to withdraw this Resolution at this time if the House permits.

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

RESOLUTION *RE* APPOINTMENT OF A COMMITTEE TO ADVISE ON LEGISLATION AFFECTING THE PERSONAL AND CUSTOMARY LAW OF THE HINDUS.

THE HONOURABLE SARDAR SHRI JAGANNATH MAHARAJ PANDIT (Bombay : Non-Muhammadan) : Sir, I beg to move the following Resolution :

“This Council recommends to the Governor General in Council that a Committee of official and non-official Hindu Members of the Council of State and the Legislative Assembly be appointed at the beginning of each term of the Legislature to hold office for the whole term thereof to advise Government upon official as well as non-official Legislative Bills, that may be proposed to be introduced into either House of the Legislature affecting matters of personal and customary law of the Hindus.”

Sir, the words of the Resolution are, I think, quite clear and they adequately express its purpose. It is a simple request to Government to appoint a Committee to consider informally and dispassionately the merits of Legislative

[Sardar Shri Jagannath Maharaj Pandit.]

Bills that may be proposed to be introduced into the Legislature and affecting matters of personal and customary law of the Hindus.

Perhaps one thing I may make clear at the outset and it is this. The personal and customary law of Muhammadans, Christians and Buddhists is, I take it, as dear to them as the Hindu Law is to me, a Hindu, and I should have no hesitation in supporting any Bill which might be brought forward by any Honourable Member of this House for similarly safeguarding his own religion, and, therefore, I would bespeak their sympathy for my present Resolution. I have said that the personal and customary law of the Hindus requires protection, and I will briefly give my reasons for saying so. Honourable Members are perhaps aware that the Hindu Law, whatever it is, and practically the whole of it, is contained in the Smriti texts, which are to be interpreted according to a particular system of interpretation. In the times of the old-world Hindu kings, or perhaps of rulers quite up to the time of the Peshwas in Maharashtra and Southern India, and Muhammadan rulers in certain other parts of India, the work of this interpretation was entirely in the hands of pandits who were sometimes themselves authors of commentaries on these texts, or at any rate well versed in the learned literature bearing on Hindu Law; and it only remained for the rulers to enforce the decisions given by these pandits. This system remained in vogue and force even in the early days of the British regime, but gradually the barrister and the vakil, educated in English, and European judges of the High Court and the Privy Council took the place of these pandits. The former gradually gave the go-by to the old and authentic system of interpretation and argued Sanskrit texts out of all recognition for the purposes of his case. Now since the Legislature has become, at least partly, an elective body, and more facilities are available than at any time before for the introduction of private Bills affecting the personal and customary law of the Hindus, one finds such Bills coming before the Legislature every now and then. The Bills are of both kinds, reactionary as well as progressive; and it therefore becomes necessary to get the best Hindu thought concentrated upon both kinds of Bills, so that the mere whim of an individual legislator or the accident of a snatch vote of the Legislature should not bring Hindu Law into a deeper quandary or greater disrepute. I am casting no aspersions upon the procedure laid down by the Rules of Business for the Legislature; they are indeed very good rules and the procedure a good procedure so far as they go. But what happens generally is that no close attention is paid to private Bills; affecting even the personal and customary law of the communities, till Members in charge are called upon to move their motion for referring the Bill to a Select Committee. And then Honourable Members find themselves in a dilemma. They either send it to the Committee or they do not. They are nervous to do the first, because that step is supposed to commit them to the principle of the Bill, and the details are only a matter of secondary importance. On the other hand, conscience may make them uneasy for refusing to send the Bill to the Select Committee and thus depriving it of all chance of consideration though some of its provisions may be highly desirable or reasonable. Now the Committee which my Resolution proposes will save the Bill from both kinds of dangers. It will do the work of concentrating the best light of thought on the Bill in a sort of informal and non-technical manner at an early stage. Without the Bill being sent out and circulated for eliciting public opinion thereon in the first instance, it will secure for it practically a good measure of mixed and independent public opinion; and without being sent to the Select Committee, it will successfully deal even with the details of the Bill. The judgment of the

Standing Committee will carry influence and weight with it. In any case the ascertained opinion of this Special Committee, whether unanimous or otherwise, will keep the Honourable Members of the Legislature more prepared than at present to discuss the Bill and to vote upon it at the critical moment on the motion for either sending or not sending the Bill to a Select Committee. I have nothing to say against the zeal or enthusiasm with which Bills bearing on the social life and the customary law of the communities are sprung upon the Legislature by people who may be very well intentioned whether as conservatives or liberals. But my Resolution simply proposes a device for giving a little more protection than at present for both communities and the Bills affecting them prejudicially or beneficially. If I am not mistaken, an idea like the one embodied in my Resolution was mooted in the other House in the year 1925 or so. But the idea somehow did not then materialise and I therefore request this House to revive it and give it a chance of life. Sir, I move.

THE HONOURABLE MR. SATYENDRA CHANDRA GHOSH MAULIK (West Bengal : Non-Muhammadan) : Sir, I am very sorry I have to oppose the Resolution moved by my Honourable friend. I make no apology for it, and although I am sure I may be thought a little reactionary, yet, Sir, I cannot subscribe to the view that the Government, which has little or practically no proper appreciation of our religious and social customs, which thinks us to be as superstitious as the Red Indians or the Hottentots, should be allowed to make social laws. Such an action is bound to create great resentment in the minds of the public. I can cite at least one instance of it—I mean the Sarda Act. I am not going to discuss the merits of such a legislation, but the amount of resentment felt by the masses—at this stage the Honourable Mr. Mahmood Suhrawardy attempted to interrupt—I am not talking of the Muhammadans, I am talking of the Hindus—at the passing of the Act is very great and until we get self-government or something like it, which we hope we are getting, the time is not yet for such a move. Sir, I oppose the Resolution.

THE HONOURABLE SIR MANECKJI DADABHOY (Central Provinces : Nominated Non-Official) : Sir, I do not know what the attitude of Government is going to be on this Resolution, but personally I do not see either the utility or the usefulness of this Resolution from several standpoints. My Honourable friend's Resolution seeks the establishment of a Committee of non-officials and officials which will exist during the year for the purpose of giving advice to Government on measures affecting personal and customary law of the various peoples residing in India. I am afraid that this Committee will find itself at times in a hopeless dilemma. This Committee will probably consist of Hindu, European and Moslem Members. I might ask my Honourable friend what is the attitude Government are to adopt in cases of conflict of opinion among such Members.

THE HONOURABLE MR. G. A. NATESAN (Madras : Nominated Non-Official) : What do they do now ?

THE HONOURABLE SIR MANECKJI DADABHOY : Does the Honourable Member mean to tell me that the Government should abide by the decision of the majority and not bring in such a Bill before the Legislature ? My personal view—and I am sure that many Members of this Council will agree with me—is that I would depend upon the opinion of the larger and wider public outside the Council in matters of social legislation. My experience in this

[Sir Maneckji Dadabhoy.]

Council has been that when legislation affecting an alteration or a change in the social status or affecting any personal or property law has been brought, Bills have been circulated for the expression of opinion not only of provincial Governments but also of the wider public. It is the public whose last word in my opinion would be the decisive factor in the consideration of such questions and I therefore think the present policy of referring all such cases for public opinion is sound. Take even the instance of the Sarda Bill; when that Bill was presented Government took no action till Sir Morapant Joshi's Committee absolutely gave a decisive opinion in favour of it and further when a large body of public opinion was expressed in support of it. My friend says that the Government will be strengthened by the mixed and independent opinion of the committee suggested by him. I think the Government would be far more strengthened by the public opinion of a large class of people outside the Council. Moreover, it does not appear to me to be a practical proposition. It would involve the meeting of Honourable Members often in Delhi to sit together to deliberate and to come to some conclusion regarding the utility of private and Government measures. Many business people, many leading Members, who are all very busy men, will not, I believe, agree to serve on a committee of this nature and I think therefore for all these reasons it would be far more satisfactory to leave the question as it is to-day.

THE HONOURABLE SIR BROJENDRA MITTER (Law Member): Sir, Sir Maneckji Dadabhoy wanted to know the Government attitude. This matter, Sir, has got a short history and I think the House ought to know that history. As I understand the Resolution, the object is to secure that the personal and customary laws of the Hindus should not be changed by legislation hastily without full consideration and without expert examination. In so far as the object goes, the Government are in full sympathy with it and when I relate the short history the House will see that Government have not in any way been remiss in this matter. Sir, in 1924, the Reforms Inquiry Committee, popularly known as the Muddiman Committee, recommended this—(I am reading from paragraph 120 of the Report of that Committee):

“ We would provide in the Legislative Rules, on the example of the House of Commons, for two Standing Committees, one each for Bills affecting Hindu and Muhammadan Law. After either Chamber has given leave for the introduction of a measure falling within either of these categories, it should automatically be referred to the Standing Committee concerned, and no further action in regard to it should be taken until the Standing Committee has reported. Normally, before reporting, we think the Standing Committee should give an opportunity to the community concerned to make any representations in regard to the Bill which it may think fit, either orally or in writing ”.

Sir, that was the recommendation of the Committee. Upon that, the Government, on the 16th September, 1925, moved a Resolution in this House (the Council of State) to give effect to the recommendation and the motion was adopted without division. But, as the House will realise, a motion of that kind could not be given effect to unless it was also accepted by the other House. Now, what happened with regard to that? A motion in the same terms was moved by the Home Member in the Legislative Assembly on the 17th September, 1925, but was adjourned till the next session on an amendment moved by Dewan Bahadur Ramachandra Rao. It was again moved on the 18th August, 1926, by the Government and again adjourned, on an amendment moved by Mr. Jinnah, who wished the matter to stand over for the new Assembly, which was to come into existence soon. The motion was never brought before the

Assembly again, and we are in this position that the motion was accepted by this House but the Legislative Assembly deliberately refused to go into the matter on two different occasions and has not taken it up since. That is how the matter stands. So far as the Government are concerned, they are in full sympathy with the object underlying this Resolution but the practical difficulty has been the attitude of the other House. Now, Sir, there are two points to which I shall draw the attention of this House. The Resolution is confined to the personal and customary law of the Hindus. The House will recognise that in a matter of this kind you cannot do things piecemeal. If you are to deal with the personal laws of the different communities in this country you must deal with them in one broad scheme which will bring in the personal laws of all the communities. That is one of the objections which I feel to this particular Resolution. Not that Government are not in sympathy with the policy underlying the Resolution but it is too narrow in its scope. The second objection which I feel is that this very matter is now being considered in its broader aspects by the Round Table Conference. Is this House going to accept the Resolution when the matter is under consideration, not in its narrow aspect but in its broader aspect, by a competent committee which is now in operation? Sir, having regard to the attitude of the Government, that is an attitude of sympathy, and having regard to the fact that this Resolution does not go far enough to embrace all communities and having regard further to the fact that the matter in all its particular aspects is being considered by the Round Table Conference, I hope the Mover will think fit to withdraw the Resolution.

THE HONOURABLE MR. G. S. KHAPARDE (Berar Representative): Sir, I wish to support this Resolution for various reasons, the first of which is that the proposer of the Resolution made it clear in his speech that if such a question arose about Muhammadans or any other community, he would be very glad to have it included in the scope of this Resolution. So that objection does not stand. The reason why I support this Resolution is the history of this unfortunate Sarda Act. In this Sarda Act, what happened was that they appointed a Committee to go round and collect opinions. This Committee did go round and collect opinions, but on this Committee there was not a single orthodox Hindu—they were all reformers. In England or elsewhere the position is different. Here, among our educated classes, there are some who are orthodox and others who are what are called reformers. I do not want anybody's help. I stand on my own legs as an independent man. But the fact remains that all the reformers got into this Committee, which was presided over by another reformer, and they made a report. I opposed that report in Simla, as my Honourable friends will probably remember—certainly my Honourable friend sitting near me (Sir John Thompson) will remember. Then we had a great fight, and I gave an instance which I wish to recall. In England they wanted to alter a few words of the Prayer Book. Over that, the whole of the House of Commons suspended all their party differences and the objection was taken that the election was not held on that issue and therefore the House of Commons could not decide that question. I took that objection, but it went for nothing. What happens is that the orthodox people have no mode of communication with the Government. Government have got all the reformers round about them and thus the Government machine goes wrong. That is the difficulty which we find. I found it myself. I argued the point. The Honourable the Chair also called me to order. That is the position. As to the first objection about Muhammadans not being included, I shall move a small amendment to enable them and every other community that likes to be included. The second objection that the Round Table

[Mr. G. S. Khaparde.]

Conference is now sitting is rather difficult. I think I said on the last occasion that this Round Table Conference will take a very roundabout way to come to no conclusion. It will go on for years and years and ultimately nobody knows what the result will be. I am not a prophet and so I could not foretell the result. Therefore that objection also does not weigh with me. The third objection is about our advancement. I ask the Government to borrow a page from an old Emperor of India, Akbar. Akbar, though a Muhammadan, had Hindus and Muhammadans round about him and he always consulted them. We have got these Councils, and the present proposal is that there should be a committee appointed. There was a committee, as my Honourable friend the Law Member has pointed out. It was not thrown out, but it has been held in abeyance. It is in a state of suspended animation. Only the other House did not agree to it. I do not say that the agreement of the other House is essentially necessary. We can pass our Resolution, and they can, if they like, go against it and if necessary we can then settle it in a joint sitting. There is a procedure to follow. The Government, I am very glad to see, are in sympathy with this Resolution and I propose that this sympathy should materialise and that an official body, consisting of Members of this House as well as Members of the other House, should be appointed to go into these matters. Lately I heard that there was a proposal for divorce being introduced. Another Bill for regulating inheritance has been introduced. The only way of dealing with all these revolutionary changes is to have an officially recognised body which will be able to put its opinions before the Government. In view of these things I heartily support this Resolution.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS (Punjab : Non-Muhammadan) : Sir, most of the grounds which I wanted to traverse have already been traversed by my Honourable friend Mr. Khaparde. We find that our Hindu religious laws are being broken piecemeal as the views of the unorthodox prevail over those of the orthodox who are smaller in number in the Central Legislature. The Honourable the Law Member has said that the object underlying this proposal has the sympathy of the Government and that a proposal similar to this was debated in this House a few years back and carried. Sir, when a Resolution on the same lines as the present one has been carried, it seems inconsistent that the Government should half-heartedly oppose it, in case it is pressed to a division. I am sorry I cannot understand this attitude, Government once supporting a measure and at another time giving its cold support to its opposition. This is a subject which is a very serious and an important one. In many foreign countries the Legislature has a sub-committee or standing committee to deal with religious or social legislation which any member may like to bring forward and to decide whether such proposed change be allowed to be discussed. The time has come when our new constitution is on the anvil that this Resolution, which this House carried some time back should be carried again, so that the importance of the subject be impressed upon those in authority and they may consider this question and accede to the object underlying it.

THE HONOURABLE SARDAR SHRI JAGANNATH MAHARAJ PANDIT : Sir, in view of the explanation given by the Honourable the Law Member in his official reply and the sympathetic attitude shown by him towards my Resolution, and also in view of the fact that owing to the Round Table Conference the whole thing is in the melting pot now, I beg leave of the House to withdraw the Resolution.

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

RESOLUTION *RE* EDUCATION IN THE NORTH-WEST FRONTIER PROVINCE AND BALUCHISTAN.

THE HONOURABLE KHAN BAHADUR CHAUDRI MUHAMMAD DIN (East Punjab : Muhammadan) : Sir, the Resolution that stands in my name is as follows :

“ This Council recommends to the Governor General in Council to take early steps to speed up the pace of education in the North-West Frontier Province and Baluchistan so as to bring those tracts educationally into line with the rest of India as soon as possible.”

Sir, reforms for the Frontier are now practically an accomplished fact. With the general changes contemplated for the rest of India reforms will have to be introduced in due course in Baluchistan as well. But reforms without the necessary education and enlightenment may prove to be more a source of weakness than of strength to the country. It becomes therefore an imperative duty of the Government to force the pace of education in these two provinces. In Baluchistan at present there is only one high school and not a single college. The condition of primary education is also deplorable. If there is lack of money, then cheaper modes of imparting enlightenment may be tried, for instance, *muktabs* in a modified form would perhaps meet the situation. In the North-West Frontier Province, though the conditions are not as bad as in Baluchistan, still the general spread of education is very limited. This state of things, if permitted to continue, will adversely affect the reformed machinery of the province and a breakdown there will have unwelcome repercussions in the rest of India. The necessity is urgent and I ask the Council to recommend to the Governor General in Council to take up this matter in a serious manner. Sir, I move.

*THE HONOURABLE MR. SYED ABDUL HAFEEZ (East Bengal Muhammadan) : Sir, I rise to support the Resolution moved by the Honourable Member. I think this is a very sound Resolution and everybody will agree that such a measure is desirable. I think the Mover has put forward his arguments ably, so I need not say much. I support the Resolution.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS (Punjab : Non-Muhammadan) : Sir, I have every sympathy with the object underlying the Resolution moved by my friend

12 NOON.

Chaudri Muhammad Din. I want to make a few observations, not with the intention of opposing the underlying object, but with reference to the facts before us. The North-West Frontier Province has now been made a Governor's Province and all the reforms are being given to it. I think, so far as the North-West Frontier is concerned, that this matter should be left for the consideration of its own Legislative Council which is now under formation. As far as Baluchistan is concerned, Sir, I have toured in that area to some extent and have found that the demand for education was very meagre. Anyhow, efforts ought to be made, when funds permit, to give more facilities for education in that area.

THE HONOURABLE DIWAN BAHADUR G. NARAYANASWAMI CHETTI (Madras : Non-Muhammadan) : Sir, I have great pleasure in supporting the Resolution. After all the Mover wants educational facilities to be given to the two areas mentioned. Coming as I do from a distant province and as one who

* Speech not corrected by the Honourable Member.

[Diwan Bahadur G. Narayanaswami Chetti.]

has no interest in the North-West Frontier Province, I have great pleasure in supporting the principle that all provinces should be given equal educational facilities. I support the Resolution.

THE HONOURABLE KHAN BAHADUR MIAN SIR FAZI-I-HUSAIN (Education, Health and Lands Member): It is a very great pleasure, Sir, to hear such sweet and short speeches on the subject of education, which generally invites Members to be very long-winded. The Honourable Member who has moved this Resolution has brought forward the case for two areas, the North-West Frontier and Baluchistan, and he has dealt only with the case of education in those two areas. What he desires is that the imparting of education may be speeded up. Apparently there is an underlying assumption that all is not well with education in those two areas. There has always been some misapprehension in the minds of the Indian public as to those parts of India. Therefore I think it will be well if I give some facts relating to those parts. The facts are, Sir, something like this. The percentage of pupils to population is a test which can be applied to show where the North-West Frontier Province stands in the scale of education in India. I believe it is a fair test. Then there is another test, what is the cost of education per head of the population as indicative of the effort which Government is making to impart education in that area. And a third test is, what is the cost of education per pupil in that area. That also is indicative of the effort that Government is making in different parts of India. Now, I find that as regards the percentage of pupils to population, I believe it will come as a surprise to most of the Members present that the North-West Frontier Province is better off than the United Provinces; it is better off than the province of Bihar and Orissa, and it is better off than the Central Provinces. So, you cannot very well say that the North-West Frontier Province is very much of a benighted province so far as education is concerned. Undoubtedly the United Provinces and Bihar and Orissa have had the benefit of British administration from long before the North-West Frontier Province. Those provinces are supposed to have a long tradition of scholarship and education as compared with the barbarians living across the Indus. But the facts are as I am stating. Now, let us see to what extent these three provinces which have been blessed with the Montagu Reforms and self-government have done their duty by education as compared with the efforts made by the Government of India in the North-West Frontier Province. On examination, Sir, it will be found that the cost per head of population on education in the North-West Frontier Province is more than it is in the United Provinces, in Bihar and Orissa, in the Central Provinces, in Assam and even than in the great province of Bengal. So, here we are. You cannot really say that the efforts on the part of Government in educating the North-West Frontier people are second to any of these provinces. It is ahead of them. Then, let us see how it stands so far as the cost per pupil is concerned. There again you will find that it is leading the rest of India. I shall give you the names of the provinces. It is ahead of the United Provinces, Bihar and Orissa, the Central Provinces, Assam and even Madras—the Honourable Member representing which gave his support to this Resolution—and even the Punjab wherefrom the Mover comes, and Coorg. Practically the cost per head of pupil is greater here than anywhere else in India except the province of the Honourable Member to my right (Delhi) and Baluchistan. Therefore, Sir, it is obvious that so far as the North-West Frontier Province is concerned both in effort and in result, education in the North-West Frontier Province is as well as one might expect, to put it mildly.

Now, as regards policy, the policy enunciated by the Honourable Mover has been the policy acceptable to Government for a number of years. As early as 1926 it was adopted and in 1927 a five-year programme was sketched out. A non-recurring grant of Rs. 15,89,880 was made. This was for five years. A recurring grant of Rs. 1,61,830 for the first year rising gradually to Rs. 4,65,392 was also given. You can see that the effort made by the Government was all that could be expected in the circumstances. The second step taken by Government was in 1930 when the Chief Commissioner with the full concurrence of the Government of India laid down the general policy in replying to an address presented to him by the people of the North-West Frontier Province. He said :

“ True you are not under the reformed administration ; your neighbouring province, the Punjab is ; it is but fair that you should expect some sort of expenditure as in the case of the neighbouring province in the districts of that province which are next to you ; and I am prepared to do that ”.

That policy was enunciated very clearly and it gave a great deal of satisfaction. I wish we could have carried it out. But, as you know, the attention of the Central Government was unfortunately taken away from beneficent activities to finding money for meeting the deficit ; and when your pockets are empty you cannot very well be beneficent to others. You first want to look after yourself and look after necessary Departments like the Police and so on, especially when people are indulging in activities of various sorts which do not bring in money or are not economically sound. Therefore, that progress was to a certain extent more or less stopped. As has been pointed out by my Honourable friend Lala Ram Saran Das, we are on the eve of reformed administration in the North-West Frontier Province. This morning's telegrams show that the Chief Commissioner is the Governor-designate of that Province. That announcement is a clear indication of the fact that the change of constitution is really quite near. Therefore, it would not do for me in a long-winded manner to say “ I welcome this Resolution and we will spend lakhs and lakhs on education,” because really the administration will pass out of my hands into the hands of the new constitution. I therefore trust that so far as the North-West Frontier is concerned, the Honourable Mover of the Resolution will realise that having afforded me an opportunity of saying what the Government of India have done in the matter, he will leave the matter there, and after five years try to see what the reformed constitution does for that province subsequently.

As regards Baluchistan, there is a difference. The difference is that the results are not commensurate with the effort put forward by Government. The percentage of pupils with reference to population is the lowest in India, but the cost of imparting education per pupil is the highest in India. In fact, it is more than double that of any other province in India, except Burma, and it is double the cost in Burma. Effort is not lacking, but the results are not commensurate with it. Why ? Is there a wastage or mal-administration ? No ; it is on account of certain geographical conditions and certain inherent backwardness of administration. There are very poor communications. The population is very sparse ; a little population here and a little population there. You want to have practically a school for every household ; and then those people are not settled down ; they are nomadic. You cannot carry a travelling school like a travelling dispensary ; it cannot be done and therefore the results are not in any way commensurate with the amount of money that is invested. I have no doubt, Sir, that the House will not grudge every effort that is being made by Government to improve the condition of this very backward area.

[Khan Bahadur Mian Sir Fazl-i-Husain.]

Already, as I have said, a great deal of money has been spent. Well, we must wait till these people are settled down, so to speak, and do not continue to be nomadic or until some man of genius comes into the Central Legislature or perhaps by chance gets into the Government Benches and discovers a way of imparting cheap yet good education to nomadic people. We have not yet succeeded in making that discovery. In the meantime I trust realising the amount of money that is being spent there the Honourable Mover will feel satisfied and keeping in view the financial stringency—the guardian of finance is sitting just behind—he will not press the Resolution in the circumstances.

THE HONOURABLE KHAN BAHADUR CHAUDRI MUHAMMAD DIN : Sir, as regards the Frontier Province, the figures given by the Honourable Member show that things are not what I thought they were ; I was in the Frontier Province for eight years, but it is 25 years ago since I was there, and at that time I was of the opinion that the province was backward in education. Sir Fazl-i-Husain has told us that the cost per pupil there is very high. Really in all backward tracts the cost per pupil is always high. When education spreads, the cost comes down. So of course Government is spending much more per pupil, but that does not mean that education has gone forward.

Baluchistan, Sir Fazl-i-Husain himself knows and he has said, is most backward. Government is alive to the situation and after what Sir Fazl-i-Husain has told us, I will not press the Resolution, and I would ask permission of the Council to withdraw it.

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

(The motion* standing in the name of the Honourable Mr. Abu Abdullah Syed Hussain Imam was not moved as the Member was absent.)

The Council then adjourned till Eleven of the Clock on Monday, the 7th March, 1932.

*“ This Council recommends to the Governor General in Council to introduce a comprehensive Act to replace the recent Ordinances.”
