

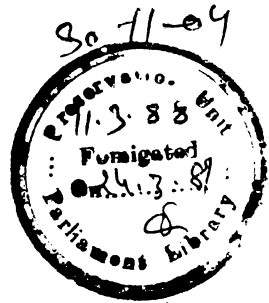
Wednesday, 6th April, 1932

**THE
COUNCIL OF STATE DEBATES**

VOLUME I, 1932

(25th February to 6th April, 1932)

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



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COUNCIL OF STATE.

Wednesday, 6th April, 1932.

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

MEMBER SWORN :

The Honourable Sir Evelyn Berkeley Howell, K.C.I.E., C.S.I. (Foreign Secretary).

MESSAGES FROM THE LEGISLATIVE ASSEMBLY.

SECRETARY OF THE COUNCIL : Sir, two messages have been received from the Secretary of the Legislative Assembly.

First message :

" I am directed to inform you that the Legislative Assembly has, at its meeting held on the 5th April, 1932, agreed without any amendment to the Bill further to amend the Code of Civil Procedure, 1908, for a certain purpose, which was passed by the Council of State at its meeting held on the 29th February, 1932."

Second message :

" I am directed to inform you that, in accordance with rule 36 of the Indian Legislative Rules, the amendments made by the Council of State in the Bill to define and amend the law relating to partnership were taken into consideration by the Legislative Assembly at its meeting held on the 5th April, 1932, and that the Assembly has agreed to the amendments."

FOREIGN RELATIONS BILL.

THE HONOURABLE SIR BROJENDRA MITTER (Law Member) : Sir, I beg to move :

" That the Bill to provide against the publication of statements likely to prejudice the maintenance of friendly relations between His Majesty's Government and the Governments of certain foreign States, as passed by the Legislative Assembly, be taken into consideration."

Sir, this is a simple measure designed to fill a lacuna which exists in our criminal law. Defamation is an offence under Chapter XXI of the Indian Penal Code. Section 198 of the Criminal Procedure Code provides that no court shall take cognizance of an offence falling under Chapter XXI of the Penal Code except upon a complaint made by some person aggrieved by such offence. Ordinarily there is no difficulty when the person defamed is in India.

[Sir Brojendra Mitter.]

He can lodge his complaint. The difficulty arises when the person defamed is a neighbouring foreign Sovereign or a member of his family or his minister. Sir, enormous mischief is caused by such defamation as it tends to disturb peaceful relations between India and such neighbouring State. The Ruler of such a State cannot be expected to come to India to lodge a complaint. Under the present law no one else can. In England, in such cases, the Government initiates the prosecution. The present Bill is designed to bring our law into line with the English law and it confers power on the Governor General in Council to initiate proceedings. That is the main provision of the Bill; the rest of the Bill is merely consequential. Sir, the Bill has been sufficiently explained in the Statement of Objects and Reasons. I move.

THE HONOURABLE MR. JAGADISH CHANDRA BANERJEE (East Bengal: Non-Muhammadan): Sir, from a perusal of the Statement of Objects and Reasons of this Bill one may off-hand form the opinion that it is a very simple and innocent measure but all that glitters is not gold. The main principle of the Bill, so far as I can understand, Sir, is to further curtail the already curtailed liberty of the Indian press and as such I cannot support the provisions of the Bill. Sir, India's relations with foreign States are now cordial and there is not even a remote chance of those relations being strained. Then what and where was the necessity for bringing forward such a measure that seems to be ominous to the press? Really, the Indian press has fallen on evil times and if this Bill is passed it will be like the "Sword of Damocles" and the press will remain in a position of constant peril at the orders of the executive. The definition of defamation or libel is a very elastic one in this country and the Bill when it becomes law may even interfere with the honest criticisms of a journalist or an author against the Ruler of a State who may have bungled, mismanaged and made a mess of things in his State which may call for impassioned and animated criticism from the point of view of the larger interests of humanity and the world. Be that as it may, Sir, the Bill, as it has emerged from the other House, will have an easy passage and smooth sailing here, however loud we few may raise our voice against it. But I would appeal to Government to apply this law with great caution because the position of the press is at stake.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS (Punjab: Non-Muhammadan): Sir, I rise to support the Bill. My Honourable friend Mr. Banerjee is not perhaps aware that certain vernacular papers in my province, the Punjab, have written defamatory and exciting passages in their issues. In case my friend had known that fact perhaps he would not have criticised this measure. I welcome the measure and I hope that as all treaties are to be honoured and respected, this Bill will have our unanimous support.

THE HONOURABLE SIR EVELYN HOWELL (Foreign Secretary): Sir, my Honourable friend the Law Member has clearly explained the legal aspects of this Bill, but there are perhaps one or two other points on which the House is entitled to expect information and about which I am perhaps in a position to give the information that it requires. In the first place, the House will have noticed that the Bill sets out to provide against the publication of statements likely to promote unfriendly relations between His Majesty's Government and the Governments of foreign States. Foreign Relations are an appanage of the Crown, Sir, I understand, and therefore, technically speaking, no matter to what extent those foreign relations in this country may be guided

by the views of or conducted through a high official like the Governor General or the Governor General in Council, they are technically still the foreign relations of His Majesty's Government. That is why the Bill, in the Preamble and elsewhere, is worded as it is. Secondly, those relations are not with Indian States but with foreign States, a point about which there was a good deal of misapprehension in another place. A foreign State is one thing and an Indian State is another and this measure has nothing whatever to do with any statements which may be published about the Rulers of Indian States. In its initial form the Bill set out to give a certain measure of protection to all foreign Rulers, but the scope of the Bill was very largely reduced in the Lower House by confining its operation to those countries which actually touch India's land frontiers, Aden for the purposes of this Bill not being regarded as part of India. The countries which do actually so touch are Persia, Afghanistan, China, Nepal, Tibet, Siam and, if Bhutan is a foreign country, Bhutan also. Not all of these States are in a very advanced political condition and publications about the Rulers of these States or about the people in very close personal contact with the Rulers may have the most disturbing consequences. They may even lead to bloodshed and war, and it is in order to minimise that danger that this Bill has been put forward. A measure different indeed in shape, but for the same object, was considered in 1928, but was dropped in the Lower House in view of expected opposition. Had that measure then come into force, it would have extended protection to a different Ruler in one at least of the adjoining countries, who in the meantime has been succeeded by a rival. It is therefore quite clear that the Government of India did not particularly want to benefit this particular rival, because they started out to protect one of the two and finished up by protecting the other. The Bill, being reduced as it is in scope, does not apply to the Hejaz or to Iraq or to Palestine, and no Moslem need have any apprehensions that it will ever prevent him from expressing any opinion which he may desire to express about any of those countries or their Rulers. Nor is the Bill intended to stifle reasonable criticism or the utterance of opinions expressed in the course of religious controversy. It is only meant to repress mean and scurrilous attacks on the heads of adjacent States and persons closely connected with them. The particular danger arising from attacks of this nature is probably much greater in India than it is in England; and although we set out to model our law on the English law, it must be admitted that, with one exception in 1905, the English law has not been set in motion for a considerable time. Whether the British Government would not have been well advised to set it in motion on some recent occasions is perhaps another question. They undoubtedly have the power, but they did not choose to use it, just as in this measure the Governor General in Council may or may not see fit to launch a prosecution. That is a question of judgment for him to decide. In one letter sent by a critic of the Bill in response to the demand for opinions, it was pointed out that after certain things had happened in connection with relations between Great Britain and Germany no action had been taken. "Allegations"—his is how the letter ran—"allegations against Kruger followed, which led to the Boer War". I think that any measure which puts an obstacle between the making of allegations and the expense and bloodshed resulting from war has a good deal to be said in its favour. Another point which I would like to make is that India is by no means alone in adopting a measure of this sort. Canada, amongst the British Dominions, adopted one so recently as 1927 and in Great Britain and the United States the Common Law, though not embodied in statutes, is undoubtedly in existence, though not very frequently in force. It is to the same effect. Amongst other civilised countries Brazil, China, Columbia, Costa Rica, Egypt, Finland, France, Germany,

[Sir Evelyn Howell.]

Greece, Guatemala, Holland, Italy, Japan, Persia, Portugal, Roumania, Siam, Sweden, Turkey and Yugo-Slavia have similar statutes. Amongst these countries, Egypt, Persia and Turkey, all of which have recently created and rather ardent nationalist Governments, have passed measures of this sort quite recently. The Persian statute is perhaps interesting. It gives the same measure of protection, except in the matter of punishment, to the heads of foreign States as it does to the head of the Persian State. The difference in punishment is that anyone who libels the head of the Persian State may get three years' imprisonment, whereas those who libel a foreign State can only get two. But otherwise the protection afforded is the same, and curiously enough it is only on condition of reciprocity. In Persia you may, in theory, write what you may like about the head of a foreign State, if the subjects of that foreign Ruler are permitted to write what they like about the head of the Persian State; but in practice we have seen that the Persian Government does not like violent attacks in the press on the heads of any foreign Government. It is only comparatively advanced civilised countries which require a measure of this sort, because where the power of the executive is wholly undefined, as it is in some of the more backward countries, no such law is needed. The press can very easily be controlled without it.

So, Sir, if I may recapitulate, the measure is intended for the protection of foreign Rulers and not for the Rulers of Indian States. It is not devised for the benefit of any particular person, but simply to prevent the very real and serious danger arising from defamatory attacks on the heads of the States which actually adjoin this country. It is a very mild and gentle Bill. It does not provide for the taking of security from any press or for its confiscation, but only for the punishment of the person responsible on a charge of defamation when one has been launched under the authority of the Governor General in Council. It also provides for the impounding and confiscation of defamatory matter of this nature by order of the Governor General and the prevention of its transmission through the post. The danger, as recent experience has shown us, the experience which caused us to promulgate the Ordinance last year, is a very real one and the measure provided against it is the minimum of protection which it consorts with the dignity of India to provide, consonantly with the safeguarding of the rights of the subject. I can assure the House finally on behalf of the Government that the measure and the powers which it gives will be used with the utmost caution and circumspection.

THE HONOURABLE THE PRESIDENT: The question is :

"That the Bill to provide against the publication of statements likely to prejudice the maintenance of friendly relations between His Majesty's Government and the Governments of certain foreign States, as passed by the Legislative Assembly, be taken into consideration."

The motion was adopted.

Clauses 2, 3 and 4 were added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

THE HONOURABLE SIR BROJENDRA MITTER: I move that the Bill, as passed by the Legislative Assembly, be passed.

The motion was adopted.

SUGAR INDUSTRY (PROTECTION) BILL.

THE HONOURABLE MR. J. C. B. DRAKE (Commerce Secretary): Sir, I move :

“That the Bill to provide for the fostering and development of the sugar industry in British India, as passed by the Legislative Assembly, be taken into consideration.”

In moving for the consideration of this Bill, Sir, I do not think it is necessary for me to take up a great deal of the time of the House, because the Bill itself is a very simple measure and partly because of the somewhat unusual circumstances which have attended the birth of protection to this industry. I allude to the facts that the Tariff Board's Report has now been before the country for more than a year, for it was actually published in connection with the budget proposals for 1931-32, and that the main proposal made by the Tariff Board which was that a duty of Rs. 7-4-0 per cwt. should be imposed upon imported sugar, was, at the same time, carried out to this extent that a revenue duty was placed on sugar, as Honourable Members are aware, of that amount. In these circumstances I propose merely to mention what are the most important features both of the Tariff Board's Report upon sugar and of the proposals which Government have embodied in the Bill before the House. I deal first, very briefly, with the claim to protection which the sugar industry was able to establish before the Tariff Board. And in speaking of the sugar industry I have to make it clear that this term includes a large range of interests and of operations. It begins from the growing of sugarcane on the field, and proceeds through the manufacture of the different kinds of raw sugar, such as *gur*, up to the manufacture of refined crystalline sugar in factories. The Tariff Board came to the conclusion that the sugar industry as a whole was able to satisfy the conditions laid down by the Indian Fiscal Commission. But they made these reservations—first, that sugar refining, taken by itself, was unable to satisfy the Fiscal Commission's conditions. Sugar refining by itself might use any material, including imported raw sugar, for its purpose. The second reservation was in respect of the manufacture of *gur*. The Tariff Board found that, strictly speaking, the manufacture of *gur* would be unable to satisfy the third condition laid down by the Indian Fiscal Commission, which is that an industry, in order to qualify fully for protection, should be capable of standing eventually against world competition without any protection at all. What they said about *gur* was this, that, if the term may be used, it had a very good second-hand claim to protection, because upon the manufacture of *gur* depends to a very great extent the prosperity of the cane-growing industry in India.

Now, while dealing with the question of how far the sugar industry has been found capable of satisfying the conditions laid down by the Indian Fiscal Commission, it is right to mention one point. The Tariff Board found, in discussing the costs of production in India, that at the end of the period of protection which they were proposing, the cost of manufacture of crystalline sugar in India would not be higher than it is in two-thirds of the sugar-producing countries of the world. But there are certain countries in which the cost of production of sugar is always likely to be lower than the cost of production in India, and one of those countries is Java. Now, as Honourable Members are no doubt well aware, the greater part of the imports of refined sugar into India comes from Java, so that it is only right to say that Government have considerable doubt whether, strictly speaking, that third condition of the Fiscal Commission is satisfied by the sugar industry in India. But, Sir, in spite of

[Mr. J. C. B. Drake.]

that they have no doubt whatever that this measure is a thoroughly sound measure and one which they can whole-heartedly commend to the Legislature for the main ground upon which it is based is the national importance of the cane-growing industry to India. The Tariff Board, Sir, laid considerable stress upon this point, and I have no doubt that Honourable Members who are interested in the subject have studied those reasons. I might, however, just say this, that at a time when we are passing through a period of almost unparalleled depression in prices, and when in the case of most primary commodities, or produce, it is impossible for Government to do anything at all to assist the primary producer, a time like the present does seem to be pre-eminently one in which steps should be taken, if they can be made effective, to improve conditions for the primary producer. In the case of sugar, what we have is a very large market in the country which has in the past been supplied in very large measure by imports of foreign sugar. When the Tariff Board reported the imports of white sugar were in the neighbourhood of one million tons a year and, though, like all other imports, the amount of sugar imported has fallen very considerably during the last year or so, that quantity is still very considerable. It is then mainly on the ground of the national importance of the sugarcane industry in the agricultural economy of India that this measure has been placed before the House. The provisions of the Bill are simply designed with the object of ensuring that an adequate demand for sugarcane will be maintained in India.

Now, I pass, Sir, to the actual recommendations made by the Tariff Board and to the proposals which are embodied in this Bill. What the Tariff Board actually recommended was that protection should be given to the sugar industry for a period of 15 years and that that protection should be given entirely by means of a duty on imported sugar. The Board proposed that the duty should be fixed at Rs. 7-4-0 a cwt. for the first seven years of the protective period and at Rs. 6-4-0 a cwt., one rupee lower, for the remaining period, and that that duty should apply to all grades of sugar. In addition, the Board thought it would be necessary for the Governor General in Council to take power to increase the duty whenever the market price in Calcutta, without duty, fell below Rs. 4 a maund. The Board then made certain subsidiary recommendations, the first of which was that a sum of ten lakhs of rupees should be given by Government annually for research and development in connection with the sugar industry. It further proposed that Government should take power to call for such returns as they thought necessary from the owners of sugar factories relating to their production of sugar; and, lastly, recommended that sugar factories should be required by Government to post in conspicuous places information relating to the rates paid by them for sugarcane. That was a measure intended to benefit the grower of cane.

The decisions which Government took on those recommendations followed very closely the recommendations themselves but there are slight variations. Dealing first with the protective period, Government entirely agreed with the Tariff Board that in the case of an industry of this kind, which includes the production of a field crop, the period of protection must be a long one. The scheme upon which the proposals are based depends very largely upon improved types of cane, such as are being evolved by research, being introduced throughout the sugarcane areas of India; not always the same type of cane but that type of cane which is found suitable for each locality; and also, if the whole of the market is to be supplied by Indian sugar, it is clearly necessary for the total acreage under sugar to be increased. Well, that, Sir, is bound

to take a long time. On the other hand, Government felt that to fix one rate of duty for a period of 14 or 15 years would not be a wise step. The duty is being fixed at a time of profound depression and when economic conditions and exchanges are upset and disturbed. Government thought, therefore, that the best course would be to fix the rate of duty for some intermediate period, and the problem was how to do that and at the same time to give the necessary assurance that this industry would be protected for the total period recommended by the Board, which was 15 years. The step they have taken to reconcile those two objects is shown in the Preamble to the Bill and in clauses 3 and 4. In the Preamble a declaration is made that the intention of the Bill is to provide for the fostering and development of the sugar industry for the period ending on the 31st day of March, 1946, that is, for a period of 14 years from now, or for one of 15 years if you count from the time that this higher duty was imposed upon sugar. And clause 2 provides that the amendment made by sub-section (1), that is the fixing of the duty at the rates that I have mentioned, should take effect up to the 31st March, 1938. Clause 3 provides that just before the expiry of that period an inquiry shall be held, not into the question whether protection should be continued—that is settled by the Bill—but to what extent protection should be continued.

Then, Sir, I shall refer briefly to the proposal made by the Tariff Board that power should be taken to impose an additional duty in certain circumstances. That provision has been made in a somewhat different form in the Bill. It was felt by Government that the proposal in the terms in which it was made by the Tariff Board was rather too rigid, whereas Government have already in the Indian Tariff Act a provision of that nature which was imported into the Act in the interests of the steel industry in 1927. In clause 4, therefore, they have embodied a provision which enables the Governor General in Council to increase the duty after inquiry if he thinks it necessary to do so in order to restore—for that is really the effect of the provision—to restore the amount of protection which was originally intended to be given by the measure.

The other recommendations of the Tariff Board, regarding the submission of returns to Government and regarding the posting of notices giving information regarding the prices paid for cane, have been embodied in the Bill. As regards the Schedule to the Bill, the only operative part in regard to sugar is amendment number 2, the effect of which, as Honourable Members will see, is to remove sugar from the revenue part of the tariff and place it in Part VII, which is the protective part of the tariff. The other amendments made in this Schedule are merely consequential, and, in particular, the references to matches and splints may be disregarded by Honourable Members as having nothing to do with the measure before the House.

Now, Sir, there is only one word more I should like to say before I sit down and that is in regard to the recommendation made by the Tariff Board, to which I have alluded, that a large sum of money should be made available every year by Government for development and research in connection with the sugar industry. As regards this recommendation, Government understand that the Imperial Council of Agricultural Research are actually sufficiently in funds at present to be able to carry out the schemes which have already received final approval. Those funds, I understand, will carry them on for one more year but, if after March, 1933, the Council is not given further grants, it will be necessary for it to curtail its programme in certain directions. On that point I can say this on behalf of Government. They fully agree with the views expressed by the Select Committee on this Bill in regard to the great necessity of seeing that the sugar industry is not starved of funds for the purpose of research and development, and they hope that it will be possible

[Mr. J. C. B. Drake.]

next year and in succeeding years to grant funds to the Imperial Council of Agricultural Research which will enable it to carry into effect such schemes for development and research in connection with the sugar industry as have been fully approved. The intention is to make such grants if the financial situation permits of this being done.

I think, Sir, that is all I need say on the subject of the Bill. It is one in which I have no doubt a great deal of interest is taken by Members of the House as well as by the country at large, and Government believe that, in the provisions of this Bill, they have produced as complete a measure as it is possible to devise for the adequate protection of this industry. Sir, I move.

THE HONOURABLE MR. SATYENDRA CHANDRA GHOSH MAULIK (West Bengal: Non-Muhammadan): Sir, when I rise to oppose this Bill, it must not be supposed for a moment that I decry the principle of protection when it is extended to a nascent or struggling industry. But why I oppose this Bill is because I do not fall in with all the propositions that are set forth therein. I would have heartily supported it if I had felt sure that the protection would really endure to the entire benefit of the country. But as brought up before this House the Bill intends to protect the capitalists and leaves the actual cane-growers in the lurch. This is one of the great gaps in the Bill which impels me to withdraw my sympathy from it altogether. Sir, there are several considerations which should weigh with us before this measure is rushed through. First, Sir, the sterling having gone off the gold standard, the prices of machinery for the equipment of up to date sugar factories in India have consequently gone up by about 20 per cent. To this is to be added 10 per cent. customs duty on foreign machinery imposed last year by the Government. The cost of plant and machinery has, therefore, increased at least by 30 per cent. since the Tariff Board reported on the development of the indigenous sugar industry. It stands to reason, therefore, that few industrialists will come forward to start a new venture unless they are assured of a fair return on their investment and that for a fairly long period. The proposed period of seven years is thus insufficient to attract the capital necessary for the development of the sugar industry. Sir, as the Government has recently lowered the taxable minimum of income-tax, small investors will naturally take into account that factor in putting forth their cash on new sugar concerns. This is also another deterrent factor in the scheme. In these circumstances the proposed Bill fails to restore confidence alike in the minds of capitalists and investors as both will be uncertain whether the Government would after the expiry of seven years continue the protection or whittle it down or scrap it altogether.

Secondly, Sir, by increasing the import duty on sugar gradually from 5 per cent. to 175 per cent. the Government have secured for themselves, on the plea of protection, a licence to tax the people for seven years on an article of daily food fetching an income of 10 crores or so for the purpose of revenue. But from the budget speech of the Honourable the Finance Member we find that the expected revenue on foreign sugar is showing distinct signs of decline. The reason for such deterioration is not far to seek. In the dire grip of the money-famine through which the people are passing they have perforce turned to cheaper substitutes and have curtailed their sugar consumption in various ways. I have information from Bengal that in some of the eastern districts, owing to the rise in the price of sugar, people are abjuring all sorts of sweets prepared from sugar in their feasts and religious observances.

Thirdly, Sir, we must all bear in mind that the leading sugar-producing countries have recently entered into an agreement to stabilise the price of sugar and have also agreed in furtherance of that purpose to a scheme known as the Chadbourne scheme to restrict the production and export of each sugar-producing country for a certain period. The implications of such a scheme must not be lost sight of. Then there is Java which with her most efficient sugar factories and enormous financial resources will continue to dump her production into India in vast quantities at abnormally low prices with a view to kill ultimately the indigenous industry. Another important factor which also needs our attention is the Russian production which has already continued to flow into our Indian markets in large quantities at very cheap prices. All these factors contribute to militate against the revival of the Indian industry amidst unfavourable local conditions.

Fourthly, Sir, as the financial, industrial and agricultural outlook of the country is getting worse day by day, it does not entitle us just at present to commit the country to the proposed protection measure.

Lastly, Sir, what safeguard has been promised in the Bill to protect the industry from the aggression of the foreign capitalists? I am reliably informed that in view of the protection, foreign sugar capitalists have already sent their emissaries to this country to interest Indian capitalists to open *benami* sugar factories in order to capture within the country itself the sugar industry with the ultimate object of frustrating the much-wanted protection. In view of all that I have already stated it will be prudent on our part in the present conditions of the country if we can shelve and throw aside the Bill and wait till the enhanced duty on machinery is withdrawn, gold standard once more stabilised, and financial and agricultural prospects have brightened up. Let us not court disaster by rushing through the measure in hot haste amidst such dismal beginnings. Sir, I oppose the Bill.

THE HONOURABLE RAJA BIJOY SING DUDHORIA OF AZIMGANJ (Bengal: Nominated Non-Official): Sir, I congratulate the Government for bringing this Bill which I think is the third protective Bill for the fostering and development of some of the Indian industries for the manufacture of which she has got abundant raw materials. I hope for the day, when these industries, will be well developed to compete with foreign markets and will be able to export her finished products to foreign countries. Sugar is an every-day necessity and as such India will not have to find markets for this commodity. There was a time when the Indian masses consumed very little sugar, rather, on the contrary, they used to consume the indigenous product called *gur*. With the advance of the times and the influence of Western education sugar has become one of the necessities of India's life for which she is at present solely dependent on foreign manufacturers. The Java manufacturers, finding that a large number of people use *gur*, started importing a cheaper quality *gur* from that country to kill the indigenous industry for its manufacture. I would not have been surprised, if the present state of things continued for a few more years if the Indian masses had taken to Java *gur* which is cheaper. In these days of industrial development India is lagging behind, though she abounds in raw materials for the manufacture of various finished products. I am glad that the Government in this case has acted with foresight and imagination and has the courage to belie the statement that the present bureaucracy is too wooden. Rather on the contrary, they have proved by their action that India has really Dominion Status in action. Before concluding I would like to bring to the notice of the Government that simply by the passing of

[Raja Bijoy Sing Dudhoria of Azimganj.]

this Bill their responsibility does not cease. An infant industry which is to be nurtured into maturity requires multifarious assistance during its infancy. One such assistance required is the help to the manufacturers by giving them concessional rates of railway freight and swift carriage for moving their heavy machinery from ports to the places of such manufacture. I understand that such concessional rates of freight were being given to such manufacturers but in the name of retrenchment some of the railways have stopped this concession. Sir, if that be a fact it will be a great handicap and will work adversely on those who are being refused such concessions. I would request Government to look into this matter of concessions.

Sir, the Tariff Board in its findings have stated that the nearer the raw materials to a manufactory of sugar the greater is the quantity of sugar derived from such sugarcanes. They further stated that the greater the time taken for the delivery of sugarcanes from the fields to the manufactory the lesser is the quantity of sucrose obtained from them. Consequently every sugar manufactory should have cultivable lands around it for the growing of sugarcane and Government should, therefore, provide metalled roads in these fields for the easy carriage of canes from the farthest cane-growing field to the manufactory by means of motor transport or feeder railways. Lastly, Sir, nothing has been suggested for giving facilities to the cultivator of sugarcanes. I would, therefore, suggest that a system of bounty should also be introduced for sugarcane growers according to the quantity and quality of cane grown. Government should take suitable measures to give them irrigation facilities as well as demonstrations of growing superior canes so that they can get better prices and, at the same time, the manufacturer will not lose by paying higher prices for canes as a smaller quantity of good canes will produce a larger quantity of sugar.

With these few remarks I support the Bill whole-heartedly and I once more congratulate the Government for bringing this Bill before the House.

THE HONOURABLE RAI BAHADUR LALA JAGDISH PRASAD (United Provinces Northern : Non-Muhammadan): Sir, I give my whole-hearted support to this Bill. I am sorry to find that my Honourable friend Mr. Ghosh Maulik has opposed this important measure. But after hearing his speech I am constrained to say that some of the reasons which he has given to oppose the measure afford all the more justification for the levy by the Government of a protective duty on the import of foreign sugar. The sugar industry in India, Sir, is still in its infancy and it is very necessary that it should be protected against foreign competition. All important countries at one stage or the other imposed heavy embargoes on foreign imports of sugar in order to encourage their own indigenous produce of sugar and with a view to be self-dependent so far as this important article of food was concerned. In order to give an idea as to what protective duties other sugarcane countries have imposed on sugar the following figures will be found interesting :

	Rs.	s.	p.	
Great Britain	5	11	6	per maund.
United States	6	0	0	„
Germany	7	3	0	„
France	7	8	0	per cwt.
South Africa	4	6	0	per maund.
Austria	6	0	0	„

And Australia has placed a complete embargo on foreign sugar. Sir, as was admitted by the Indian Sugar Committee of 1920, India at one time used not only to supply its own needs in the matter of sugar production but also had a great export trade in this commodity. But owing to want of encouragement and assistance by the State until the year 1923—when, as a result of the recommendations of the Indian Fiscal Commission, the Government was committed to a policy of discriminating protection—the sugar industry in India could not withstand the organised foreign competition of Java and European sugar producers who, with their organised attempts, improved methods and better facilities dumped their sugar on the Indian market at very low prices. The Government of India did not give their serious consideration for the improvement of the sugar industry until some time ago, while in other countries it has always been regarded as one of the key industries of national importance, with the result that the sugar industry in India continued to have a precarious existence. At last the Imperial Council of Agricultural Research with its Sugar Committee took up the question of this industry in right earnest and emphasised on the Government the urgent necessity of referring the question of sugar industry for investigation by the Tariff Board in the interest of as large a population as 20 million people who are directly interested in sugarcane growing, in order to find out if a case for protection existed for the sugar industry in India. The Tariff Board submitted its report early last year and found that the Indian sugar industry fully fulfilled all the conditions that the Fiscal Commission laid down for the grant of protection. In this connection I would invite the attention of the House to an extract from the relevant paragraph of the Tariff Board's Report making out a case for protection of the sugar industry in India. Says the Tariff Board :

“ It is necessary on general agricultural grounds to maintain or increase the area under cane and to secure this end an outlet must be provided for surplus cane. Unless steps are taken in this direction, a serious crisis must result in the *gur* industry as the result of over-production, great hardship will be caused to the cultivators, while agriculture in general will receive a severe blow. Finally, cane is the only important agricultural product the price of which is not determined by world conditions, and Government therefore has it in its power at this time of severe agricultural depression to afford substantial assistance to the agricultural classes by protecting the sugar industry ”.

Sir, the sugar industry in the matter of protection stands on quite a different footing from the industries which had hitherto been given protection by the Legislature. This industry, unlike other industries which are generally confined to a few individual firms, seeks to benefit a huge population, both agricultural and industrial, without imposing any great burden on the poor class of consumers, because the evidence before the Tariff Board clearly showed that white sugar is mainly used by the well-to-do classes, the middle classes use about half sugar and half *gur* and the poorer classes in the main use *gur*, and as there is no relation between the price of white sugar and *gur* the poorer classes will hardly suffer by the levy of the protective duty. In this connection the following remarks of the Tariff Board deserve special attention :

“ We believe we are justified in assuming therefore that the agriculturists, who are the poorest as well as the largest class in India, will incur very little if any additional expenditure as a result of the protective duty on sugar. On the other hand, the gain which will accrue to agriculture from the extension of white sugar factories, the exclusion of foreign sugar and the prevention of the manufacture of imitation or adulterated *gur*, should far outweigh any disadvantage resulting from an increase in the price of imported sugar above the prevailing low levels. The duty will we believe be borne in the main by the urban population, but even here the incidence of taxation will be higher per head in the case of the well-to-do and middle classes. It may also be pointed out that heretofore, on balance, the burden imposed by the adoption of a system of protection has been borne by the agriculturists for the benefit of the urban industrial population. This is the first occasion on which

[Rai Bahadur Lala Jagdish Prasad.]

proposals for protection will be of direct advantage to the rural classes, both agriculturists and labourers, and there is therefore perhaps a rough justice about the proposals which should appeal to the unbiased observer”.

In the face of these weighty observations of the Tariff Board I think there need be no misgivings about the utility of the proposed measure, and the bogey of the interests of the consumers being adversely affected by this Bill should not in my humble opinion deter the House from doing its duty by the agriculturist who is the backbone of the country and the industrialist whose coming more and more into the field is a desideratum in India.

Sir, there is one important point to which the Honourable Mr. Ghosh Maulik made a reference in his speech. It is the danger of foreigners taking advantage of the tariff wall to establish sugar factories in India to the disadvantage of Indian interests. In this connection I must say that the Government of India should carefully watch any developments in this direction with a view to considering whether any action should be taken to prevent control of the industry from falling into foreign hands.

Sir, I strongly support the measure and hope that the House will pass it.

THE HONOURABLE MR. JAGADISH CHANDRA BANERJEE (East Bengal : Non-Muhammadan) : Sir, the main purpose of this Bill is to provide for the fostering and development of the sugar industry in British India. There was a time in our country, Sir, when she was not only self-dependent in respect of supplying her own need but also had a considerable export trade in sugar ; but owing to want of state-aid and encouragement by way of any protective duty on sugar till 1916, the sugar industry in India became crippled and had such a miserable decline that the Indian market was practically monopolised by foreign, especially Java, sugar which was sold at a very low price. From 1916, when the unsatisfactory financial condition of Government compelled them to impose a duty on imported sugar, this duty had to be increased year by year from 5 per cent. to 25 per cent. *ad valorem* in 1925-26 and to a specific duty of Rs. 3-4-9 pies per maund in 1926-27 to Rs. 5-2-10 pies in 1931-32. The history of the sugar industry in India is not perhaps unknown to you, Sir, and the Honourable Members of this House and I need not take up your time by repeating it or quoting chapter and verse from either the Report of the Indian Sugar Committee of 1920 or that of the Tariff Board who have recommended the levy of a protective duty on sugar. Sir, I am an out and out protectionist and when I realise that the proposed protection is mainly in the interest of the Indian sugar industry and the cultivation of sugarcane I gladly welcome this measure for protection. But I would suggest that Government should exercise control over the prices as I am afraid this duty may lead to unscrupulous profiteering by wholesale as well as retail dealers in the country. In this connection, Sir, I would further suggest that Government should enlighten the Central Legislature with their annual reports regarding the progress and development of the sugar industry in India and how far they have given effect to the recommendations of the Tariff Board in respect of research work done by the Imperial Council of Agricultural Research and the money spent for that purpose. In a country like India, Sir, protective duty on a certain commodity sometimes lures foreign capitalists to set up factories and concerns here and I am afraid foreign interests may take advantage of this tariff on sugar which is an important article of food and may establish sugar factories here to the great disadvantage of and detriment to the interests of the Indian producers. This aspect of this Bill should engage the serious consideration

of Government and means must be found by them to check the inflow of foreign capital into India, especially in the matter of sugar factories ; otherwise, the main purpose of the Bill will surely be defeated and the Indian sugar industry may fall into the hands of foreigners like the match industry in India.

With these few suggestions, Sir, I should like to support the passage of the Bill and resume my seat.

THE HONOURABLE MR. ABU ABDULLAH SYED HUSSAIN IMAM (Bihar and Orissa : Muhammadan) : Sir, in rising to support this Bill I wish to point out that, as is well known to the House, I am not in favour of protection in general. I give my support to this measure of protection because I find that it will help the labourer more than the capitalist. In other industries this is not the case. A point made by certain of my Honourable friends is that probably this protection will attract capitalists and outsiders who will come and establish the sugar industry in India. It might be a bad thing from the industrialists' point of view, but from the agriculturists' point of view it will be quite welcome, because we have sufficient raw material not only for the present number of factories, but even double and treble the number of factories could very well be supplied with raw material. And if the capital comes from abroad it will absorb only a certain part of the profits and a larger amount of profit which will accrue from the development of the sugar industry will remain in India in the form of prices paid to the agriculturist and labour charges. Sir, a very good suggestion has been made by my Honourable friend, Mr. Ghosh Maulik, and I specially recommend it to the attention of the Government, although it did not come in so many words but I think he will be satisfied if Government follow the line he suggested with which I also agree.

The Tariff Board recommended that there should be an outlay of Rs. 10,00,000 on agricultural research. The Government in the present financial stringency cannot find that sum, but the least they could do would be to make the sugar machinery coming from outside India duty-free. This is a measure for which they do not require any legislative sanction. They can do it by executive order and it will be hailed by all Indians as a genuine effort on the part of the Government to foster this industry. The great mistrust which is generally produced in India on account of protective duty is, that the Government want to fill their coffers, and it is in the guise of protective duty that they come up to the Indian Legislature to get their support. I think if the Government find it possible to let go a few thousands at times—it will not be more than a lakh of rupees or so in the year—it will not cause a great amount of inconvenience but it will give proof of a genuine desire on the part of Government to foster Indian industries. Sir, in fact the without duty Java sugar landed cost in Calcutta comes to something like Rs. 110 a ton and the duty to Rs. 145 a ton. This shows the great handicap that must be placed on Java sugar to better the position of India in the sugar industry, inasmuch as it shows that more than a 100 per cent. duty is required to foster the industry. The reason why we have got to impose such a high rate of duty is that Indian sugar is not as good as it might be and it is more towards the agricultural side of this industry that the attention of the Government should be drawn than to the manufacturing side. It is very essential that material help should be given and every effort should be made to improve the quality of sugarcane grown in India and then and only then can we hope to establish the sugar industry on a sound basis. If we go on giving protection, it does not matter for how long, unless we improve the quality of the sugarcane we cannot establish the sugarcane industry in India. It is because Java is very fortunate in having a good quality of sugarcane that the cost of production is small.

[Mr. Abu Abdullah Syed Hussain Imam.]

It is well known that the labour cost in India is very low. We have got natural advantages, but every advantage is set at naught by the poor quality of the sugarcane and it is therefore that I draw the attention of the Government to do something substantial, and not merely lip service, as far as the agricultural aspects of the sugar industry is concerned.

With these few words, Sir, I support this motion.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS (Punjab : Non-Muhammadan) : Sir, I rise to support the Bill and as this matter has been dealt with in detail by many Honourable Members of this House I need not take up the time of the Council. The only point which I want to put forward is that the life of the Bill has not been made long enough. And I think, Sir, that those people who are intending to put up new sugar factories are feeling rather reluctant on this point as to when this protection will end. With these few remarks, Sir, I support the Bill and wish that as long as protection is necessary in the interests of the Indian industry it will be maintained and kept up.

THE HONOURABLE MR. J. C. B. DRAKE : Sir, in view of the general support which this measure has received at the hands of the House there is very little that I wish to say. The speech which my Honourable friend Mr. Ghosh Maulik made has, I think, been answered to a very large extent by the very interesting speech which we heard from the Honourable Rai Bahadur Lala Jagdish Prasad. Perhaps I might be permitted to say that I found the arguments which my Honourable friend Mr. Ghosh Maulik used in places a little self-contradictory. He began, I think, by saying that one of his objections to the measure was that it was designed in the interests of the capitalist rather than in those of the grower of sugarcane. But he immediately went on to say that with a measure of this kind he was afraid that capital would not be attracted. But, Sir, I need not dwell on that point, and I shall pass on to what fell from my Honourable friend Raja Bijoy Sing Dudhoria. He, Sir, asked especially that the question of railway concessions for the sugar industry might be taken into consideration by Government. All I can say about that, Sir, is that, as is usual, if the interests concerned approach the Agents of the Railways which carry the machinery or their produce, I am quite sure that due attention will be paid to any representations that are made. He also referred, Sir, to the question whether it would not be possible for a bounty to be given in some form to the growers or producers of sugar. That, Sir, was a point that was examined by the Tariff Board and it had to be dismissed because, quite obviously, for administrative reasons the grant of a bounty on the production of sugar is really out of the question. It would be impossible for any agency that Government might devise to keep a check on the amount of cane produced by every grower or producer. Then, Sir, my Honourable friend Mr. Banerjee referred to two points. One was the question of receiving reports annually about the progress made in sugar production and also in research and development in connection with the sugar industry. That, Sir, was a point particularly noticed by the Select Committee on the Bill, which made a definite recommendation that an annual report should be presented to the Legislature showing the amount expended on and the progress made in research and development. I have no doubt that that recommendation will be given due attention by the Government. The other point that was raised by my Honourable friend Mr. Banerjee, and also by other speakers, was the question whether there was a

real danger of foreign interests coming in and establishing factories behind the tariff wall to the detriment of the Indian industry. That point also, Sir, was very carefully considered in the Select Committee and they decided finally to make a recommendation in their report which is to the effect that in view of fears which have been expressed that interests outside the British Empire might take advantage of the tariff wall to establish factories to the detriment of Indian interests the Governor General in Council should watch any developments in this direction with a view to considering whether any action should be taken to prevent the control of the industry, or any considerable part of it, from falling into foreign hands. That, Sir, like the other recommendations will be given the closest attention by Government.

One other matter which perhaps I might mention very briefly is the request made by the Honourable Mr. Ghosh Maulik, and repeated by my Honourable friend Mr. Hussain Imam, that imports of sugar machinery should be admitted free of duty. Well, Sir, I am afraid that I can give no promise in that direction, particularly in the absence of my Honourable friend Mr. Brayne who I am sure would have a good deal to say about it. But I should like to call the attention of the House to the fact that protection is being afforded on a generous scale to the sugar industry and actually at the present moment, while there is this duty upon machinery, there is also a surcharge on the revenue duty upon sugar which operates until the 31st March, 1933. I think, Sir, that there is nothing else that I need say.

THE HONOURABLE THE PRESIDENT : The question is :

“ That the Bill to provide for the fostering and development of the sugar industry in British India, as passed by the Legislative Assembly, be taken into consideration.”

The motion was adopted.

Clauses 2, 3, 4, 5 and 6 were added to the Bill.

The Schedule was added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

THE HONOURABLE MR. J. C. B. DRAKE : Sir, I move that the Bill, as passed by the Legislative Assembly, be passed.

The motion was adopted.

INDIAN AIR FORCE BILL.

THE HONOURABLE MR. G. R. F. TOTTENHAM (Army Secretary) : Sir, I beg to move :

“ That the Bill to provide for the administration and discipline of the Indian Air Force, as passed by the Legislative Assembly, be taken into consideration.”

At the outset, Sir, may I express to the House the personal regret of His Excellency the Commander-in-Chief that he has been unable to be present to-day to take charge of this Bill. His Excellency had hoped to do so, but he had to leave Delhi some days ago on an extended tour, and for one reason and another it proved impossible for this Bill to reach this House before he left. I am sure that no one regrets more than His Excellency himself that this should be the case.

[Mr. G. R. F. Tottenham.]

As to the Bill itself, Sir, I do not think I need detain the House for any length of time or that Honourable Members will expect from me any elaborate exposition of its provisions. An Act of the Indian Legislature is necessary in order to bring into existence an Indian Air Force and to provide for its administration, discipline and control. The measure is therefore one of considerable importance. Indeed it marks a definite stage in the history of the defence of India. The Bill also contains a large number of clauses. On the other hand, it does not contain anything that is either novel or experimental in character. It simply presents in a self-contained and in as simple a form as possible the normal provisions of a disciplinary Act such as is applied to any arm of His Majesty's Forces; and, as the Statement of Objects and Reasons will show, it is based almost exclusively on the existing provisions of the British Air Force Act or the Indian Army Act. The Bill was drafted in the first instance with a great deal of care and labour by a process of selection from these two sources, so as to adapt them to the purposes of an Indian Air Force. Subsequently it received at the hands of the Select Committee further detailed and careful scrutiny, as a result of which a few minor amendments were made and the wording of section 9 was amplified to make it clear that enrolment in the Indian Air Force should be confined to genuine Indian citizens. The Bill as so amended was passed by the Legislative Assembly without hesitation, and it has therefore reached this House in a form in which I think I can confidently recommend its acceptance.

Sir, I move.

THE HONOURABLE RAI BAHADUR LALA JAGDISH PRASAD (United Provinces Northern : Non-Muhammadan) : Sir, if I rise to speak on this Bill I do so with the object of entering my protest against the attitude of the Government as to the manner in which recruitment for the Indian Air Force is to be made in future. In the Statement of Objects and Reasons appended to the Bill I find the following passage :

"The personnel of the Indian Air Force will very largely be drawn from the classes which now furnish recruits to the Indian Army, etc."

Now, Sir, the House I am sure is well aware that Indian public opinion has never reconciled itself to the practice followed by the Government of making recruitment for the Indian Army from some specially privileged classes to the exclusion of certain other classes. It has been the public demand all along that recruits to the Indian Army should be drawn from every section of the community. But the Government has up till now persistently ignored this demand. Now it seems that the practice of certain special classes alone furnishing recruits to the Indian Army is not going to stop here but is being carried to recruitment for the Indian Air Force as well. This principle, Sir, to my mind is highly objectionable and does not augur well for the future of this great undertaking. The virus of separation on the basis of castes and creeds is already eating into the vitals of this great country, why accentuate public dissatisfaction and distrust by carrying the policy of differentiation further to the case of this newly born enterprise? Sir, the Indian Air Force has a bright future before it, and I am strongly of opinion that the personnel of the Force should be drawn from all classes irrespective of caste, creed or colour, and there should be no restrictions whatsoever imposed upon any classes in the matter of recruitment to it. I hope, Sir, that my suggestion, very reasonable as it is, will commend itself to the Government.

THE HONOURABLE MR. ABU ABDULLAH SYÉD HUSSAIN IMAM (Bihar and Orissa : Muhammadan) : Sir, I also rise to speak on this Bill with a view to informing the Government that we are not satisfied with what the Government have up till now done in regard to the Air Force. It has probably escaped the attention of most of the Members that this Bill is for an Indian Air Force, and not for the Royal Air Force. This distinction is very essential to remember, if we want to understand the extent to which this Act will be applicable. While we spent Rs. 2,46,00,000 on the Royal Air Force in the year 1930-31, the magnificent sum of Rs. 24,000 was spent on the Indian Air Force in the year just completed. This big and lengthy Bill has been brought in to affect only that part of our Budget in the Air Force Department which is known as the Indian Air Force. What we want is not the Indianisation of a solitary unit of the Royal Air Force ; we wish that Indianisation should proceed in an effective way, so that in a short and definite period we might have an Indian Air Force. That principle, which has been very many times condemned, and is known as the S-unit scheme in the Army, is going to be perpetrated in the Air Force as well. We are promised that we will have a wing or a squadron—I do not know the technical term—which will be known as the Indian Air Force. There are only five Indian officers who are coming forward at the tail end of this year. At this moment we cannot oppose the passage of this Bill, but we can appeal to the Government to expedite the process of Indianisation and also to take away the control of the War Office. I am informed—I am subject to correction by the Honourable Member—that the Royal Air Force is not subject to the Army Member. Is it a fact ? We should like our unit to be under the control of the Army Member of the Executive Council of the Governor General. As it is, the control of the War Office cannot be in the interests of India. However strong the difference of opinion might be among us and the Members of the Treasury Benches, at least they are better, and for our purposes more friendly, than we could ever expect the War Office to be. Therefore, Sir, I support this Bill, but I bring these facts to the notice of the Government for redress.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS (Punjab : Non-Muhammadian) : Sir, I should like the Honourable the Army Secretary to kindly inform this House whether this Indian Air Force and the Royal Air Force will have a common cadre and whether they will be part and parcel of the Royal Air Force in India. I fully support the points raised by my Honourable friend Rai Bahadur Lala Jagdish Prasad as far as recruitment to the Air Force is concerned ; and I should also like the Honourable the Army Secretary to enunciate the policy of the Government so far as recruitment to the Air Force is concerned. I would also like to know, Sir, why the Air Force officers have not been put under the orders of the District Commanders. That is a novel departure and I should like to know the reason which led Government to make these officers independent of the District Commanders. Then, Sir, another point on which I want to lay stress is that the number of officers recruited in the Air Force yearly should be such as to make the Indian Force all Indian at least during the next 10 years. With these remarks, I support the Bill.

THE HONOURABLE MR. G. R. F. TOTTENHAM : Sir, I hope the House will forgive me if I give somewhat unsatisfactory answers to various points that have been raised in the debate to-day. I only took charge of my office yesterday and I do not think I can be expected to have such a complete knowledge of the questions as I may hope to acquire in a few months' time.

[Mr. G. R. F. Tottenham.]

There is one point, however, which was raised by several speakers regarding recruitment to the new Force, based on a passage in the Statement of Objects and Reasons, from which it appears that Honourable Members have received the impression that recruitment to the Indian Air Force is to be restricted to what is known as the martial classes, the classes from which recruitment for the Army is made. The passage in the Statement of Objects and Reasons which refers to that matter gave, I am afraid, a wrong impression also in another place, which was corrected, I see, by my predecessor in the Legislative Assembly. What he said was this :

“As regards the passage in the Statement of Objects and Reasons, to which my Honourable friend has drawn attention, I must say that I had not realised how much it might convey, in the direction of suggesting that the recruitment of the Air Force will be limited to certain classes. It is not intended to convey that impression at all. It was merely an anticipation that for some time at any rate those classes would be likely to provide the bulk of the volunteers for the Indian Air Force. But as far as I am aware, there is no intention at all to restrict the recruitment for this very small force”.

There is no intention and there never has been any intention that there should be class composition in the Indian Air Force.

Another speaker referred to the small amount of money that has been provided for the Indian Air Force in the Budget for the current year. That is due to the fact, as explained in the Statement of Objects and Reasons, that these young men who are coming out shortly to take up commissions in the Indian Air Force will have to undergo a period of attachment to a Royal Air Force unit and therefore the expenditure during this year will be of a preliminary nature. No doubt it will increase as time goes on. I am not myself exactly aware of the position as regards the number of recruits who are under training at home. Six officers are shortly arriving and I believe a similar number who are under training at Cranwell will come out in due course. I hope the House will forgive me if I pass over the larger points about Indianisation at this stage and will be content with the assurance that I shall study them.

THE HONOURABLE THE PRESIDENT : The question is :

“That the Bill to provide for the administration and discipline of the Indian Air Force, as passed by the Legislative Assembly, be taken into consideration.”

The motion was adopted.

THE HONOURABLE THE PRESIDENT : The Bill is a very long one and I think it will be convenient if I put the clauses to the Council in groups according to the Chapters. If any Honourable Member wishes to speak on any particular clause of the Bill, I hope he will stop me when I mention the number of that clause.

Clauses 2 to 6 were added to the Bill.

Clauses 7 to 18 were added to the Bill.

Clauses 19 to 30 were added to the Bill.

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Clauses 120 to 128 were added to the Bill.

Clauses 129 and 130 were added to the Bill.

The Schedule was added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

THE HONOURABLE MR. G. R. F. TOTTENHAM : Sir, I move that the Bill, as passed by the Legislative Assembly, be passed.

The motion was adopted.

INDIAN TARIFF (WIRELESS BROADCASTING) AMENDMENT BILL.

THE HONOURABLE MR. J. A. SHILLIDY (Industries and Labour Secretary) : Sir, I move :

“That the Bill to provide funds to enable Government to continue wireless broadcasting in India, by increasing the import duties leviable on wireless reception apparatus, as passed by the Legislative Assembly, be taken into consideration.”

Sir, it was in 1927 that the Indian Broadcasting Company started its operations. They never proved a success and eventually the Company went into liquidation in 1930. The Government of India, however, were of the opinion, and public opinion also was behind them, that broadcasting should not be allowed to stop, and consequently they bought over the two stations at Calcutta and Bombay for a sum of Rs. 3 lakhs. They realised at the time that this experiment would cost them about Rs. 1,40,000 a year. They were achieving such economies as they could and at the same time trying to attract new license holders. Then came retrenchment, and the Retrenchment Committee examined the service and decided that broadcasting should cease. The Government of India could not hold that this was an essential duty which it had to perform and agreed with the decision of the Retrenchment Committee. As soon, however, as that decision was announced, there was immediately considerable agitation amongst persons who were interested in broadcasting and amongst people who sold the parts for broadcasting for the continuance of the service. Government, having regard to this, came to the conclusion that if possible they should continue this service but on the basis that the service should pay its own way. There were various ways in which we could try to do this. One was to cut down expenditure. Well, the expenditure for next year as we have budgetted will be Rs. 2,38,000 and when I tell this Council that the expenditure under Company-management in the three years that the Company had the service came to Rs. 2,97,000, Rs. 3,35,000 and Rs. 3,17,000, I think the House will agree with me that there is no further possibility of reduction in expenditure. Reduction in expenditure must mean reduction in expenditure on programmes, and reduction in expenditure on programmes necessarily offers fewer attractions to subscribers thus bringing in less revenue. Our revenue coming in from various sources amounts next year we estimate to about Rs. 1,70,000, leaving a very considerable gap. We therefore came to the conclusion that the only thing we could do was to put

[Mr. J. A. Shillidy.]

a duty on to these instruments in order to provide some means of bridging the gap. I would not care to give a definite figure of the amount that we shall receive from this source, but at all events we hope it will be sufficient to cover that gap as nearly as possible. There is only one other point, Sir, I would like to make, and that is, there has been talk of a great deal of piracy, people with broadcasting sets who do not take out licenses. I would appeal to everybody and to all holders of broadcasting sets through Members of this Council, that the evasion of this tax should really be stopped. If they are interested enough in broadcasting to take out broadcasting sets, then I think it is up to them to pay for their licenses. It is by means of these licenses that we look mainly for support for this service. If people will evade this tax there is only one thing certain in the future, and that is that broadcasting will cease.

THE HONOURABLE MR. JAGADISH CHANDRA BANERJEE (East Bengal : Non-Muhammadan) : Sir, I accord my hearty support to the Bill as passed by the Legislative Assembly, and then clearly explained by our Honourable friend Mr. Shillidy. In these modern days, Sir, wireless has become an indispensable thing from various points of view and its usefulness cannot be questioned. And, therefore, it should be our pleasure to provide funds to enable Government to continue wireless broadcasting in India and if for this purpose the import duties on wireless reception apparatus are to be increased, this House ought to be a party to such a measure. Some of my Honourable friends here may talk of the law of diminishing returns as the prices of the wireless sets may necessarily go up which may not fetch the amount of revenue from the import duties that may be expected of them. But considering the pros and cons of the different aspects of the Bill and the prospects of wireless broadcasting in India, no other, no better and no greater provision could be made or could have been suggested by Government to have it continued, than to have legislation to increase the import duties on the radio reception apparatus. Radio sets, Sir, are at present being purchased in India not by the masses but by the classes and as such the expected increase of a few rupees in their prices will not adversely affect their importation to India. I hope, Sir, the non-official Members of this Honourable House will join hands with Government and accept the Bill and pass it into an Act.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS (Punjab : Non-Muhammadan) : Sir, I rise to support the measure and I make only a few observations on the subject. In these days of economic distress and increase of lawlessness and crime, I would suggest to the Government of India to bring to the notice of the various provincial Governments the installation of radio sets in important police stations and tahsils in order to crush down crime and lawless movements and do the same themselves in areas under their direct control. As far as education is concerned, Sir, I would also suggest that in various village schools wireless sets may be introduced where educative propaganda may be broadcasted for the use of the students there. I think, Sir, that wireless, as my Honourable friend has said, is now becoming a necessity and every good and proper use should be made of it.

THE HONOURABLE MR. J. A. SHILLIDY : Sir, I have very little to say. I am very grateful to my friend the Honourable Mr. Banerjee for the very strong support he has given to this Bill. As regards the proposals emanating from the Honourable Rai Bahadur Lala Ram Saran Das that sets for general information should be furnished by Local Governments, that is a proposal

that has been considered before. It is obviously a matter for the Local Governments and it is a matter which their Councils can take up should the Local Governments at any time feel that it will materially assist them in their efforts of propaganda. As regards the educative use of broadcasting, there again as the Honourable Member is well aware education is a provincial transferred subject and I am sure the Local Governments cannot be blind to this aspect of broadcasting. I would suggest to the Honourable Member that he should get friends of his to raise this aspect of broadcasting in the Local Councils.

THE HONOURABLE THE PRESIDENT : The question is :

“That the Bill to provide funds to enable Government to continue wireless broadcasting in India, by increasing the import duties leviable on wireless reception apparatus, as passed by the Legislative Assembly, be taken into consideration.”

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

THE HONOURABLE MR. J. A. SHILLIDY : Sir, I move that the Bill, as passed by the Legislative Assembly, be passed.

The motion was adopted.

THE HONOURABLE THE PRESIDENT : In view of the statement made by the Honourable the Leader of the House yesterday, that there is no further business to come before the House, I now adjourn the Council *sine die*.

The Council then adjourned *sine die*.

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