

18th July 1930

**THE
LEGISLATIVE ASSEMBLY DEBATES**

(Official Report)

Volume IV

(7th July to 18th July, 1930)

SEVENTH SESSION

OF THE

THIRD LEGISLATIVE ASSEMBLY

1930

Chamber Fungayod.



SIMLA
GOVERNMENT OF INDIA PRESS
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CORRIGENDA.

In the Legislative Assembly Debates, Simla Session, 1930—

- (1) Vol. IV, No. 3, dated the 10th July, 1930—
 - (i) page 69, line 4 from the bottom, for "catchwards" read "catchwords".
 - (ii) page 72, line 7 from the bottom, for "conceiably" read "conceivably".
 - (iii) page 91, line 14 from the bottom, for "I do not.....Resolutions" read "I do not want to read to you all the recent Resolutions".
 - (iv) page 93, line 10, for "if your please" read "if you please".
- (2) Vol. IV, No. 4, dated the 11th July, 1930, page 129, line 22, for "those are in favour" read "those who are in favour".
- (3) Vol. IV, No. 6, dated the 14th July, 1930—
 - (i) page 291, line 13, for "I am aware" read "I am not aware".
 - (ii) page 306, for the reply to unstarred question No. 53, substitute the following :—
 - " Mr. G. M. Young : (a) Yes.
 - (b) A copy of my letter, dated the 24th March, 1930, to Pandit Thakur Das Bhargava is in the Library "
 - (iii) Page 340, line 20, for "inimportance" read "importance".
- (4) Vol. IV, No. 7, dated the 15th July, 1930, page 464, from the first subject-heading delete the word "Ajmer-Merwara".
- (5) Vol. IV, No. 9, dated the 17th July, 1930, page 610, line 18, for "Mr. S. C. Mitra" read "Mr. B. N. Misra".
- (6) Vol. IV, No. 10, dated the 18th July, 1930, page 661, after the reply to part (c) of starred question No. 296, insert the following reply to part (d) of the same question :—
 - " (d) Certain concessions were given in the 1929 examination which was for departmental candidates only."

Legislative Assembly.

President.

Sir

THE HONOURABLE MAULVI MUHAMMAD YAKUB.

Deputy President.

SIR HARI SINGH GOUR, KT., M.L.A.

Panel of Chairmen.

MR. M. A. JINNAH, M.L.A.

MR. M. R. JAYAKAR, M.L.A.

SIR HUGH COCKE, KT., M.L.A.

NAWAB SIR SAHIBZADA ABDUL QAIYUM, K.C.I.E., M.L.

Secretary.

MR. S. C. GUPTA. BAR.-AT-LAW.

Assistant of the Secretary.

RAI SAHIB D. DUTT.

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LEGISLATIVE ASSEMBLY.

Friday, 18th July, 1930.

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

QUESTIONS AND ANSWERS.

PAY OF PREVENTIVE OFFICERS OF THE MADRAS CUSTOMS DEPARTMENT.

291. ***Rao Bahadur P. T. Kumaraswami Chettiyar** : (1) Will Government be pleased to state :

- (a) whether there is any difference between the nature of duties performed by the Preventive Officers on Rs. 120 and the Assistant Preventive Officers on Rs. 60 of the Madras Customs Department ;
- (b) whether the Preventive Officers are required to possess any qualifications in any way higher than the Assistant Preventive Officers ;
- (c) if the reply to part (b) be in the negative, what are the reasons for direct recruitment of Preventive Officers on Rs. 120 and Assistant Preventive Officers on Rs. 60 ;
- (d) whether Government have any special grounds for maintaining these two grades ; and
- (e) whether Government are prepared to inquire and consider the question of abolishing the system of direct appointment of Preventive Officers on Rs. 120 in future ?

(2) Is there any communal rotation or rule applied to the Madras Customs Service as adhered to by the Madras Government ? If not, why not ?

The Honourable Sir George Schuster : (1) (a), (b) and (d). Formerly there was only one grade of Preventive Officers in Madras. In 1920 the Madras Government drew attention to the facts that with the low rates of pay then in force, it was difficult to recruit men with the necessary qualifications for the more responsible posts and that there was a consequent temptation to dishonesty. It was therefore decided to follow the practice at Bombay and Karachi and to aim at recruiting a better class of men on higher pay for the more responsible work, while maintaining a reduced number of men on the lower grade for the less responsible work. It is understood that as a result the Collector is now able to recruit men for the higher grade who can be employed with more confidence in the more responsible duties.

(1) (c). Does not arise.

(1) (e). No.

(2) No definite rotation has been prescribed, but following the rule adopted by the Government of India the Collector is required to reserve one-third of the vacancies for the redress of communal inequalities. The strength of the Preventive Department on 1st October, 1929, was as follows :

Europeans	..	..	..	..	6
Anglo-Indians	..	..	..	..	9
Mussalmans	..	..	..	..	8
Brahmans	..	..	..	..	7
Non-Brahmans	..	..	..	..	18
				Total	48

Rao Bahadur P. T. Kumaraswami Chettiyar : May I know what qualifications are required for Preventive Officers,—what higher qualifications are required for Preventive Officers, what academical qualifications are required for Preventive Officers ?

The Honourable Sir George Schuster : I am afraid I have not heard the Honourable Member's question.

Rao Bahadur P. T. Kumaraswami Chettiyar : May I know what are the academical qualifications required for a Preventive Officer ?

Mr. President : The Honourable Member wants to know what academical qualifications are required in a Preventive Officer.

The Honourable Sir George Schuster : I find it rather difficult to say exactly what the academical qualifications are. I presume they must include some knowledge of the general trades concerned, but chiefly, these officers must be men of good character—that is the chief requirement.

Rao Bahadur P. T. Kumaraswami Chettiyar : Then do you find, Sir, that among the Assistant Preventive Officers there are no proper men for promotion to Preventive Officers ?

Mr. President : That is not a question.

DEATH OF SERGEANT WILTSHIRE IN LANDING IN AN AEROPLANE AT RISALPUR.

292. ***Mr. E. F. Sykes :** (a) Will Government please state if it is a fact, as reported in the Press, that on May 23rd, Sergeant Wiltshire of the Royal Air Force, brought an aeroplane forty-five miles from the front to Risalpur, but was killed in the end for want of training in landing ?

(b) If not, will Government please say what the actual facts of the case were ?

Mr. G. M. Young : An aircraft, piloted by Flying Officer Stroud, was carrying out a reconnaissance over Mohmand territory, when the pilot was hit by a rifle shot from the ground and rendered unconscious. Aircraftman Wiltshire was the passenger in this machine, which is of a type fitted with duplicate controls in the passenger's cockpit. He navigated the aircraft back to Risalpur, and almost succeeded in effecting a safe landing. Only those officers and men of the Royal Air Force are trained

to fly whose duties require that they should be capable of piloting aircraft. Aircraftman Wiltshire was a fitter by trade, and airmen of this class are not required to pilot aircraft. He had, therefore, received no instruction in flying, and it was by his exceptional courage and initiative that he succeeded in getting the machine back to Risalpur at all. (Cheers.)

AMENDMENT OF THE CHILD MARRIAGE RESTRAINT ACT.

293. ***Mr. M. K. Acharya** : With reference to Government's reply to my starred question No. 656, dated 19th March, 1930, will Government be pleased to state :

- (a) whether, in view of the considerable feeling against the Sarda Act all over the country, Government will bring in an amendment exempting the purely religious part of Indian marriages from the scope of that Act ; or
- (b) what other relief, in the alternative, do Government propose to give to those who are forced to disobey the Act for the sake of their religion ?

The Honourable Mr. H. G. Haig : (a) and (b). As promised by Sir James Crerar in reply to the Honourable Member's question No. 656 on the 19th March, 1930, the Government of India have circulated to Local Governments for opinion certain Bills for the amendment of the Act which have been introduced, or of which notices have been given, by Members of this and the other House, including the Honourable Member himself. When the replies of Local Governments have been received and the actual operation of the Act for some months has been observed, Government will be in a position to define their attitude towards any proposals for amendment.

Sir Hari Singh Gour : What object do Government think would be served by circulating an Act of the Legislature which was only placed on the Statute-book on the 1st April last, and what experience has the public gained of the working of this Act during the last three months to entitle it to give any opinion on the point of the working of the Act ?

The Honourable Mr. H. G. Haig : It is not a question of circulating the Act for opinion, but circulating for opinion certain Bills which were introduced in this House or the other.

Sir Hari Singh Gour : Are they not Bills repealing an existing Statute, which only came into effect on the 1st April last ?

The Honourable Mr. H. G. Haig : No, Sir. They are Bills proposing certain amendments in particular provisions of the Act.

Sir Hari Singh Gour : Is it not a fact that the Bills that have been circulated by the Government are practically Bills which propose to repeal the so-called Sarda Act or the Child Marriage Restraint Act ?

Mr. M. K. Acharya : Is it not a fact, Sir, that the so-called Sarda Act is an Act which deserves to be repealed at once ?

REPORTED INSANITY OF A PRISONER UNDER SOLITARY CONFINEMENT.

294. ***Mr. Abdul Haye** : (a) Has the attention of Government been drawn to the Free Press message, published on page 9 of the *Tribune*,

dated the 6th July, 1930, under the heading "Solitary confinement turns Kamal Nath Tewari mad"?

(b) Is it a fact that Mr. Tewari became insane while suffering solitary confinement?

(c) Is it a fact that no medical relief was afforded to him in consequence of which he grew worse?

(d) What is the present state of his health?

The Honourable Mr. H. G. Haig : (a) Yes.

(b) No. He has not been in solitary confinement.

(c) No.

(d) When last reported, his health was satisfactory. He is however, under close and constant medical observations.

REPORT OF THE PESHAWAR INQUIRY COMMITTEE.

295. ***Mr. Abdul Haye :** (a) Will Government please state on what date the Report of the Peshawar Inquiry (Sulaiman) Committee was submitted to Government?

(b) Why has the said Report not been published so far?

(c) Will Government please lay on the table of the House the said Report?

(d) What action, if any, have Government taken on the said Report?

The Honourable Mr. H. G. Haig : (a) The Report was received by the Government of India on the 19th June.

(b), (c) and (d). It was published on the 7th July together with a Resolution of the Government of India thereon which states the action they have taken and propose to take.

ADMISSION OF CERTAIN RETRENCHED CLERKS TO THE CLERICAL EXAMINATION OF THE PUBLIC SERVICE COMMISSION.

296. ***Mr. Amar Nath Dutt :** (a) Is it a fact that an examination will be held this year by the Public Service Commission for the recruitment of candidates for the clerical grades of the Government of India?

(b) If the answer to part (a) be in the affirmative, will Government be pleased to state whether the examination will be for outsiders or for departmental candidates only?

(c) If the examination be for departmental candidates only, will Government be pleased to state whether they propose to allow those departmental candidates who are either age-barrred or below the educational standard prescribed to sit for the examination?

(d) Is it a fact that the retrenched men of the Army Canteen Board were given the above concessions?

(e) Are Government aware that there are some retrenched candidates who have served the Government of India for a considerable period but were not permitted to sit at the last departmental examination? If the answer be in the affirmative, do Government propose to make some provision by which such men may be permitted to sit at the next examination?

(f) If the answer to part (e) be in the negative, do Government propose to inquire into the number of such candidates and give them the same concession as was given to the men of the Army Canteen Board last year ? If not, why not ?

The Honourable Mr. H. G. Haig : (a) Yes.

(b) The examination will be an open competitive one.

(c) Does not arise.

(e) and (f). Government are not aware of any such cases.

CLAIMS OF EXISTING QUALIFIED CANDIDATES TO VACANCIES IN THE SECRETARIAT AND ATTACHED OFFICES.

297. ***Maulvi Sayyid Murtuza Saheb Bahadur :** (a) Will Government be pleased to state separately the number of candidates who qualified themselves for appointment in the Upper, Lower and Third divisions of the Government of India Secretariat and its Attached Offices in each of the years 1922, 1925 and 1926 ?

(b) How many of these candidates have not yet been provided with employment in the Secretariat or, if provided, are still holding temporary and officiating appointments ?

(c) Do Government propose to take early steps to provide these men with permanent appointments in the appropriate divisions for which they are qualified ? If not, why not ?

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

CLAIMS OF EXISTING QUALIFIED CANDIDATES TO VACANCIES IN THE SECRETARIAT AND ATTACHED OFFICES.

298. ***Maulvi Sayyid Murtuza Saheb Bahadur :** (a) Is it a fact that Government have recently issued orders that the first vacancy occurring after the 1st April, 1930, in any of the three divisions of the ministerial establishment of the Secretariat and Attached Offices must be thrown open to an " external candidate " and must not therefore be permanently filled up until the result of the next Public Service Commission examination is known ?

(b) Is it also a fact that the term " external candidate " as used in these orders means those candidates who will qualify in the forthcoming examination and excludes those candidates who qualified in previous examinations and still remain to be permanently provided for ?

(c) If the answers to parts (a) and (b) are in the affirmative, will the Government be pleased to state why the claims of existing qualified candidates who have been serving in temporary and officiating capacities for so long have been ignored in favour of the persons who are yet to be recruited ?

(d) Do Government propose to modify their orders to the extent that the existing qualified candidates who are working to the satisfaction of the Departments in which they are employed should be given preference and absorbed in permanent vacancies as soon as possible and should not be replaced by external candidates unless their work proves unsatisfactory ? If not, why not ?

The Honourable Mr. H. G. Haig : (a) Yes, unless strong reasons can be shown to the contrary by the Department concerned.

(b) Yes.

(c) and (d). The claims of the persons in question will not be ignored. As only a percentage of the vacancies will be recruited by competitive examination from external candidates, it is not necessary to modify the orders in the manner suggested.

CLAIMS OF EXISTING QUALIFIED CANDIDATES TO VACANCIES IN THE SECRETARIAT AND ATTACHED OFFICES.

299. ***Maulvi Sayyid Murtuza Saheb Bahadur :** (a) Will Government be pleased to state the number of permanent and temporary vacancies likely to occur in each of the three divisions in the Government of India Secretariat and its Attached Offices during the 18 months commencing from the 1st April, 1930 ?

(b) Against these vacancies how many qualified candidates for the respective divisions are there who have not so far been provided with permanent appointments ?

(c) If the number of persons mentioned in (b) above is sufficiently large, do Government propose to postpone the holding of the next Ministerial Selection Branch examination until these candidates are absorbed in the vacancies which are likely to occur ? If not, why not ?

The Honourable Mr. H. G. Haig : (a) The information as regards permanent vacancies likely to occur within the period mentioned is being collected from the various Departments by the Public Service Commission. It is not possible to ascertain the number of temporary vacancies.

(b) Accurate figures are not obtainable at present, but these will be collected.

(c) No. The new recruitment rules provide that a certain proportion of appointments in the two Upper Divisions shall be filled by promotion of departmental candidates and the remainder by external candidates.

RECRUITMENT OF MUSLIMS TO THE GOVERNMENT OF INDIA SECRETARIAT AND ATTACHED OFFICES.

300. ***Maulvi Sayyid Murtuza Saheb Bahadur :** (a) Will Government be pleased to state the total number of requisitions for assistants and clerks belonging to the Muslim community received by the Public Service Commission from the various Departments of the Government of India Secretariat and its Attached Offices during the last three years ? Of these requisitions, how many were complied with ?

(b) Is it a fact that in a majority of cases the Public Service Commission could not provide Muslim candidates for these vacancies with the

result that appointments reserved for the Muslim community had to be filled up by Non-Muslims ?

(c) If so, are Government prepared to ask the Public Service Commission to consider the possibility of declaring those Muslim candidates qualified for the various divisions for which they obtained a sufficiently high number of marks in the aggregate in the Ministerial Selection Branch examination, 1929, but failed to secure a fixed percentage in any particular subject ?

The Honourable Mr. H. G. Haig : (a) and (b). The information is being collected and will be supplied to the Honourable Member in due course.

(c) The question does not arise.

DIFFERENCE IN TREATMENT BETWEEN DEPARTMENTAL AND NON-DEPARTMENTAL CANDIDATES FOR APPOINTMENTS IN THE GOVERNMENT OF INDIA SECRETARIAT.

301. ***Maulvi Sayyid Murtuza Saheb Bahadur :** (a) Will Government be pleased to state the percentage of qualifying marks fixed for the Upper Division in the late Staff Selection Board examination held in 1922 ?

(b) Was the percentage the same in the case of both departmental and non-departmental candidates ? If not, why not ?

(c) Is it a fact that some departmental candidates who did not qualify for the Upper Division in that examination and obtained an aggregate of less than 200 marks, were subsequently declared qualified for that Division, whereas the cases of non-departmental candidates who obtained 200 or even more marks were not considered ?

(d) Is it also a fact that most of these non-departmental candidates are now employed in the Lower Division in the Secretariat or Attached Offices ?

(e) If so, are Government prepared to ask the Public Service Commission to accord the same treatment in this respect to non-departmental candidates as has been meted out to departmental candidates ? If not, why not ?

(f) Will Government be pleased to state the number of Muslims and Non-Muslims affected by the suggestion at (e) above ?

The Honourable Mr. H. G. Haig : (a) and (b). The examination held in 1922 for the Upper Division in the Secretariat was confined to departmental candidates. It is not the practice to make public the number of marks required to qualify in examinations of this nature.

(c) No departmental candidate who obtained less than 200 marks at this examination was subsequently declared qualified for the Upper Division of the Secretariat. There were no non-departmental candidates.

(d), (e) and (f). Do not arise.

APPOINTMENTS IN THE OFFICE OF THE CHIEF CONTROLLER OF STORES, INDIAN STORES DEPARTMENT.

302. ***Maulvi Sayyid Murtuza Saheb Bahadur :** (a) Will Government be pleased to state separately the total number of vacancies of clerks

and Assistants which occurred in the office of the Chief Controller of Stores, Indian Stores Department, during the period 1st April, 1929 upto date ?

(b) How many of these vacancies were filled up by

(i) qualified candidates,

(ii) unqualified candidates ?

(c) Of the unqualified candidates mentioned above, how many were Muslims and how many Non-Muslims ?

(d) What was the number of (i) Muslim and (ii) Non-Muslim unqualified candidates who applied for these vacancies and how many of them were selected for each category ?

The Honourable Sir Joseph Bhore : (a) Assistants—1.

Clerks—55.

(b) (i) Assistants—1.

Clerks—6.

(ii) Assistants—Nil.

Clerks—49.

(c) Muslims—14.

Non-Muslims—35.

(d) Recruitment for the clerical staff of the office of the Chief Controller of Stores is normally made through the Public Service Commission, and no register of applications received direct by the Chief Controller of Stores from unqualified candidates is maintained. It is therefore regretted that the information required under the first clause of this part is not available.

As regards the second clause the number of unqualified Muslims and Non-Muslims selected for each category is given in reply to part (c) of the question.

APPOINTMENT OF MUSLIMS IN THE OFFICE OF THE CHIEF CONTROLLER OF STORES, INDIAN STORES DEPARTMENT.

303. ***Maulvi Sayyid Murtuza Saheb Bahadur :** (a) Will Government be pleased to state the existing strength of Assistants and clerks employed in the office of the Chief Controller of Stores, Indian Stores Department ?

(b) What is the percentage of Muslims and Non-Muslims employed in each category ?

(c) Is it a fact that the percentage of Muslims has of late been decreasing in the Indian Stores Department ?

(d) If so, do Government propose to take necessary steps to bring the percentage of Muslims upto the mark as soon as possible ? If not, why not ?

The Honourable Sir Joseph Bhore : (a) Assistants—45.

Clerks—106.

(b) Muslims—Assistants—13.3 per cent.

Clerks—19.8 per cent.

Non-Muslims—Assistants—86.7 per cent.

Clerks—80.2 per cent.

(c) No.

(d) Does not arise.

FLOGGING OF PRISONERS IN PESHAWAR.

304. *Maulvi Sayyid Murtuza Saheb Bahadur : (a) Is it a fact that some volunteers of Peshawar who are undergoing imprisonment were flogged for having been on hunger-strike ?

(b) If so, will Government be pleased to state if being on hunger-strike is a crime ? If not, what punishment has been meted out to those who are responsible for the punishment ?

The Honourable Mr. H. G. Haig : (a) No.

(b) Does not arise.

REFORMS FOR THE NORTH WEST FRONTIER PROVINCE.

305. *Maulvi Sayyid Murtuza Saheb Bahadur : (a) Is it a fact that the people of North West Frontier have been held out an assurance that they will get full-fledged reforms on the same lines as are being enjoyed in other parts of India ?

(b) If so, will Government be pleased to state what progress has been made between the Chief Commissioner and the Government of India in giving effect to the assurance ?

Mr. E. B. Howell : (a) It is not clear what the Honourable Member is referring to. In case he has in mind the reply given by His Excellency the Viceroy to the address presented to him on the 4th June, 1930, by the deputation of representatives of the Muslim zemindars of the Punjab, a copy of the reply is laid on the table. In case he is alluding to the reply given by the Honourable the Chief Commissioner, North West Frontier Province, to the address presented to him on the 3rd July, 1930, by certain prominent residents of the Province, a copy of the address and of the reply is laid on the table. Final decision rests of course with the British Parliament.

(b) As stated by His Excellency, a Committee presided over by Sir Fazl-i-Hussain has been actively engaged in re-examining the problem of reforms for the North West Frontier Province in all its bearings, and has formulated certain proposals which are now under the consideration of the Local Administration and the Government of India.

His Excellency the Viceroy's reply to an address presented by a deputation of Muslim Zemindars of the Punjab, at Simla, on 4th June, 1930.

Gentlemen,

I am very glad to have the opportunity of meeting so many of the leading Muslim Zemindars of the Punjab, and I can assure you that I consider it a pleasure, and in no way an addition to the labours of what, as you say, is a busy time for us all,

to welcome your deputation here this afternoon and to be put in possession of your views on matters of such great moment. I only wish that in your journey to Simla you had not been forced to travel through a Punjab June, which I fear must have caused many of you an uncomfortable journey.

The condemnation you have pronounced on the efforts which have recently been made to disturb the peace of India echoes what is being generally expressed by Muslims, both individually and through meetings and associations, in many different parts of the country. It is a great satisfaction to have the clear assurance of a body such as yours, which has, I know, a wide influence on public opinion both within and outside the Punjab, that you are determined to support Government in their task of upholding the authority of the law and to pursue the course of wise men towards the development of the country on peaceful and constitutional lines. I desire, on behalf of my Government, to acknowledge with the most cordial feelings the expression of continued loyalty which you have been good enough to make this afternoon.

You have asked in your address that I should urge upon His Majesty's Government the necessity of securing to Provinces a large degree of autonomy, and to India equality with the Dominions, in the new constitution about to be framed for India. At the moment my lips are sealed upon such constitutional problems will no doubt be fully dealt with in the report which Sir John Simon is on the point of submitting. They will also, I doubt not, be one of the main topics of discussion at the Conference to be held in London, at which I shall certainly hope—in accordance with your desire—to see the interests for which you speak adequately represented. I often look back to the occasion at which most of you, I think, were present, when I was privileged to hold a Durbar—my first in India—in Lahore, and to add my meed of homage to the sacrifices which the Punjab made on behalf of the British Empire in the stern days of the Great War. Those sacrifices are not likely to be forgotten, and so long as they are remembered I cannot believe that the Muslims of the Punjab need fear that their just claims will pass unrecognised. I repeat what I said not long ago in a statement which some of you may have read that no settlement of the problem which confronts us can be considered satisfactory that does not carry the consent of, and give a sense of security to, the important minority communities who will have to live under the new constitution.

The claim which you have made this afternoon for adequate representation of the Muslim community in the public services is one with which I fully sympathise and which I have done, and will continue to do, my best to advance. As I have said on more than one occasion recently to Muslim deputations, the general policy of the Government of India is to adjust any unreasonable preponderance of particular communities in the public services by taking special steps to admit duly qualified members of other communities. We do not propose to depart from that principle, and I may say that the Home Department are now engaged in examining the practical working of our present system to see whether it is yielding fair results. This examination, as you will realise, involves a good deal of statistical research, but the Home Department are proceeding with it as quickly as they can at a time when they are necessarily burdened with other and grave responsibilities. As soon as this material is available, representatives of Government would be very glad to discuss the situation with any representative body of Muslim opinion.

The particular question of the appointment of Muslims to the High Court of Lahore is also, as I appreciate, one of the greatest concern to you. The fixing of any definite proportion of Muslim Judges would, I fear, be a departure from accepted principles, but you may be sure that I recognise the force of the representation made in your memorial, and that in recommending names for permanent appointments and in filling appointments of Additional Judges, the considerations you have advanced will not be overlooked.

I have spoken earlier this afternoon of the great traditions of service to Government for which the Punjab Muslims are famous, and you may therefore feel assured that the question of the admission of Muslims to King's Commissions in the Army, to which you have referred, is one which will always have my sympathetic interest. I find on reference to the current Army List that out of 99 Indian King's Commissioned officers in the Indian Army 40 are now Muslims, and I trust that there is no reason to fear that the Muslim community will fail to maintain at least the same percentage of successes in future entrance examinations as it has in the past. I understand that there has been a high proportion of Muslims in the recent batches

of Indian cadets entering Sandhurst, and I trust that their careers will be a credit to the virile races from which they have sprung.

To turn to the other matters mentioned in your address, I have watched the course of recent events in Palestine with particular solicitude, for I am well aware that developments in that country are a subject of the closest concern to the Muslims of India. I have not failed at each stage to keep His Majesty's Government apprised of the sentiments of Indian Muslims regarding affairs in Palestine, and I shall be careful to communicate to them the views on the subject to which you have given expression today. As I have said on another occasion, the declared policy of His Majesty's Government is to secure to every section of the population in Palestine the due protection of their rights and interests—both religious and secular. That is, I think, as fair and explicit a declaration as it is possible to make, and I think you may have confidence that in Palestine, as elsewhere, His Majesty's Government will pursue their declared policy, whatever the difficulties which may appear to beset their course. As you have probably seen from recent Press reports, His Majesty's Government have called for a further detailed examination of the vitally important questions affecting land tenures and immigration.

I entirely share the feelings of regret expressed by you with regard to recent unfortunate events in the North West Frontier Province, and I trust that the tranquillity of the Province and confidence in Government will speedily be restored. Two High Court Judges are now conducting an enquiry into the disturbances of the 23rd of April at Peshawar and the measures taken to deal with them. Pending the results of that enquiry I would enter a word of caution against the acceptance in any quarter of unverified reports as to what actually took place, which may turn out to be untrue, and the expression of opinions which appear to prejudice the facts. With regard to the antecedent causes of those disturbances I can assure you that these are engaging active attention, and if they are not included in the terms of reference to the enquiry Committee, it is only because it is considered that other methods of arriving at an appreciation of those causes are more appropriate. You may also be assured that no time will be lost, as soon as the facts are known, in taking steps to redress any administrative grievances of the people of the North West Frontier Province which may be disclosed.

You express the view that one of the main causes underlying unrest in the North West Frontier Province is the sense of disappointment felt by the people that their legitimate political aspirations have not been satisfied, and you believe that their satisfaction will prove to be the foundation of stable and peaceful administration. I am fully convinced of the importance which the people of the Province attach to constitutional advance, and realise the desire of your community in general that a Province which is predominantly Muslim should not be denied the means of political self-expression.

You may be interested to know that on my return from my recent visit to the Province, and before these unfortunate disturbances had arisen, I requested Mian Sir Fazl-i-Husain to examine this question in order that no time might be lost by the Government of India after receiving the Report of the Statutory Commission, in reaching their own conclusions. I am glad to be able to inform you that he is now presiding over a committee which is actively engaged in re-examining the problem in all its bearings. You will of course understand that it is not possible to anticipate the solution which may ultimately be approved by Parliament. But I can assure you that so far as I and my Government are concerned, when making recommendations on this subject to His Majesty's Government, the natural claims of the Province in the constitutional field will be viewed with sympathy, and I am taking steps to see that the people of the Province may have an opportunity of making direct representation of their views at the forthcoming Conference in London.

I have, I think, touched on all the points which you have been good enough to bring to my notice, and it only remains for me to thank you again for coming here today and for your reassurance, which I most highly value, that the loyalty of the great community for which you speak remains unshaken. We are passing through anxious times, and have seen the damage wrought to India by a policy which is the negation of all progress and construction. It has been a source of deep gratification to me and to my Government to know that the Muslim community, with few exceptions have been wise and statesmanlike enough to appreciate the dangers of such activities and by keeping sternly aloof from them they have acted in the true interests of their own community and of India.

I have seen it suggested that in the face of the present troubles the Government have allowed their desire to find means of meeting Indian aspirations to be buried under a ruthless determination to secure victory over those who are responsible for the present Civil Disobedience movement. Nothing could be further from the truth, for it remains my fixed resolve to do all that is in my power to give effect to the words which I used on November 1st, last year.

But constitutional advance, in the true sense of a change which will be beneficial to India depends at this stage upon two conditions: first, on co-operation based upon mutual trust between the Indian and the British peoples; and secondly, the maintenance of the authority of constituted Government. It is because the present Civil Disobedience movement represents a negation of both these conditions that it must be the imperative duty of my Government to oppose it.

But while recognising this necessity it remains my earnest desire to promote generous constitutional advance, and if those Indians who, like yourselves, are prepared to join with my Government in this endeavour, can also find means of persuading your countrymen of whatever creed to join you in this co-operation, then your efforts will be of true service to your country.

I am not without hope that it may be possible to settle the future constitution of India, as I and my Government, and His Majesty's Government, have always hopes that it would be settled, by agreement between the various parties and interests in India on the one hand, and His Majesty's Government on the other. But if these hopes are to be realised, it will be necessary that those who have embarked on the Civil Disobedience movement should discard the ideas of force and coercion which underlie it and be prepared once again to adopt the methods of argument and reason. In such happier circumstances it would be possible for all those who wish India well to collaborate in finding a solution of her problems by which all communities might securely and freely give of their best in India's service.

Address presented to the Chief Commissioner, North West Frontier Province, by certain Prominent Residents of the Province.

TO THE HON'BLE MR. S. E. PEARS, C.S.I., C.I.E., I.C.S., ETC.,

Chief Commissioner, North West Frontier Province.

May it please Your Honour,

We the undersigned residents of the N. W. F. P. are here to accord you our hearty welcome on your taking over charge of this Province, and we express the hope that your long association with this Province and valuable experience of an advanced State in India like Mysore will prove beneficial to the interests of this Province. The unfortunate events of the last two months did not admit of the usual formal welcome function, they being such that the memory of the same will linger for some time to come in the memories of the present generation. This we believe has made your task more difficult than it would have been under normal circumstances. This, however, is not the occasion to go into these matters. Representations relating to this subject will be made separately.

Sir, 20 years ago, the Minto-Morley Reforms were introduced in the Punjab and parts of India, but not in this Province. Ever since then, this Province has been suffering from a feeling of very great disappointment. Our sense of despair has been growing more and more acute, and has now culminated in grave discontent, since the publication of the Simon Report. We realise that the matter of Reforms is one, the decision of which lies chiefly in the hands of His Majesty's Government at Home, subject to the approval of the British Parliament; but recommendations on the subject are in your hands and in those of the Government of India, and it is for this reason that the demand for putting this Province on a footing of equality with the rest of India has been made from time to time. We beg to assure you, Sir, that feeling on the subject is and has always been very strong.

There are, however, certain matters which, under the existing law, could have been taken up by the Local Government years ago, for the better administration of the Province. It is, therefore, requested that in order to restore confidence, immediate action relating to these matters be taken up without any further delay:

(a) **Local Self-Government:**

District Boards and Municipalities be reconstituted and substantial elected element be introduced in the same as it obtains at present in the Punjab.

(b) The Punjab Panchayat Act be applied to this Province.

(c) The scope of the activities of the beneficent departments—Education, Public Health, Medical, Co-operation, Agricultural, Veterinary, be enlarged; and, in general, uplift work—intellectual, moral and economic—be seriously taken up and raised to a standard as prevails in the neighbouring Province of the Punjab.

(d) We believe that Land Revenue, water rates, and Local rates are heavier here than those in the Punjab. It is necessary that a general assurance be given that the Punjab Standards will not be exceeded here in this respect.

(e) The recent land assessment of the Peshawar District is very harsh. It is desirable that the assessment recently made be revised in accordance with the spirit of the Land Revenue Amendment Act 29, of the Punjab as soon as possible. It is also requested that the enforcement of the Act to this Province at an early date be considered.

May we also take the opportunity to emphasise that the association of the people with the administration is highly desirable. There are wide-spread complaints as regards corruption, and efficiency of administration is not generally believed to be high, and it is submitted that suitable action be taken in this connection.

We beg to emphasise the need and importance of expediting action in the above-mentioned matters.

Constitutional agitation is the method on which we rely, and defiance of law is not the course which we pursue or approve of. We feel that our Province cannot flourish, or advance, unless it be through the co-operation of the Government and the people, both working in a spirit of mutual confidence.

In conclusion, we beg to express our gratitude to you for giving us this opportunity of laying our views before you, which we hope will receive your most sympathetic consideration and support.

We beg to subscribe, Sir,

Your most obedient servants.

List of the members of the Deputation which waited on the Chief Commissioner, N. W. F. P. on the 3rd of July, 1930.

1. Nawab Sir Sahibzada Abdul Qaiyum Khan of Topi.
2. Sardar Sahib Sent Singh.
3. S. Kirpal Singh, Municipal Commissioner, Peshawar.
4. Lieutenant Zakaria Khan of Nowshera.
5. Khan Abdul Latif Khan, Orakzai, Pleader, Peshawar.
6. Lieutenant Taj Md. Khan, M.B.E., Jagirdar of Dangarzai.
7. Pensioned Inspector Mohd. Akram Khan of Dangarzai.
8. Noor Illahi Khan, Pleader, Peshawar.
9. R. S. Lala Ram Nath, Lambha, Municipal Commissioner, Peshawar City.
10. Lala Wazir Chand of Messrs. Moolchand and Sons, Peshawar.
11. Pandit Bhagat Ram, B.A., Head Master, National High School, Peshawar.
12. Arbab Fateh Md. Khan, Khalil, Tehkalbal, Pleader, Peshawar.
13. S. S. Narinjan Singh, Landlord and house proprietor, Peshawar City.
14. S. Md. Aurangzeb, Reis, Kulachi, Vakil, Peshawar.
15. Khan Md. Ibrahim Khan, Reis, China, Charsadda, Vakil, Peshawar.
16. Syed Ali Naki Rizvi, Peshawar.
17. Lala Dheru Mal Kapoor, Municipal Commissioner, Peshawar City (Elected).
18. Khan Nassarullah Khan, Orakzai, Jagirdar Bhanamari.
19. Sheikh Abdul Ali, Reis, Sheikhan.
20. Khan B. Muquddar Khan, Pensioned, D.F.C. of Sheikhan.

21. K. B. Risaldar Md. Akram Khan, O.B.E., I.D.S.M., Mathra.
22. 2nd Lt. K. S. Md. Yakub Khan, Reis, Hoti.
23. K. S. Md. Aslam Khan, Bara Khankhel, Mardan.
24. Md. Aslam Khan, Reis, Hoti.
25. Khan Abdul Gaffur Khan, Bar.-at-Law, Peshawar, Reis Parang.
26. Syed Ali Shah, Elected Municipal Commissioner, Peshawar City.
27. Sh. Abdullah Khan, Zemindar, Sheikhan.
28. M. Mahmud Jhan, Contractor, Peshawar City.
29. R. B. Karam Chand, O.B.E., Reis and Municipal Commissioner, Peshawar.
30. Mr. Hukam Chand, B.A., Bar.-at-Law, Peshawar.
31. M. Abdul Aziz, Bar.-at-Law.
32. Lieutenant Taj Md. Khan of Ismaila, Mardan.
33. Lieutenant Bahadur Sher Khan of Mullazai.
34. S. Aijaz Hussain, Municipal Commissioner, Peshawar City.
35. Nawab Sir Arbab Det. Md. Khan of Tahkalbala.
36. Nawab Hamidullah Khan of Tora.
37. K. B. Maulvi Ghulam Hasan Khan, V. President, Peshawar Municipal Committee.
38. K. B. Sarfaraz Khan of Chamkani.
39. Arbab Afridi Khan, Jagirdar of Tahkalbala.
40. L. Kishen Chand, Honorary Magistrate, Peshawar.
41. R. S. L. Shankar Das Khanna, Peshawar.
42. Arbab Tehnazkhan, Khalil, Reis, Tahkalbala.
43. Arbab Sher Afzal Khan, Reis, Tahkalbala.
44. Arbab Sher Akbar Khan, Reis, Tahkalbala.
45. Arbab Sher Hasaa Khan, Reis, Tahkalbala.
46. Sardar Narinjan Singh Bedi, B.A., Head Master, Sanathan Dharma High School, Municipal Commissioner, Peshawar City.
47. Zaildar Md. Aslam Khan of Hariana.
48. Khan Abdul Rahman Khan of Tarnab, Charsadda.
49. Capt. Nawab Md. Akbar Khan, Reis, Hoti.
50. Md. Yunus, B.A., LL.D., Elec. Municipal Commissioner, Peshawar City.
51. Mirza Attaullah Jan, B.A., LL.B., Elec. Municipal Commissioner, Peshawar.
52. K. B. Abdul Gaffoor Khan, Reis, Zaida.
53. W. Capt. Hisamuddin, Reis, Peshawar.
54. W. Abdul Raof Khan, Sadozai, Jagirdar, Peshawar.

Reply by the Hon'ble the Chief Commissioner and Agent to the Governor General, North-West Frontier Province.

(1) Gentlemen, I am very glad to meet you, and I thank you for your welcome and for your good wishes. I appreciate the self-restraint which you have displayed in dwelling upon certain unhappy incidents in the recent history of the Province, and as in duty bound I will inquire into any complaints which may be brought to my notice. Such complaints will form the subject of full and impartial investigation at the hands of Government.

(2) In the matter of Reforms, I can assure you of my sympathy and you can count upon my giving the matter very careful consideration before I formulate my

views on the subject in the near future. You may be sure that I will try to do all I can for the Province as a whole.

(3) I have considered very carefully the matters which you have mentioned in connection with which you ask for action under the existing constitution, and I have arrived at the following conclusions :

- (a) *Local Self-Government.*—I am prepared to reconstitute the District Boards and Municipalities and to introduce an elected element in both. Details of this scheme will be worked out and early steps taken to give effect to this decision. As regards Panchayats, a Committee will be constituted to examine the matter and make a report.
- (b) *Activities of the Beneficent Departments.*—I am glad to be in a position, after consulting the Government of India, to announce that it will be my object to secure to the Province as regards these Departments the same standards of administration as obtain in the frontier Districts of the Punjab, and our proposals for next year will be framed on that basis.
- (c) As to financial burdens, I have no hesitation in giving you the assurance that Land-Revenue, water rates and local rates in the Frontier Province will not be, on the whole, higher than those obtaining in the Punjab, and that the re-assessment proposals of the Peshawar District will be re-examined in the light of the new Punjab Land-Revenue Amendment Act.
- (d) I welcome your desire to be associated with the administration by way of Advisory Committees, and your desire that corruption be stamped out or substantially reduced. Inquiries into these suggestions will be duly made and suitable action taken.
- (e) It is a matter of satisfaction to me to have your assurance that you do not approve of defiance of law and that you pin your faith to constitutional methods only. For my part, I assure you that I look with sympathy on the natural aspirations of the people to advance intellectually, economically and politically ; that all representations on the subject will receive my careful consideration, and all reasonable requests may count upon my sympathy and support.
- (f) The task before us, the Government as well as the people, is a great and noble one. It is my earnest desire to see the Province prosperous, contented and progressive, and with your co-operation I am confident that much can be done to secure the best results.

UNQUALIFIED CLERKS IN THE ARMY DEPARTMENT.

306. ***Mr. Abdul Qadir Siddiqi :** (a) Will Government please state the number of the non-permanent clerks in the offices under the Establishment Officer of the Army Department, who do not possess the educational standard required by the Public Service Commission, i.e., have not passed the Matriculation or any similar examination ?

(b) Is it a fact that these clerks were employed by the Establishment Officer in preference to those possessing the necessary qualifications and have not been replaced ? Is it possible to make them permanent ?

(c) Is it a fact that qualified candidates were available at the time these clerks were selected and that such candidates are still available on the list retained by the Establishment Officer ?

(d) Have Government considered the question of the advisability of replacing the non-qualified men by those who can ultimately take the competitive examination of the Public Service Commission and have a reasonable chance of permanency ?

Mr. G. M. Young : (a) 23.

(b), (c) and (d). None of these 23 are eligible for permanent posts. They are only employed until such time as persons who have duly passed

the Public Service Commission examination are available for permanent appointments. Some candidates possessing the educational qualifications required by the Public Service Commission no doubt were, and are still, available : but, for these temporary appointments, special qualifications, such as typewriting, are often of more value than a Matriculation certificate. Out of a total of 119 persons holding temporary clerical posts at Army Headquarters, 96 are already qualified to take the competitive examination, and only the 23 already mentioned are unqualified.

TRANSFER TO DIVISIONAL OFFICES OF CLERKS AND ACCOUNTANTS IN MILITARY ACCOUNTANT GENERAL'S OFFICE.

307. ***Mr. Amar Nath Dutt** : (a) Is it a fact that of late the Military Accountant General has introduced the system of transferring the ministerial staff of his office to far off Divisional Offices subordinate to him and that under this system no clerk or accountant is to be entertained in the head office at Simla or Delhi for more than five years ? Is it also a fact that, since the creation of the Military Accountant General's office many years ago, no clerk or accountant has been transferred elsewhere except on promotion and that the men passed the whole tenure of their appointments in one and the same office wherefrom they ultimately retired ?

(b) What is the amount spent so far in connection with the travelling and other allowances that have been paid to clerks and accountants transferred and men recruited in their places from the Divisional Offices ? Do Government propose to inquire of the Military Accountant General if any such expenditure was ever incurred in any of his predecessors' times and, if the reply to the query is in the negative, what is the justification for incurring this new expenditure ?

(c) Is it a fact that there is no such system of transfer of the ministerial staff in existence in the Auditor General's office ? If so, why are the clerks and accountants of the Military Accountant General's office transferred to subordinate offices after the men concerned have put in five years' service ?

The Honourable Sir George Schuster : (a) The information on which the Honourable Member has evidently based his question is not quite correct. The facts are briefly as follows : The Accountants and clerks of the Military Accounts Department are borne on a general roster for all-India and are liable to serve in any Military Accounts Office and also to be sent on field service. Even in the past men transferred to the Office of the Military Accountant General could be, and on occasions were, retransferred to other offices. There was, however, a tendency for men transferred to the Headquarters Office to remain there more or less permanently. In 1926 the then Military Accountant General represented that this practice was not conducive either to the efficiency of the Department or to the general contentment of the personnel. The Government of India, accepting his views, issued orders in September of that year that in the interests of the efficiency of the office Accountants and clerks who had been serving there for five years or more or who might do so in future should, at the discretion of the Military Accountant General, be gradually transferred to the District Controllers' Offices, the men so transferred being replaced in the Headquarters Office by specially selected individuals from the Controllers' Offices. As a result of the carrying out of these orders by the Military

Accountant General and his successors transfers in recent years have naturally been more frequent than in the past.

(b) The expenditure since 1st April, 1929, on travelling and other allowances in connection with these transfers is estimated at approximately Rs. 15,000. As I have already stated, transfers were possible, and were occasionally made, even before the orders of 1926. The more frequent transfers in recent years have naturally resulted in increased expenditure on travelling allowances; but these will fall below the present level when the preliminary moves of the old incumbents have been completed. As regards the final suggestion in this part of the question, I would merely point out that this expenditure has been incurred by the Military Accountant General in carrying out the orders of Government.

(c) The answer to the first question in this part is in the affirmative. The two cases, however, are not parallel. Unlike the ministerial staff of the Auditor General's Office, the Accountants and clerks of the Military Accounts Department are, as I have already stated, borne on a general roster for all India and are liable to serve in any Military Accounts Office. As regards the second question, a regular inter-change of personnel is considered desirable in the interests of efficiency, as it was found that as a result of long employment in the Headquarters Office there was a tendency for Accountants and clerks to lose touch with the practical work of an audit office. In view of the changes that occur in the rules, regulations and accounting procedure it is considered essential in the interests of efficiency that transfers should be effected so that the staff of the Headquarters Office may consist of men who have an up-to-date and practical knowledge of the work in the subordinate offices. A further point is that the posts in the Headquarters Office are the prize posts of the Department and from the point of view of general contentment it is not desirable that these posts should be the perquisites of a few individuals throughout their service.

**MEMORIAL FROM THE CLERICAL STAFF OF THE OFFICE OF THE DIRECTOR
GENERAL OF POSTS AND TELEGRAPHS.**

308. *Mr. Amar Nath Dutt : (a) Is it a fact that the clerical staff of the office of the Director General, Posts and Telegraphs, submitted an identical memorial to the Secretary of State for India, praying for the improvement in their pay and prospects during recent years ?

(b) If so, will Government be pleased to say what action has been taken on the same ?

The Honourable Sir Joseph Bhore : (a) Yes, in 1928.

(b) The memorials were withheld by the Government of India under the Rules regarding the submission of memorials to the Secretary of State for India, on the ground that they were an appeal against an order of the Government of India refusing to grant a concession not claimable under any law or rule. I may, however, add that the pay of the clerical staff of the Director General's Office has recently been improved.

Dr. Nand Lal : May I venture to ask, Sir, whether it is not a fact that the salary of the establishment alluded to in question No. 308 is really

less when compared with the salary of the clerks in other offices who are of a similar status ?

The Honourable Sir Joseph Bhore : I must have notice of that question, Sir.

REDUCTION OF STAFF OF THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.

309. ***Mr. Amar Nath Dutt :** (a) Is it a fact that as a result of the subordinate staff of the office of the Director General, Posts and Telegraphs, having submitted an identical petition to the Secretary of State for India, it was considered necessary to have the method of working of that office examined by Mr. J. P. Ganguli with a view to effect reduction of the subordinate staff of that office ?

(b) Was it proposed by Mr. Ganguli to effect reduction after reducing the work of that office ?

(c) Will Government be pleased to lay on the table a statement showing item by item the reduction of the work in the Director General's office effected ?

(d) Was a proportionate reduction made in the gazetted staff of officers of that office ? If not, why not ?

Mr. H. A. Sams : (a) The fact is not as stated by the Honourable Member.

(b) No.

(c) and (d). Do not arise in view of the reply to (b) above.

PAY OF THE SUBORDINATE STAFF OF THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.

310. ***Mr. Amar Nath Dutt :** (a) Are Government aware that the revision in the scales of pay sanctioned by Government for the subordinate staff of the office of the Director General, Posts and Telegraphs, during the current year has the effect of raising the minimum and maximum of the two scales for the benefit of the future incumbents only ?

(b) Are Government aware that none of the subordinate staff of that office who have already rendered services ranging from twenty to thirty years can expect any monetary benefit by the revision or expect to get the facility of reaching the maximum of his scale even at the time of his retirement ?

(c) Is it a fact that the usual incremental rates of the clerks have been reduced in the revision recently sanctioned ?

The Honourable Sir Joseph Bhore : (a) and (b). The reply is in the negative.

(c) Yes, in the case of the second division clerks.

PAY OF THE SUBORDINATE STAFF OF THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.

311. ***Mr. Amar Nath Dutt :** (a) Is it a fact that a lump sum amount of saving has been effected by a recent reduction in the subordinate staff of the office of the Director General, Posts and Telegraphs ?

(b) Is it a fact that out of that saving an improvement of pay and prospects for the Postmasters General and officers of similar status has been made with effect from March, 1930, *i.e.*, before the modification of Fundamental Rule 22?

(c) Is it a fact that as a result of having the new scales of pay for the subordinate staff of that office sanctioned with effect from the 1st April, 1930, the staff will be deprived of the benefit of that rule before the modification made with effect from that date? If so, will Government be pleased to say:

- (i) what is the justification for their making this distinction by giving the benefit of the Fundamental Rule 22 to the officers on higher salaries and depriving the subordinate staff of the Director General's office of the same benefit; and
- (ii) whether the subordinate staff of the Director General's office have recently submitted petitions to the Honourable Member in charge of the Department praying for the grant of the benefit of the old Fundamental Rule 22? If so, what orders have been passed on their petitions?

The Honourable Sir Joseph Bhoré : (a) The reductions that it has recently been decided to make in the strength of the subordinate staff of the Office of the Director General of Posts and Telegraphs are being effected gradually and the full saving will only be realised after a period of a year or two.

(b) It is a fact that an improvement of the pay and prospects of the Postmaster-General and officers of similar status has been given effect to from the 1st March, 1930. There is no connexion, however, between this measure and the saving referred to in part (a) of the question.

(c) (i) As the modifications of Fundamental Rule 22 were sanctioned from the 18th of March, 1930, the introduction of the new scales of pay for the subordinate staff of the Director-General's Office which came into force from the 1st of April, 1930, will be governed by the new rule. It may be explained that the date of revision of Fundamental Rule 22 was fixed by the Secretary of State for India without reference to the Government of India and some time after the decision to introduce the revised scales of pay for these subordinates, with effect from the 1st of April, 1930, was arrived at. No question, therefore, of any distinction arises in this matter.

(ii) Government understand that petitions have been received by the Director-General from the subordinate staff of his office praying for the grant of the benefit of the old Fundamental Rule 22 in respect of their transfer to the new scales of pay. On receipt of the petitions from that officer with his remarks they will be duly considered by Government.

PAY OF THE SUBORDINATE STAFF OF THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.

312. ***Mr. Amar Nath Dutt :** (a) Are Government aware of the fact that the subordinate staff of the office of the Director General, Posts and Telegraphs, whose annual increment of pay is Rs. 6 at present and who were granted personal pay of Rs. 40 on being transferred to Delhi, will still be getting the fixed amount of emolument they are now drawing for

at least three years more whether there is revision or no revision in their scales of pay ?

(b) Is it a fact that they have to pay as house rent, etc., in Delhi of an approximate amount of Rs. 25 to 30 per month for occupying Government quarters ?

(c) What amount of net pay, after this deduction, are those officials on a total emolument of Rs. 158 drawing per month for their expenses to live upon with their families ?

(d) What net amount will such officials draw if they are in the 23rd year of their service or less, at the time of their retirement at this rate at 55 years of age ?

(e) What steps have been taken by Government to allow such officials to reach the maximum of the revised scale of their pay at the time of their retirement ?

(f) What steps have been proposed to be taken by Government to enable such officials to draw a pension of Rs. 150 per month after retirement ? If nothing has been done, do Government propose to take steps now when giving effect to the revised scales of pay which has not been given effect to as yet ?

The Honourable Sir Joseph Bhore : (a) and (b). If by "subordinate staff" the Honourable Member is referring to the clerical staff, the facts as stated by him are substantially correct.

(c) The net pay will vary according to the actual deductions made, but generally speaking will be about Rs. 130 per month.

(d) The information is not readily available and Government do not consider that the time and labour involved in working out the figures would be justified by the value of the result.

(e) None.

(f) None, nor in revising the scale of pay of a cadre is it the practice to take any special steps to insure that the existing staff shall all reach the maximum of the revised scale before retirement.

UNSTARRED QUESTIONS AND ANSWERS.

APPOINTMENT OF SIKHS IN THE POSTS AND TELEGRAPHS ACCOUNTS OFFICES.

138. **Sardar Gulab Singh :** (a) Are Government aware that the Sikhs are not represented in sufficient numbers in the Posts and Telegraphs Accounts offices ?

(b) Will Government please state the number of Sikhs employed in the office of the Deputy Accountant General, Posts and Telegraphs, Delhi, in the "A", "B" and "C" classes, respectively ?

(c) Will Government please state how many Sikhs have been promoted from "C" class to "B" and from "B" to "A" class during the period from 1926 to 1930 ? If a sufficient number of Sikhs have not been given promotions, are Government prepared to take steps to give the promotions to Sikhs proportionately, and thus remove the grievances of the Sikhs ?

(d) Are Government prepared to recruit some more Sikhs in the office of the Deputy Accountant General, Posts and Telegraphs, Delhi, and other Posts and Telegraphs Accounts Offices if the existing number of Sikhs employed is insufficient ?

(e) Is it a fact that orders were passed by an Accountant General, Posts and Telegraphs, once that no local man should be appointed as Supervisor of Records in the office of the Deputy Accountant General, Posts and Telegraphs, Delhi ? If so, is the present incumbent a local man ? If so, why has he been appointed superseding other senior men, as Supervisor of Records in contravention of the above orders ?

The Honourable Sir George Schuster : Enquiry is being made and a reply will be sent to the Honourable Member as soon as possible.

SHOOTING ACCIDENT IN PESHAWAR.

139. **Sardar Gulab Singh :** (a) Is it a fact that the Chief Commissioner, North West Frontier Province, Peshawar, had after the shooting tragedy (resulting in the death of the son and daughter of Sardar Ganga Singh and severe injuries sustained by his wife) previous to the formal inquiry, declared the shooting as accidental, and if so, why did he do so, when it was also announced by him that a formal inquiry was to take place in this connection ?

(b) Is it a fact that the Chief Commissioner had announced that Sardar Ganga Singh was to be compensated, and if so, was he offered anything in cash or kind, and if so, how much ? Did Sardar Ganga Singh accept or refuse the offer, and what were the reasons for his so doing ?

The Honourable Mr. H. G. Haig : (a) and (b). The Honourable Member is referred to the reply given to Mr. S. C. Mitra's question No. 94 on the 15th July, 1930, from which it will be seen that this most regrettable incident was the result of a pure accident.

The Chief Commissioner on receiving the first report that the children had been killed accidentally did not consider it necessary to await the results of a formal enquiry before expressing his deep concern at the tragedy and his heart-felt sympathy with the father of the children.

(c) The Chief Commissioner promised that everything possible would be done to make amends for the accident. No compensation was specified.

DEMOLITION OF A TEMPLE IN HISSAR.

140. **Rai Bahadur Lala Panna Lal :** (1) Will Government please state if it is a fact that a mound known as Agroha Theh in District Hissar, Tehsil Fatehabad, was declared as a monument under Monuments Act VII of 1904 ?

(2) Is it a fact that there existed on the mound a number of *saties* and four temples ?

(3) Is it a fact that one of the temples was repaired with the permission of the Deputy Commissioner, Hissar, granted to Pandit Brahma Nand on 2nd October, 1927 ?

(4) Is it a fact that subsequently the permission was withdrawn by the Deputy Commissioner and the temple was removed without giving any reason for that ?

(5) Are Government aware that *saties* and temples are sacred relics of *Aggarwal* and religious rites are being performed twice a year on the mound ?

(6) If so, will Government please state the reasons for demolishing the temple and are they prepared to take necessary action to restore it ? If not, why not ?

Mr. G. S. Bajpai : (1) Yes.

(2) Prior to the declaration of the mound as a protected monument under the Ancient Monuments Preservation Act, 1904, only one *Marhi* was in existence.

(3) and (4). Permission to repair a temple was granted by the Deputy Commissioner, Hissar, to Pandit Brahma Nand, but as it was discovered that the Pandit was building new structures under the pretext of repairing the temple, he was ordered not to do so ; but the temple, which was only an enclosure about four feet high, was not removed.

(5) Yes.

(6) Does not arise, as no temple or other structure has been demolished.

MOTION FOR ADJOURNMENT.

DACOITY IN AKBARPURA TOWN.

Mr. President : At 10-50 this morning I received a notice of a motion* for adjournment from the Honourable Dr. Nand Lal. This notice of adjournment motion refers to a dacoity in Akbarpura town at 5-30 P.M., on the 22nd of June, 1930. The motion covers three pages and there was hardly any time for me to have it typed and send a copy of it to the Honourable the Home Member. I have no hesitation in saying that the manner in which this motion for adjournment has been handed to me is tantamount to an abuse of the power and right of moving motions for adjournment. I have also no hesitation in saying that the matter to which this motion refers is neither a matter of public importance, nor a matter of urgency, nor does it refer to any matter of recent occurrence. The dacoity, which is the subject of the motion for adjournment, was committed on the 22nd of June, 1930, according to the statement of the Honourable Member himself, and the Assembly had been sitting since the 7th of July, 1930. The Honourable Member, therefore, had ample opportunity of moving this motion much earlier than this.

Dr. Nand Lal (West Punjab : Non-Muhammadan) : On a point of order, may I.....

Mr. President : Order, order. There is no point of order when the President is addressing the House.

Dr. Nand Lal : Very good, Sir.

Mr. President : I have already fully and clearly stated the principles about the moving of the motions for adjournment in my two

previous rulings on motions for adjournment and I need not repeat the same arguments again. I declare this motion out of order.

Dr. Nand Lal : May I approach you, Sir, with my explanation ? Can I approach you with my submission ?

Mr. President : Order, order. No.

Mr. Muhammad Yamin Khan (United Provinces : Nominated Non-Official) : Can there be any suggestion after the President has given his ruling ?

MESSAGE FROM THE COUNCIL OF STATE.

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

“ I am directed to inform you that the Council of State has, at its meeting held on the 17th July, 1930, agreed without any amendments to the following Bills which were passed by the Legislative Assembly at its meeting held on the 14th July, 1930, namely :

1. A Bill to provide for the creation of a fund for the improvement and development of the cultivation, manufacture and marketing of Indian lac ;
2. A Bill further to amend the Negotiable Instruments Act, 1881, for a certain purpose ;
3. A Bill to amend the Indian Forest Act, 1927, for a certain purpose ;
4. A Bill further to amend the Indian Telegraph Act, 1885, for a certain purpose ;
5. A Bill further to amend the Bombay Civil Courts Act, 1869, for a certain purpose ; and
6. A Bill further to amend the Benares Hindu University Act, 1915, for certain purposes.”

RESOLUTION RE TERMINATION OF THE CONTRACT OF THE ASSAM BENGAL RAILWAY.

Mr. President : The House will now resume further discussion of the following Resolution moved by the Honourable Sir George Rainy on the 14th July, 1930 :

“ This Assembly recommends to the Governor General in Council that, in view, firstly, of the requirements for new construction and open line works on railways which will have to be met in the course of the next ten years, and of the demands which the provision of adequate funds to meet the capital expenditure required for these projects will make on the resources of Government, and secondly of the fact that the purchase of the Assam Bengal Railway Company's interest in the Assam Bengal Railway will not at the present time be financially profitable, and that another opportunity for acquiring that interest will occur in 1941, notice should not be given to the Company on the present occasion of intention to terminate their contract unless it should prove possible to devise some expedient by which the purchase money can be found on terms which will neither involve the Government in substantial financial loss nor necessitate any serious curtailment in the programme of new capital expenditure required for the proper development of the railway system in accordance with the economic needs of the country.”

Mr. B. Das (Orissa Division : Non-Muhammadian) : Sir, the other day, I was suggesting to the Honourable the Finance Member and the Government of India how money could be found to purchase this particular Railway and also the Bengal and North Western Railway when he

[Mr. B. Das.]

comes to budget next year. Sir, the very fact that the Honourable the Member for Commerce and Railways had brought the proposition before the House shows that they are meeting with financial difficulties. When we were discussing the Railway Budget last session, I was one of those who suggested that a Retrenchment Committee should be appointed to look into the railway administration, but the Government of India thought it fit to appoint Mr. Jukes to go into the revenue and expenditure of the Central revenues. But the Government of India did not refer the Railway Department to be looked into by Mr. Jukes. I again submit, Sir, that the time has come when the railway administration should be thoroughly gone into and the retrenchment axe be applied to the railway administration. But whether Mr. Jukes would be the proper person to investigate regarding retrenchment in the railway administration or a separate committee should be appointed, that I leave to the Government of India. Knowing that my life in this House is finished with this Session, I leave it to the Government of India to find a proper way to solve the difficulty. I have received a preliminary report from Mr. Jukes in which I find that the officer has done admirable work. He gauged the situation as regards extravagance in the civil departments, but the civil departments have little money to spend and there can be hardly any real retrenchment there. We have to go into the Army and the Railways if the Government of India anticipate any saving under these heads. Sir, I suggested the methods how money could be found. I again suggest that the paltry sum of £17,000 which the Honourable the Railway Member anticipates as the loss if the Assam Bengal Railway should be purchased by the Government of India, could be really met from the surplus revenue that will come to the Government of India next year when the Bengal and North Western Railway will be purchased, because the money that will be paid, that is, £10 million and the interest that will be derived therefrom, is more than 16 per cent. and if we lose one or two per cent. on £1½ million, the 16 per cent. that will accrue on the £10 million that will be paid to purchase the Bengal and North Western Railway would amply recoup the loss. Sir, since we separated the other evening, I find there has been some agreement between this side of the House and the Government's side. Therefore I need not prolong the debate. I leave it to the good sense of the Government to understand and appreciate the feeling on this side of the House regarding the State management of Indian railways.

***Mr. Fazal Ibrahim Rahimtulla** (Bombay Central Division : Muhammadan Rural) : Sir, I beg to move :

“ That for the original Resolution the following be substituted :

‘ This Assembly recommends to the Governor General in Council that negotiations should be undertaken with the Assam Bengal Railway Company to obtain for Government one year's extension of their existing option to terminate the company's contract on the 31st December, 1931 ’.”

Sir, this Resolution which I have placed before the House for their consideration is entirely due to the feeling which was expressed by no less than three Members of this House regarding the principle of taking over

the English Company-managed Railways as soon as their contracts terminated. I think my Honourable friend, Mr. Chetty, raised a protest on behalf of this House for two reasons, one was regarding the first paragraph of the Resolution moved by the Honourable the Leader of the House, and secondly, to the scant treatment meted out to the Central Advisory Council for Railways, of which I happen to be a Member. Sir, I was the first to make enquiries as to why the meeting was called on Sunday and why the meeting was called after the Government of India had tabled a motion for discussion at the meeting of the Legislative Assembly. That motion, Sir, was not placed before the meeting of the Central Advisory Council for Railways for their consideration. What we got was a memorandum submitted by the Railway Board, in which the financial aspect of the Assam Bengal Railway was described. Having regard to the financial aspect of the Railway, I do not think any business man would agree to ask the Government of India to terminate their contract immediately and give notice in December, 1930. Therefore, after full consideration of the subject, the Central Advisory Council for Railways came to the conclusion that Government should try and get an option of five years instead of ten years. The first question about the Company-managed Railways, or rather the Assam Bengal Railway, which was discussed, was regarding its relation to the Acworth Committee's Report. On page 64, paragraph 208, the position of the Assam Bengal Railway is fully described and in that Report it was said that the position of the Assam Bengal Railway was exceptional. Therefore, whilst they agreed that, for the foregoing reasons :

“ We unanimously recommend that the English domiciled guaranteed companies should cease to exist at the termination of their present contracts.”

They have themselves pointed out :

“ The position of the Assam Bengal Company is exceptional. All the other guaranteed companies earn, in the shape of their share of surplus profits, a substantial dividend above the guaranteed minimum, and their shares, even under the exceptional market conditions of the present moment, stand in the neighbourhood of par. The Assam Bengal net receipts do not even meet the 3 per cent. guarantee. The shares are consequently quoted at present at about 45. We should hesitate to advise that the Secretary of State should pay off at par in 1931 shares now standing at 45. But the company is not important, and there is ample time for consideration of this exceptional case between now and 1931. In any case, the amount at issue is not large.”

Even in 1922, when this Report was signed, the Acworth Committee hesitated to recommend to the Government of India that they should immediately go in for the Assam Bengal Railway on the termination of their contract in 1931, having regard to the share price which was at 45. Today, Sir, according to the memorandum which was presented to us, the price of a share is £78. I think, Sir, it would be a great mistake, apart from the financial condition of the Government of India, that on the merits of this question this House could possibly recommend the termination of the contract. But the feeling here in this House is very strong (hear, hear) and the House, even according to my Honourable friend, Mr. Das, is prepared to recommend to the Government of India that they should incur, the paltry sum as he calls it, that they should incur a loss of £17,000 a year and take over the Assam Bengal Railway. I, for my part, am not prepared to agree with that statement, but I do realise the feeling in this House and the result of this is that I have been able to move the amendment which I have moved with the consent

[Mr. Fazal Ibrahim Rahimtulla.]

of most of the Members who have felt strongly on this subject. I think this House ought also to feel grateful to my Honourable friend, Mr. Chetty, for having advised the deletion of the first part of this Resolution. My friend, Mr. Chetty, does not wish that this Company should be taken up if its financial position is bad ; but if there is any other consideration, he is not prepared to agree to the postponement, of the taking over of the Assam Bengal Railway. I think he is quite right and I am sure Government also will realise that it is an important point to be taken into consideration, and that they will agree to the amendment which I have moved.

There is one more point to which I might refer, and it is this. What is going to happen if the Assam Bengal Railway Company is not going to allow the Government of India to agree to the termination of the contract after a period of one year, that is, the 31st December, 1932 ? I do not think I would be prepared to recommend to the Government of India to give notice this year on the 31st December, 1930. But I would really like the Government of India to consider that, if the financial position improves, then they might, in the event of the Company refusing to allow us to exercise the option after a period of one year, as contemplated in my motion, take it over by giving notice on the 31st December, 1930. That is the feeling in the House, but personally, as a member of the Central Advisory Council, I would be prepared to request Government and I would be satisfied if they were to take the option of five years instead of ten years.

There is another reason also. According to the Acworth Committee's Report, we find that the contract with the Bombay, Baroda and Central India Railway terminates in 1941, and I do not think the Government of India would be in a position to take up two Railways in that year ; and if there was a choice given, I do not think this House would hesitate for a moment to recommend the taking over of the Bombay, Baroda and Central India Railway. I therefore say that, if the Company were to be taken over in 1936, that would be a reasonable period, and by that time I think the Government of India would be in a position to take over the Railways. I hope in future such an occasion will not arise when the non-officials will have to protest against not carrying out a policy which they have laid down with the concurrence of this House, namely, the taking over of the English Companies as soon as their contracts terminate. With these words, I move my Resolution.

***Mr. P. Venkatakrishnayya Chowdry** (Guntur *cum* Nellore : Non-Muhammadan Rural) : Sir, in rising to speak upon this Resolution, I propose to confine myself to some of the essential points involved therein. It is a fundamental principle, accepted and recognised by every country and every national Government, that the railways should be managed by the State. (*Voices* : "No, no".) Mostly that is so. All these years India has been steadily pursuing that policy and the recommendations of the Acworth Committee cannot be departed from at this time. This is a matter that requires a thorough examination by the Central Advisory Council for Railways, to examine at length a proposal of this kind, so that the House

may be in possession of more details to give its considered opinion. The Honourable Member advanced two reasons in his Resolution for not exercising the option to terminate the contract in December, 1931. In the first place, it has been said that the available money should be spent on new construction and open line works. India affords scope always for the extension and development of railways. Always money is to be found for the construction of new railways when such is the case. There is no justification why Government should not immediately purchase the Assam Bengal Railway when the contract terminates. We have to pay 1½ million pounds; the net income of the Company is only £73,000. According to the Honourable the Commerce Member the profit is only Rs. 3½ lakhs. My Honourable friend, Mr. Matin Chaudhury, says it will be about 4 lakhs. My Honourable friend, Mr. Das, has asked a pertinent question as to why money cannot be raised in India. I am sure the Honourable the Finance Member will not find it impossible to raise this loan in India, even at less than 6 per cent. In view of the prospective gains accruing by purchasing this Company, and in view of the fact that a large amount can be saved by the abolition of the Board of Directors in London, Indianising the services and stopping for a time the construction of feeder lines, it is but wise and proper that Government should risk the small loss anticipated by it in purchasing the Assam Bengal Railway. It is not every commercial undertaking that is paying Government. There are a thousand ways in which the poor tax-payers' money is wasted by the sins of omission and commission on the part of Government. Where then is the objection to purchasing the Railway, which in course of time will become a paying concern, and even if it does not pay, it would not very much matter, as it is a line intended for purely strategic purposes. Both on the capital and profit side it is necessary that the contract should be terminated and the principle of Indianising the railways adopted. Viewed from every point, it is not very unwise to invest 1½ million pounds in purchasing this Railway. Supposing the Company is running the Railway at a loss, why is it anxious to have another lease of life for ten years? The Honourable the Finance Member and the Commerce Member will see their way to appreciate the position advanced on this side of the House and exercise the option of terminating the contract in December, 1931. In this connection I venture to suggest that there are several lakhs of rupees in the hands of the local bodies in this country invested in Co-operative Societies at 4½ per cent. in the shape of railway cess. Why should not the Government of India borrow that available money, which is intended for the opening of new railways? They may get it even for 5 or 5½ per cent. In this case the investment will be a sound one and the purpose for which these funds are intended will have been largely realised.

The essence of this amendment is this, namely, that if it is not possible to purchase this Railway in December, 1931, the conditions of the contract may also be altered so as to exercise the option in 1932. An extension for one year may bring into existence favourable conditions when the option to terminate the contract may be exercised. Therefore when people are already disgusted with the most un-national aspect of several undertakings of the Government, and when they sincerely believe that the Imperialistic ambition of England has been the chief factor in contributing to the economic serfdom, agricultural indebtedness, and above all, to the present political unrest in this country, it is but just and proper on the part of Government to take immediate steps to purchase the Assam Bengal Railway.

[Mr. P. Venkatakrishtnayya Chowdry.]

Lastly, let me make a fervent appeal to the Honourable the Commerce and Finance Members to view this question from the broad nationalist point of view, ignoring for the present the profit side of the question, and yield to the rational demands of the people. In doing so Government will be avoiding the further alienation of the sympathies of the people. On these grounds, Sir, I support the amendment of Mr. Fazal Ibrahim Rahimtulla, which is identical with the motion of which I myself gave notice.

Dr. Ziauddin Ahmad (United Provinces Southern Divisions : Muhammadan Rural) : Sir, I would have very much liked to oppose this Resolution, but I know that in the Assembly as it is now constituted, it is impossible to carry a motion against the wishes of Government. So I accept what is the second best and support the amendment as it now stands. This question of the relative importance of the Company and the State-managed Railways was discussed at the Delhi Session of the Assembly. I admit that the Company management in England is working very efficiently, but there are special circumstances in India on account of which it is essential that we should have State-managed Railways. Among the arguments I advanced at the last Session, with your permission, I would like to repeat three important ones. The first was that the central administration in India is not located in the country but it is situated five thousand miles away, and therefore is not in direct touch with the management. Secondly, there is no competition in India, such as exists between various lines in England ; and the third is that the Company does not care so much for the comforts of the people as it cares for obtaining maximum profit at minimum expenditure, regardless of the comforts of the people. Besides these, there are other arguments on account of which I supported State management in preference to Company management. These facts were thoroughly discussed by the Acworth Committee, and they recommended as follows in paragraph 207 of their Report :

“ For the foregoing reasons we unanimously recommend that the English domiciled guaranteed companies should cease to exist at the termination of their present contracts.”

This was the unanimous recommendation of the Acworth Committee, and I think it is very desirable that their recommendations should be followed.

The argument brought forward by the Honourable Member is that the Assam Bengal Railway is not running profitably. Of course, when we have determined to follow a particular policy, the question of profit ought not to come in. May I ask the Honourable Member whether the railway line between Peshawar and Lundi Kotal is a profitable line ? It was certainly not built for commercial reasons, but in pursuance of a certain policy.

An Honourable Member : That is a strategic line.

Dr. Ziauddin Ahmad : Still it is not a profitable line ; it was built in pursuance of a certain policy. We have adopted a definite policy that the railways should all be State-managed, and it does not matter whether a certain railway shows a profit or loss.

Now, the Acworth Committee recommended what the Honourable the Mover of this amendment has quoted : they say that, “ There is ample time for consideration of this exceptional case between now and 1931 ”. I

should like to know what the Government have been doing during the last nine years. They now come forward—not at the eleventh hour, but at the eleventh hour and 59.9th minute—because this is the very last day of the life of this Assembly, to discuss this very important question, which as a matter of fact they ought to have discussed during the last nine years. At the time the Acworth Committee wrote their Report, the shares of this particular Company stood at 45. Was it not possible for the Government to purchase, during this interval, these shares at this lower rate? Even to-day the price, as pointed out by the Honourable Member, is 78. May I ask the gentlemen who are accustomed to stock exchange, is it possible for the shares of any Company to stand at 78 if there is a reasonable chance of their being purchased at par a year later? From this I conclude that there must have been some kind of understanding between the Directors of the Company and the Government to the effect that this Company management would be allowed to go on for some time longer: otherwise it is impossible that the shares of the Company would have stood at 78 just a year before the Government was to purchase them at par....

Mr. A. A. L. Parsons (Financial Commissioner, Railways) : On a point of explanation, Sir, may I say that no communications have passed between the Government and the Home Board of the Assam Bengal Railway Company on this question at all?—no communications of any sort, verbal or written.

Dr. Ziauddin Ahmad : I take it from the Honourable Member that there was no official correspondence between the Railway Board and the Company; but at the same time this is a thing to be taken note of by persons who are accustomed to the stock exchange business—as to how a share can stand at 78 if it is going to be purchased at par the following year: I leave it at that.

I should like to know whether the Government, during the last 8 or 9 years, ever considered this problem of the purchase of the Assam Bengal Railway, which the Acworth Committee so strongly advocated. Have Government appointed any committee? They never considered the question, and at the last minute they come to the Assembly and advocate that the time should be extended for another period of ten years. Now, the chief reason that has been brought forward in support of this Resolution is that the Government have got no money, and whatever money there is should be spent on more useful purposes. May I draw the attention of the Honourable the Finance Member to another recommendation of the Acworth Committee. They say :

“Direct Government loans bearing a fixed rate of interest appeal to a certain section of investors, but apart from these, there are other, and we believe more important, class of investors who are attracted by a lower rate of guaranteed interest coupled with the prospect of a share in the surplus profits of the railways; the shares in companies such as we recommend should be formed in 1924 and 1925 will offer attractive investments to such lenders.”

Now, may I ask whether any action was taken by the Government on this recommendation of the Acworth Committee? Have Government ever proposed to raise a loan guaranteeing 3 per cent. interest, which they are guaranteeing to the Assam Bengal Railway, and participation in the profits? Had the Government taken action in 1924 and 1925 according to the recommendations of the Acworth Committee and exhausted their resources.

[Dr. Ziauddin Ahmad.]

of raising funds, then it would have been reasonable for the Honourable Member to come to the Assembly and say "We tried our best to raise a loan and to carry out the recommendations of the Acworth Committee, but we failed, and therefore we now recommend that this period should be extended by another ten years." No such attempt was ever made. Instead, at the last moment they now come forward and ask the Assembly to sanction the extension for another period of ten years—which is now reduced to one year and which is also very doubtful because it is left to the sweet will of the Directors of the present Company.

Sir, the plea of want of funds is a plea which I can never believe as far as the Railway Department is concerned. They have got money to bury one crore of rupees in the railway station at Cawnpore; they have got funds to bury 87 lakhs of rupees in the railway station at Lucknow; they have got funds to bury Rs. 3½ crores in the Kalyan Power House; and they have got funds to the extent of Rs. 30 crores—not a very small amount—invested in something which they cannot explain. Last time when I asked a question about the manner of investment of Rs. 30 crores, which is now in the Reserve Fund and Depreciation Fund, I was given a very poor reply. I asked whether the permission of the Auditor General was obtained; and the Honourable Member could only tell me that the Auditor General was informed. This did not satisfy me. We want definitely that his permission should here been obtained and he ought to have certified that that was really the best way of investing the money. The very fact that he was merely informed shows that the Government are not working with a clear conscience; otherwise they would certainly have got the whole of that amount properly audited and the Auditor General's Report ought to have been laid before this Assembly.

Sir, I am not merely referring to the details of the administration, but I am discussing the policy of capital expenditure. In this case I think the Railway Board are exceedingly weak; they do not have any sound principles of expenditure so far as capital expenditure is concerned, and it is very important to have some kind of system by means of which their capital expenditure may be controlled. I admit that the Members of the Railway Board are great experts in the details of the administration of the railways, but it very often happens that a person who has got a very detailed knowledge of a thing is most incompetent to consider fundamental changes in the Department, and therefore it is desirable that we should get some financial experts, either from other Departments of the Government of India, or possibly from Home, who might advise the Government to lay down a sound policy for the Railway Board to follow about capital expenditure. They ought to invest their Reserve Fund as also their Depreciation Fund in a proper manner. They ought to float loans whenever they find it necessary to raise money, and control their capital expenditure in a proper manner, and they should not invest large sums of money at their own sweet will and pleasure in unremunerative undertakings and then give up one of the most important questions of policies on the ground of expenditure.

Sir, finally I would like to emphasise the fact that any loans which the Government may float in this country for the purpose of railway development will receive every possible support in this country, and any sum

which they may be in want of will be oversubscribed even in this country. With these few words, Sir, I support the amendment.

Sir Cowasji Jehangir (Bombay City : Non-Muhammadan Urban) : May I suggest, Sir, to the Honourable the Leader of the House to make a statement whether he will accept this amendment, because I think it will curtail the debate considerably ?

The Honourable Sir George Rainy (Member for Commerce and Railways) : I think my Honourable friend the Finance Member proposes to speak, and it might be to the convenience of the House, Sir, if he were allowed to speak.

Dr. Nand Lal (West Punjab : Non-Muhammadan) : If other Members desire to take part in the debate, are they to be prevented from speaking, Sir ? Is there any rule or is there any order to that effect ?

Mr. President : No. The Honourable Sir George Schuster.

The Honourable Sir George Schuster (Finance Member) : Sir, as you have called upon me, I take the opportunity of intervening in the debate at this stage. Possibly when this House has heard what I have got to say, they may desire to give expression to a general opinion that the debate should be closed.

I may say at the outset, to make the position of Government clear, that the Government are prepared to accept the amendment which has now been moved, but a good deal has been said on financial policy in the course of this debate, and I should have thought it necessary in any case to intervene and make quite clear the position of Government on those points that have been put forward. It becomes all the more necessary that I should make Government's position clear on these points, now that Government are going to accept this amendment which has been moved.

Sir, I find myself in some difficulty in dealing with all the various points that have been raised, for I do not wish to take a very great deal of the time of the House, and if I were to deal fully with all those points, I should have to enter into long explanations of the whole financial position. I will try, Sir, to be as brief as possible.

I must, at the outset, express my view that it is both natural and right that in debating a question of this kind the financial position of Government should be brought up, for personally I have always held that, in spite of the so-called separation of railway finance, railway matters and particularly the question of capital expenditure on the construction of new lines or on the purchase of existing lines, railway policy on these matters has such an intimate connection with the general financial position of Government that railway policy and financial policy cannot be discussed or kept in water-tight compartments. They must be discussed together and both must be kept in view if sound decisions are to be reached. That, Sir, is a doctrine which I know is held by many of my Honourable friends opposite, who have taken part in this debate, and if there has been any suggestion in their speeches that they desire Government to take every opportunity to purchase Company-managed

[Sir George Schuster.]

lines regardless of the effects on the general financial position of Government, I do not really believe that they wish to push the argument to any unreasonable or unconditional conclusion, but rather that they were actuated by a desire to leave Government under no misapprehension as to the strong feeling of the House on these matters. If they wished to go further than that, I should be tempted to presume to offer them a word of advice, or perhaps rather to sound a note of warning, to the effect that when perhaps in the course of time they come to change the role of irresponsible critics for the responsibilities of Government which they are so anxious to assume, and of which I personally should be so willing to divest myself (Hear, hear.) they will find that attractive principles cannot always be applied regardless of facts. Sir, we have got to face facts in these matters, and unfortunately many of these facts are beyond our own control. My friend, Mr. B. Das, with his accustomed ingenuity, has suggested various means for evading the facts which my Honourable colleague has quoted as affording obstacles in the way of an immediate purchase. He suggested, in the first place, that we might utilise our share of German reparation receipts to finance this purchase, but as this House knows full well, as a result of the clause which was inserted in the Finance Bill of this year, those German reparation receipts now go into our current revenue and are necessary for the balancing of our Budget. We rely on them already for other purposes.

Another speaker, I think, suggested that we might use the Railway Reserve Fund, but that fund is also ear-marked for a special purpose. It is a reserve for the existing undertakings, and even theoretically it ought not to be regarded as available for the purchase of additional Railways. From a practical point of view of course the suggestion has ever less value, because, as all Honourable Members know, the Railway Reserve Fund is merged in the ordinary balances of the Government, and therefore Government themselves would have to find the money and there would be no solution of the practical difficulty. In fact as regards both suggestions, we are face to face with the inexorable facts that if we use any of our existing resources for this purpose, those resources will not be available for other purposes for which they are already pledged.

Then, again, my friend Mr. B. Das says, and the question has been repeated this morning, why need you borrow money in England at 6 per cent. when you can obtain it in India at a very much lower rate? I am afraid again that it is a suggestion which is of little practical value. There are two points. In the first place, if Honourable Members will refer to the existing quotations for rupee securities, they will find the rates prevailing are not so very much lower than on our sterling securities in London, and the amount of saving to be effected by borrowing money in India would not be very great. But, Sir, there is another difficulty of a more practical nature. We have to find this money in sterling. If we borrow in India we have to borrow in rupees. Therefore, if the proceeds of an Indian loan are to be of any use, I have to convert those rupees into sterling. The question is, can I do it? That, again, brings me face to face with another of these inexorable facts. To answer that question fully would take me into the whole controversial field of currency policy and

12 Noon.

the question of sterling borrowing. I do not wish to enter into that field to-day, but I may explain the position quite simply. The amount of rupees that we can convert into sterling depends primarily on the balance of trade. If there is a favourable balance of trade, if India's exports exceed India's imports by Rs. 60 crores in any year, then, if no other factors intervene, India can convert the Rs. 60 crores into some form of foreign currency. But there are other demands on that surplus balance. In the first place, as all Honourable Members know, a very large amount of gold and silver is imported by India every year. I have always said that if the Indian public would change their habits and would start the habit of investing their savings not in precious metals but in productive undertakings, India could raise by internal loans all the capital that she requires, both to buy up these foreign companies and to buy locomotives and rails and other materials which so far have to be purchased abroad. But we have not reached that stage yet, and at the moment, as every one knows, there are special factors which have intervened to make difficult the exchange position,—forces, which are perhaps directed by a desire to embarrass the Government, but which I think have resulted in starting a process which threatens rapidly to ruin those who have set those forces at work.

I do not wish to dwell on this point now, but as regards my Honourable friend Mr. Das's suggestion, I will only say this, that, as things are now, it would be an extremely unsound financial policy for the Government to commit themselves to find sterling funds for capital expenditure without providing themselves with external capital to meet them. For our current requirements our position is secure and sound and I anticipate no difficulty; but when capital expenditure is concerned, we should only be weakening our position if we undertook to make payments in foreign currency without borrowing foreign currency to meet them. That, Sir, is a sufficient summary, I think, of the present situation.

I would turn now to the arguments advanced by my Honourable friend, Mr. Chetty. His points, I think, were briefly as follows. He said, "You ought not to force the Assembly to take a decision now. We have not had time to consider the matter". He then went on to develop a very practical line of argument. He admitted, I think, that the special financial difficulties which exist at present were great and that for that reason it might be very disadvantageous to attempt to raise money now. But he said, "You only have to find money by the 31st December 1931, and by that time things might be better. Therefore you ought not to lose that opportunity". I think, if I remember his words correctly, he said, "If good sense prevails, conditions may be better by the end of 1931". Sir, I echo those words, "If good sense prevails". That is the great need of the country to-day, and I venture to agree with my Honourable friend that, if good sense would really prevail and if all the forces which are now opposing Government would work with us for the common good, then, with that joint effort Indian credit could be restored to its former level and even above it. And, if, on top of this, again, as part of that joint effort, Indians would, for patriotic purposes, join in taking special courses—if, for instance, Indians were prepared to release a part of their own gold holdings in subscriptions to a railway loan, all the exchange difficulties would disappear, foreign borrowing

[Sir George Schuster.]

would be unnecessary, and the country could indeed carry out that policy which Honourable Members have so much at heart.

Sir, I do not wish, as I have said, to enter upon a controversial field, but, as I contemplate the difficulty and the distress into which the country is now plunged, I cannot refrain from some comment on how things might have been. My Honourable friend Mr. Chetty has asked us to take into account the hope that they may be better in the future. I am oppressed by the certainty that they could have been infinitely better at present if these disturbances had not been started. I venture to say that Bombay at least would have been enjoying a boom this Summer; the cotton mills with the new protective duties would have been prosperous, Government's reduced borrowing programme would have encouraged confidence in Government securities, and we should have seen a rise of at least five points all round. The banks then would have recovered the losses which they have been suffering on capital depreciation in their holdings of Government securities during the last few years, and a general feeling of confidence and cheerfulness would have prevailed. With confidence restored in the good sense of the country, I should not have been forced to borrow in London at the rates which have recently been necessary, and we could have undertaken a purchase of this kind without any disturbance at all in the Government's financial position. Sir, let Honourable Members look upon that picture and upon this which is before us now.

Sir, I do not wish to say any more on the general position. I have informed the House that the Government are prepared to accept this amendment, but as I said at the beginning, I wish to make perfectly clear what the Government's position is in the matter. It may be, indeed I pray that it will be, as my Honourable friend has suggested, that things will be better next year. But I would remind the House that we shall then be face to face with the need for a decision on the purchase of the Bengal and North Western Railway. This purchase, on which Government have to give notice by the end of December, 1931. will involve a sum of about £12 millions, and the two propositions will then have to be considered together with all the other needs of the Government. Now, if we can succeed in obtaining this period of delay for a decision as regards the purchase of the Assam Bengal Railway, I think that it will be a very fortunate result, for I think it is entirely proper that these two propositions should be considered together. I can give this undertaking to the House—that we on our side will do our utmost to find ways and means of giving effect to the desire which I know is felt so widely for the purchase of the Railways. But we are not in control of those inexorable facts to which I have referred. We must now face the fact that our financial position next year will not be as good as I hoped it would be when I brought forward my budget proposals at the last Delhi Session. We must face the possibility of a deficit as a result of the present subversive campaign, and we cannot look with great confidence now to the Government's possession of surplus funds next year. Then we have other needs to consider. We cannot devote all the capital resources of the Government to railways. We have to consider irrigation projects, projects to which we are already committed and which we have to find money to finance. I would venture to remind

Honourable Members that the Government of India carry this very responsible position of acting as a banker to all the provinces. As their banker I cannot refuse, for example, to find funds next year for completing such a scheme as the Sukker Barrage Scheme. Or, to take another example, I cannot refuse to find funds for helping the province and State concerned—the Bahawalpur State—to finance the Sutlej Irrigation Scheme. My hands are tied in these matters. These are the facts which I have to face, and, all these propositions must be considered together. At the same time, for that very reason, and for the reason that there is still hope that things will improve, I personally welcome this appeal which has been made, and, as I have already said, we will do our best to meet the wishes of Honourable Members and we will not abandon hope.

I might indeed sum up the position by saying that this Resolution has been brought forward in a spirit of hope and this induces me to remind the House of the old legend from Greek mythology of Pandora's box ;—how Zeus, desirous of punishing the world for the theft of fire by Prometheus,—(might I perhaps compare this to the seeds of self-government now sown in India), gave Pandora a box, with the warning that it should not be opened, as it contained all sorts of evils. But the box was opened ; and famine, war, pestilence and evils of all kinds were let loose on the world. But one, looking into the box afterwards found that the lid had been closed before all its contents had escaped and there still remained crouching in a corner a single small figure—the figure of Hope. Sir, let us accept this Resolution in a spirit of Hope and feel that, even in these material matters, spiritual influences can help us and spiritual interests are involved.

Dr. Ziauddin Ahmad : Will the Honourable the Finance Member reply to the points I raised for not giving effect to the recommendation of the Aeworth Committee to raise money at lower guaranteed interest and participation in profit ?

Rai Bahadur S. C. Dutta (Surma Valley *cum* Shillong : Non-Muhammadan) : Sir, whatever may be the policy adopted on the basis of the Resolution before the House, I wish to bring to the notice of Government some problems connected with the purchase of the Assam Bengal Railway and the interests of the people of the localities served by the Railway. I am not going to enter into a discussion of pounds, shillings and pence and I am speaking as one who has seen the working of these Railways since the time they were started. Although in the memorandum which Government have circulated, they describe this Railway as very economically managed, I cannot describe it as very efficient. The railway management might be considered very economical in so far as the pay of the Indian staff is concerned, which is very low. The usual facilities for passenger traffic are absent, such as, accommodation in waiting rooms. There is no platform in any of the stations, and the railway compartments are in a bad condition. Since the pay of the staff is so very low, from the very nature of the case, the management cannot be efficient, and therefore cannot be economical also.

Mr. President : Order, order. I think the Honourable Member is not confining his remarks to the point at issue. The questions which he has raised are not relevant to the subject at issue. We have got nothing to do with the management of the Railway here.

Rai Bahadur S. C. Dutta : The point is this—whether the Railway should be nationalised or not. It is not right that we should look at the question from the financial point of view only. We must also consider the efficiency of the services rendered by the Railway. That is the point I am emphasising. I say that, although it may be said that the Railway is working at a loss, it cannot be said that the same loss will continue after the Railway is taken up by the Government. I shall give a few reasons. This is a railway passing through hill sections and touching the borders of certain tea plantations that are within the hills, so that in many places the main line avoids the thickly populated tracts. The result is that the income of the Railway cannot be good, unless it is fed by branch lines. The opening of branches has been begun only very recently and the income is coming in and the prospects are improving.

Mr. President : Order, order. The discussion on a Resolution must be confined to the subject of the Resolution and I cannot allow the Honourable Member to wander about discussing questions which are not strictly relevant to this motion.

Rai Bahadur S. C. Dutta : What I am pointing out is that as soon as the Railway is acquired, it will become profitable.

Mr. President : You are saying that in a very round about way.

Rai Bahadur S. C. Dutta : I am pointing out that the income is low because the staff is ill-paid and the management is not efficient. Apart from the question whether the Railway is run at a profit or not, the efficiency of the services has also got to be considered from the point of view whether the Railway should be nationalised or not. Efficiency in the services rendered is also an object of nationalisation. Now I have already said that the various facilities enjoyed by persons who are in the service of the State Railways are not enjoyed by the employees of this Railway, and what I complain of is these short-term contracts with railways, as they stand in the way of improvements being effected on the railways concerned. Here is a contract. It will be renewable after ten years only and it is now proposed to shorten it to five years. Well, for these five years no improvements can be effected since the Railway Board on that account will be unable to insist the Railway Company undertaking these improvements. But the important point is that, if there are more improvements effected, more income will be earned thereby if the Railway is taken over. I will finish now by referring to one important problem connected with this Railway. There is a crying need for improvement which cannot be satisfied unless the management of the Railway is taken over by Government forthwith. Some Honourable Members may know that the main line in some places and some of the branches pass across valleys as dams.

Mr. Arthur Moore (Bengal : European) : On a point of order, is the Honourable Member, Sir, supporting or opposing the Resolution before the House ?

Sir Hari Singh Gour (Central Provinces Hindi Divisions : Non-Muhammadan) : Mr. Dutta, you close your remarks. Don't take any notice of the interruption.

Rai Bahadur S. C. Dutta : Yes, I am closing my remarks. Now these railways act as a dam across the valleys and thereby cause abnormal floods, and there was a disaster in the districts of Sylhet and Cachar in the last rains. In the railway embankment there was a difference of several feet of water from one side to the other. The houses of people living on the other side went under, there was a loss of several lives ; there was great destruction of cattle and of crops, and there was a great disaster and widespread suffering and distress in connection with which charitable people throughout India made contributions for which the people of this valley are deeply grateful. And an attempt was made for instituting an inquiry to ascertain whether the railway embankments in their present state caused and intensified the effects of floods causing loss of life and cattle and whether there should not be more bridges and the spans of the existing bridges should not be widened. Well, a board of inquiry was constituted.....

Sir Hari Singh Gour : All these details you can bring out in your speech at the time of the Railway Budget.

Rai Bahadur S. C. Dutta : Well, I am just finishing. Well, that Committee visited that place and made a preliminary investigation, but at that time the water was already greatly subsiding. On that Committee was also an Engineer of the Assam Bengal Railway. That Committee met the members of the non-official Flood Relief Committee, of which I was the Vice-President. (Applause.) Well, we found from the discussions that although the railway embankment was high enough for the purpose of protecting the line from abnormal floods, the Railway could not undertake to provide for the passage of water in such abnormal floods.

Mr. President : The Honourable Member should now close his remarks.

Rai Bahadur S. C. Dutta : I will just now conclude my remarks. The position of the Railway Company was stated to be that they could not undertake so to widen the span of the bridges and to open new bridges, as suggested by our Committee, because it was not their business to allow for water in times of abnormal floods but only for normal floods, and what they allowed for were simply certain bridges over the rivers and certain channels, forgetting altogether that these were not the only channels for the passing of water in times of flood, but there are waters surging round and round for miles and miles when the whole country is under water. So I submit to this Assembly that these are problems connected with this Railway that cannot be satisfactorily solved as long as the Railway is under company management, and it is for this reason imperatively necessary that the Railway should be taken over by Government at once. With these remarks, Sir, I sit down.

Mr. Arthur Moore : I move that the question be put.

Several Honourable Members : The question may be now put.

Mr. President : The question is that the question be now put.

The motion was adopted.

Mr. President : The original question was :

“ That this Assembly recommends to the Governor General in Council that, in view, firstly, of the requirements for new construction and open line works on railways which will have to be met in the course of the next ten years, and of the demands which the provision of adequate funds to meet the capital expenditure required for these projects will make on the resources of Government, and secondly of the fact that the purchase of the Assam Bengal Railway Company's interest in the Assam Bengal Railway will not at the present time be financially profitable, and that another opportunity for acquiring that interest will occur in 1941, notice should not be given to the Company on the present occasion of intention to terminate their contract unless it should prove possible to devise some expedient by which the purchase money can be found on terms which will neither involve the Government in substantial financial loss nor necessitate any serious curtailment in the programme of new capital expenditure required for the proper development of the railway system in accordance with the economic needs of the country.”

An Honourable Member : The Honourable Sir George Rainy, Sir, has not replied.

The Honourable Sir George Rainy : I do not wish to exercise my right of reply, Sir.

Mr. President : Since which the following amendment has been moved by Mr. Fazal Ibrahim Rahimtulla :

“ That for the original Resolution the following be substituted :

‘ This Assembly recommends to the Governor General in Council that negotiations should be undertaken with the Assam Bengal Railway Company to obtain for Government one year's extension of their existing option to terminate the company's contract on the 31st December, 1931 ’.”

The question I have to put is :

“ That for the original Resolution the following Resolution be substituted :

‘ This Assembly recommends to the Governor General in Council that negotiations should be undertaken with the Assam Bengal Railway Company to obtain for Government one year's extension of their existing option to terminate the company's contract on the 31st December, 1931 ’.”

The motion was adopted.

Mr. President : Gentlemen, we are now at the end of our labours. This is not only the last day of this brief but crowded and important Session, but also the last day of the sittings of this Assembly. Before I announce the adjournment of the Assembly *sine die*, I would request the Honourable Members to do me the honour of coming and shaking hands with me after the Assembly is adjourned. The life of the Assembly will come to a close at the end of this month and we do not know how many of the Honourable Members present in this House today will again come to the Assembly. I wish them all good luck in their election campaign.

(Mr. President then shook hands with the Members present.)

The Assembly then adjourned *sine die*.

APPENDIX.*

Notice of a motion for Adjournment given by Dr. Nand Lal for the meeting of the Legislative Assembly on the 15th July, 1930, regarding a Dacoity in Akbarpura Town.

“ To

The Secretary,
Legislative Assembly.

The undersigned begs to ask for leave to make a motion, under section 45 of the Manual of Business and Procedure, for an adjournment of the business of the Assembly for the purpose of discussing a definite matter of urgent public importance and, consequently, he hereby, leaves under section 46 of the aforesaid Manual, with the Secretary the following written statement of the definite matter of urgent public importance as described and mentioned below :

1. That some forty dacoits entered Akbarpura town at 5-30 P.M. on 22nd June, 1930.
2. That they, namely, the dacoits or raiders, were in full military uniform and armed with small short rifles. Their officers had axes and hammers also, which they used in breaking open the ironsafes and doors.
3. That after entering the town they shut up the gates and *morchas* (picketing) were set up there (namely, at the gates).
4. That rest of the raiders, namely, other than those who were posted as *morchas*, entered in the Bazar. Thereupon the shop-keepers commenced shutting up their shops. The robbers then satisfied the people that the former were of the Border Police and had come for the protection of the town and that the latter need not fear.
5. That since the robbers were in the Border Police uniform, the people believed them and, consequently, there was an exchange of compliments.
6. That a short time after the aforesaid courtesies the robbers began to fire in the air and loudly said that they had, in fact, come to loot the Hindus only.
7. That the Hindus, in the circumstances, were taken by surprise and felt utterly helpless.
8. That thereupon the robbers caught hold of Lalas Kanshi Ram and Ganesh Das and forcibly compelled them to point out shops. Both of these Hindus were beaten by the robbers.
9. That therefore some of the Hindus entered their houses and began firing in their self-defence. Thereupon the robbers openly threatened the Hindus that if any of the raiders were wounded, then all of the Hindus would be murdered and the village burnt.
10. That at this critical moment, Lalas Kanshi Ram and Ganesh Das, who were in the custody and control of the raiders, in order to save the lives of the Hindus, advised them to discontinue firing. The Hindus, in the circumstances, felt compelled to stop it.
11. That the raiders, thus, began to loot, the ironsafes were broken and cash taken away. In addition to cash the raiders took away clothing from the shops of the piece-goods merchants. They took away valuable ornaments and clothing from the houses of four Hindus.
12. That there is a Punitive Police Chowkey about half a mile from the town but none turned up on the occasion of loot, though they came subsequently.
13. That on the morning of 23rd June, 1930, when the police came, the injured and aggrieved Hindus stated the sad tale of their woes and details of their losses, which approximately amounted to Rs. 36,262.
14. That the Hindus, on the arrival of the Senior Superintendent of Police on the spot and after having given details of the dacoity, prayed for protection, but the aforesaid officer said that they might go to *Karimpur* and *Andarsher*, Peshawar City. This taunt added insult to their injury.

*Vide p. 678 of these Debates.

15. That this daring dacoity, as described above, goes to show lawlessness in the place, namely, Akbarpura, which is only about 9 miles from Peshawar and 18 miles from Nowshera.
16. That a report about the raid was given by telephone before 7 P.M. and the dacoits remained there up to 8-30 P.M. but no one turned up to help in time. The dacoits went scot-free. Had they been pursued they or some of them would have been caught red-handed.
17. That it is the first instance that the dacoits looted in broad day-light and reached back their destination (ex-border territory 26 miles from Akbarpura or other place), namely, their homes safely even without being pursued. It is thus a definite matter of public importance.
18. That there is no Provincial Council in the North West Frontier Province in which the scene of dacoity is situate. The local authorities concerned and the Local Government have not, as yet, taken any effective measure to redress the grievances of the Hindus. They have not, up to now, taken any suitable and satisfactory step to extend the desired protection to them, namely, the Hindus. They waited up to now for such measure and such steps.

The Hindus of Akbarpura, being thus disappointed and being in danger, and there being fear of recurrence of such like raids, the matter deserved to be brought to the notice of this Honourable House.

The circumstances and the incident, mentioned and described above in paragraphs 1 to 18, constitute a definite matter of urgent public importance which is also recent, the undersigned thus begs to give notice that he begs for leave to make a motion for an adjournment of the House of the Assembly for the purpose of discussing it, namely, the aforesaid recent and definite matter of urgent public importance and is primarily concerned now with the Government of India, today.

Sd. NAND LAL, M.L.A.,

18th July, 1930.

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