

LEGISLATIVE ASSEMBLY DEBATES

THURSDAY, 12th FEBRUARY, 1931

Vol. I—No. 18

OFFICIAL REPORT



CONTENTS.

Questions and Answers.

Unstarred Questions and Answers.

Motion for Adjournment—Action taken against the General Council of Burmese Associations—Leave granted.

Statement of Business.

Resolution *re* Vanaspathi Ghee—Adopted.

Motion for Adjournment—Action taken against the General Council of Burmese Associations—Negatived.

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LEGISLATIVE ASSEMBLY.

Thursday, 12th February, 1931.

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

QUESTIONS AND ANSWERS.

FORMATION OF A BOARD FOR THE ADMINISTRATION OF THE POSTS AND TELEGRAPHS DEPARTMENT.

450. ***Mr. S. C. Mitra:** (a) Is it a fact that a Board has recently been formed for the administration of the Posts and Telegraphs Department on behalf of the Governor General in Council?

(b) Is it intended that the Board will function in the same way as the Railway Board, and if not, in what respects does the constitution of the former differ from that of the latter?

(c) Are any officers of the Posts and Telegraphs Department *ex-officio* members of the Board and, if so, have their duties and responsibilities increased thereby?

Mr. J. A. Shillidy: (a), (b) and (c). A Board has not been formally constituted, but as an experimental measure the Director General, the Chief Engineer, the Senior Deputy Director General and the Financial Adviser have been empowered by the Honourable Member in charge of Industries and Labour to deal collectively and individually with certain classes of cases which would otherwise be submitted to Government for orders. If the experiment proves a success, the formal constitution of a Board will be considered.

HINDU AND MUHAMMADAN HOLIDAYS IN THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.

451. ***Mr. S. C. Mitra:** (a) Is it a fact that in the office of the Director General of Posts and Telegraphs no Muhammadan clerk is required to attend office on a Muhammadan holiday? If so, do the Hindu clerks enjoy the same facility in respect of Hindu holidays?

(b) Is it a fact that the Muhammadan clerks of the office are granted special holidays, *e.g.*, the Dusserah Holidays? If so, is the same concession ever extended to the Hindu clerks in respect of any Muhammadan holiday?

Mr. H. A. Sams: (a) The reply to the first part of the question is in the affirmative. The reply to the second part is in the negative. The reason for the difference in treatment is due to the fact that, if all Hindu clerks were allowed to stay away on Hindu holidays, which are not treated as entirely closed holidays, the work of the office would be at a stand-still, as the very great majority of the staff consists of Hindus.

(b) During the last Dusserah holidays, the Muhammadan clerks were granted compensatory holidays in lieu of the ones to which they were

entitled and on which they were required to attend in order to give all the Hindu clerks the benefit of complete absence from office. The reply to the rest of the question is in the negative.

Mr. S. C. Mitra: Am I to understand that the position is that there is discrimination as regards privileges between Muhammadan clerks on Hindu holidays and Hindu clerks on Muhammadan holidays? If so, why is there this discrimination?

Mr. H. A. Sams: I do not think there is any discrimination. It is a matter of convenience. When the office is not entirely closed, we have to make arrangements after considering the work of the office. As I have already explained, the Muhammadan clerks were given compensatory holidays during Dusserah in lieu of other holidays on which they attended office in order to allow the Hindu clerks to enjoy those holidays.

Mr. S. C. Mitra: Do the Hindus get the same privileges if the occasion arises?

Mr. H. A. Sams: The occasion would not arise because the great majority of clerks in my office are Hindus.

Dr. Ziauddin Ahmad: Are the post offices entirely closed on Hindu and Muhammadan holidays?

Mr. H. A. Sams: The question relates to the office of the Director General of Posts and Telegraphs and not to the post offices.

Dr. A. Suhrawardy: Will the Honourable Member consider the desirability of removing this invidious discrimination by increasing the number of Muhammadan employees in the office?

(No answer was given.)

HOLIDAYS IN THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.

452. ***Mr. S. C. Mitra:** (a) Is it a fact that the grant of holidays to the staff of the offices permanently located in Delhi is governed by the Notifications issued by the Chief Commissioner, Delhi? If so, is the same practice followed in the office of the Director General of Posts and Telegraphs both during the summer and winter?

(b) Is it a fact that in the office of the Director General of Posts and Telegraphs the recent *Basant Panchami* holiday was ordered to be treated as a communal holiday, following the practice obtaining in the Government of India Secretariat? If so, why was such a departure made in this case?

Mr. H. A. Sams: (a) Yes, provided that the state of work in the office permits the grant of holidays.

(b) Yes, for the disposal of urgent work largely in connection with the preparation of replies to questions asked by Honourable Members of the Legislature.

WITHHOLDING OF MEMORIALS OF THE CLERICAL STAFF OF THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.

453. ***Mr. S. C. Mitra:** (a) Is it a fact that the memorials addressed to the Secretary of State by the clerical staff of the office of the Director General of Posts and Telegraphs, praying for a revision of their scales of pay were withheld by the Government of India on the ground that the memorials were mere applications for pecuniary relief presented by persons manifestly possessing no claim or advancing a claim of an obviously unsubstantial character?

(b) Is it a fact that, after the withholding of the memorials the Government of India sanctioned the revision of pay of the clerical staff of the office of the Director General of Posts and Telegraphs?

(c) Will Government be pleased to state whether, in the event of the reply to parts (a) and (b) being in the affirmative, the withholding of the memorials to the Secretary of State on the ground stated was in accordance with the rules?

Mr. J. A. Shillidy: (a) No, the memorials were withheld for the reasons given in reply to part (b) to Mr. Amar Nath Dutt's starred question No. 308 on July 18th, 1930, to which the Honourable Member's attention is invited.

(b) Yes.

(c) Yes.

PRIVATE PRESS RUN BY BABU JAWAHAR KHAN, ASSISTANT MANAGER, GOVERNMENT OF INDIA PRESS, SIMLA.

454. ***Sardar G. N. Mujumdar** (on behalf of Mr. Nabakumar Sing Dudhoria): (a) Will Government please state whether any investigation was made in connection with a private press being run by B. Jawahar Khan, Assistant Manager, Government of India Press at Simla, and was there any contention regarding its independent ownership by his sons? If so, how far is the contention true?

(b) Is it a fact that the so-called owners of the press are minors and studying in an Islamia School at Lahore and B. Jawahar Khan himself has been managing and conducting all sorts of business connected with the Press, under his own authority?

Mr. J. A. Shillidy: From enquiries made by Government, it transpired that Mr. Jawahar Khan was connected with the working of a private press at Simla registered in the name of his two sons who are minors. Instructions have accordingly been issued to him to sever his connection with the press and he has been transferred to Aligarh.

LACK OF GOVERNMENT QUARTERS IN THE VICINITY OF THE GOVERNMENT OF INDIA PRESS, SIMLA.

455. ***Sardar G. N. Mujumdar** (on behalf of Mr. Nabakumar Sing Dudhoria): (a) Is it a fact that the employees of the Government Press at Delhi are provided with quarters in the vicinity of the Press while the employees of the Simla Press are debarred from the facilities in the shape of Government quarters in the vicinity of the Press?

(b) Were any representations made to the authorities? If so, what action was taken?

Mr. J. A. Shillidy: (a) Most of the employees of the Government of India Press, Delhi, have been provided with Government quarters in the vicinity of the Press. A limited number of quarters which are not at a great distance from the Press have also been provided for the employees of the Government of India Press, Simla.

(b) Yes; Government do not admit that officers are entitled to claim quarters in the vicinity of their work.

RETIRING AGE FOR GOVERNMENT OF INDIA PRESS EMPLOYEES.

456. ***Sardar G. N. Mujumdar** (on behalf of Mr. Nabakumar Sing Dudhoria): (a) Is it a fact that Government servants are made to retire on pension at the age of 55 on the basis of their having put in such a total amount of energy as makes them incapable of rendering further service?

(b) Will Government please place on the table a statement showing the number of men retired from their service from Government of India Presses at Simla, Delhi and Aligarh during the last ten years showing also how many of them retired on superannuation pension and how many of them were invalidated?

Mr. J. A. Shillidy: (a) Government servants other than ministerial servants are, as a rule, required to retire from Government service on attaining the age of 55 years, while ministerial Government servants are, if they continue efficient, ordinarily retained in service up to the age of 60 years.

(b) Government regret that they cannot undertake to collect the information asked for by the Honourable Member as it would entail an amount of time and trouble disproportionate to the result.

NEW LEAVE RULES FOR GOVERNMENT OF INDIA PRESSES.

457. ***Sardar G. N. Mujumdar** (on behalf of Mr. Nabakumar Sing Dudhoria): (a) Is it a fact that new leave rules have been framed for the Government Presses and men confirmed after 1928, although employed much earlier, are affected by these rules?

(b) Are Government aware that under these rules no casual leave is allowed to the men confirmed after 1928 and all other kinds of leave are also much reduced in their case? Will Government please state why this differential treatment is shown to the men working side by side?

Mr. J. A. Shillidy: (a) Yes.

(b) Government are aware that these rules are not as liberal as the ordinary leave rules embodied in the Fundamental Rules, and it is for this reason that permanent salaried industrial employees, who were in enjoyment of the benefits of the latter, were allowed to retain the benefits.

PAYMENT FOR EXCESS WORK IN THE GOVERNMENT OF INDIA PRESS, SIMLA.

458. ***Sardar G. N. Mujumdar** (on behalf of Mr. Nabakumar Sing Dudhoria): (a) Is it a fact that the compositors of the Government of India Press, Simla, are not paid for doing excess work when deductions are made for their shortages?

(b) Are Government prepared to take steps either to pay them for their excesses or exempt them from the deductions due to the shortages?

Mr. J. A. Shillidy: Enquiries are being made.

COMPLAINTS AGAINST THE HEAD CLERK OF THE GOVERNMENT OF INDIA PRESS, SIMLA.

459. ***Sardar G. N. Mujumdar** (on behalf of Mr. Nabakumar Sing Dudhoria): (a) Is it a fact that complaints have been made regarding the general treatment and behaviour of the present Head Clerk of the Government of India Press, Simla, towards his subordinates as being rough and ungentlemanly, but with no result?

(b) Is it also a fact that the work in the Clerical Branch of the Government Press has fallen in arrears since the present Head Clerk has taken over charge and he himself attends office at about twelve o'clock daily?

(c) Is it a fact that he has got three brothers and a son-in-law working in the different branches of the Press?

Mr. J. A. Shillidy: (a), (b) and (c). No such complaints have reached Government, but a copy of the Honourable Member's question will be forwarded to the Manager of the Government of India Press, Simla.

REFUSAL OF LEAVE TO CLERKS BY THE CHIEF SUPERINTENDENT OF THE OFFICE OF THE DIRECTOR GENERAL, POSTS AND TELEGRAPHS.

460. ***Mr. D. K. Lahiri Chaudhury:** (a) Is it a fact that in the office of the Director General, Posts and Telegraphs, privilege leave is not recommended for the clerical staff by the Chief Superintendent of that office in the ordinary course when such leave is applied for?

(b) Is it a fact that the Chief Superintendent generally insists on production of medical certificates from the Civil Surgeon and he scarcely recommends leave without such certificates?

(c) Is it a fact that the Chief Superintendent refuses to grant privilege leave or any other leave to the staff owing to the paucity of staff in that office?

(d) Will Government be pleased to state how many of the staff of that office were granted privilege leave (1) with medical certificate and (2) without such certificate since the said Chief Superintendent was appointed and (3) in how many cases of casual leave medical certificates were demanded by the Chief Superintendent?

Mr. H. A. Sams: (a) and (b) The facts are not as stated by the Honourable Member.

(c) The Chief Superintendent has not the authority to grant any leave other than casual leave upto three days to clerks and menials under his direct supervision.

(d) Government do not think that any useful purpose would be served by collecting the information asked for. Any member of the staff who feels aggrieved has the right of making representations to me.

GRANT OF LEAVE TO CLERKS BY THE CHIEF SUPERINTENDENT OF THE OFFICE OF THE DIRECTOR GENERAL, POSTS AND TELEGRAPHS.

461. ***Mr. D. K. Lahiri Chaudhury**: Is it a fact:

- (a) that the Chief Superintendent of the office of the Director General, Posts and Telegraphs, recommends grant of privilege leave without production of medical certificate in cases of some among the staff of that office;
- (b) that a clerk of that office named Mr. A. T. Bhattacharjee was recommended such leave by the Chief Superintendent without medical certificate and also in granting him extension of leave such certificate was not demanded by the Chief Superintendent;
- (c) that the Chief Superintendent insisted on countersignature from the Civil Surgeon on a medical certificate submitted in applying for extension of privilege leave by an assistant Mr. S. P. Mukherjee working under the Chief Engineer, Telegraphs, although the applicant was granted leave originally on medical certificate from another Civil Surgeon;
- (d) if the reply to parts (b) and (c) is in the affirmative, will Government be pleased to say whether (1) the principle followed by the Chief Superintendent of that office was dictated by any rule in any special circumstances, or (2) whether the Chief Superintendent has the latitude of acting so or has he any authority of using his discretion independently of any defined policy in the matter of granting leave; (3) whether there is or is not any gazetted officer responsible in that office to see co-ordination of action on the part of the Chief Superintendent; if so, who that gazetted officer is; if not, why not?
- (e) what remedy do Government propose to restrain the Chief Superintendent so that he will not be able to stand in the way of granting privilege leave to the staff when applied for?

Mr. H. A. Sams: (a), (b) and (c). No.

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

DUTIES AND PAY OF THE CHIEF SUPERINTENDENT OF THE OFFICE OF THE DIRECTOR GENERAL, POSTS AND TELEGRAPHS.

462. ***Mr. D. K. Lahiri Chaudhury**: (a) Is it a fact (1) that there is a non-gazetted officer in the office of the Director General, Posts and Telegraphs, designated Chief Superintendent of the office; and (2) that he is in the scale of pay of Rs. 600—800?

(b) If so, will Government be pleased to state the duties performed by him actually and say whether he has got to function like the Chief Superintendent of the Railway Board and the office of the Director General, Indian Medical Service?

Mr. H. A. Sams: (a) Replies to both parts are in the affirmative.

(b) It would take too long to recapitulate in detail the duties of the officer mentioned, but they may be epitomized by the term "General management of the office".

NON-GRANT OF AN IMPORTANT HINDU HOLIDAY IN THE OFFICE OF THE
THE DIRECTOR GENERAL, POSTS AND TELEGRAPHS.

463. ***Mr. D. K. Lahiri Chaudhury**: (a) Are Government aware of the fact:

- (1) that *Basant Panchmi* or *Saraswati Puja* day is one of the very important holidays observed by the Bengalee Hindus, on which day they do not hold even a pen or pencil in their hands;
- (2) that on this holiday in the past no Bengalee Hindu clerk of the office of the Director General, Posts and Telegraphs, was required to attend office;
- (3) that on the last *Basant Panchmi* day some of the Bengalee Hindu clerks of that office were compelled to attend;
- (4) that being ordered to attend office, the clerks concerned submitted a petition jointly and it was thrown out without taking the Director General's orders on the recommendation of the Chief Superintendent of that office on the ground of its being simply a joint petition under the petition rules by a Deputy Director General;

(b) If the reply to above is in the affirmative, will Government be pleased to say:

- (1) what was the reason of the Chief Superintendent's recommending this; and
- (2) what the particular rule is under which the representation of the clerks was thrown out and in which Code it is defined?

(c) Do Government propose to see that the Bengalee Hindu clerks of that office are not deprived of this holiday in future?

Mr. H. A. Sams: (a) (1). Government understand that amongst Hindus in Bengal considerable importance is attached to the festival of *Basant Panchmi*.

(2) No.

(3) *Basant Panchmi* was observed as a communal holiday, but a few Bengali Hindu clerks attended office for the conduct of urgent work owing to the Legislative Assembly being in Session.

(4) Yes.

(b) (1) and (2). The action of the Chief Superintendent was in accordance with rule 111 of the Posts and Telegraphs Manual, Volume II.

(c) Government regret their inability to give a general undertaking of the nature contemplated in this question.

COMPLAINTS AGAINST MR. BOOTH, DEPUTY DIRECTOR GENERAL, POSTS
AND TELEGRAPHS.

464. ***Mr. D. K. Lahiri Chaudhury**: Is it a fact:

- (a) that Mr. Booth, now the Deputy Director General, Posts and Telegraphs, when he was Postmaster General, Punjab, inflicted punishment on several officials by dismissal or otherwise;

- (b) that all such of his orders had to be reviewed afterwards by the next Postmaster General, on the orders of the then Honourable Member as the result of several questions in this Assembly;
- (c) that as a result Mr. Booth was relieved from the charge of the Circle and brought in as Deputy Director General in the Directorate;
- (d) that it was decided and ordered by the late Member in charge of the Department, Sir Bhupendra Nath Mitra, that Mr. Booth should not be placed in charge of a Circle any more;
- (e) that as Deputy Director General (Staff) he again became concerned with the staff of the Department in dealing with appeal cases;
- (f) that under a peremptory order of a day the late Member in charge of the Department relieved Mr. Booth from the charge of the Deputy Director General (Staff) and placed him as Deputy Director General (Establishment);
- (g) that, in spite of all these, he is allowed in some cases to deal with staff questions directly now-a-days having been authorised by the Director General himself; and
- (h) that the Director General does no office work now-a-days and therefore Mr. Booth has been authorised to act on the Director General's behalf?

Mr. J. A. Shikdy: The Honourable Member is not seeking for information so much as endeavouring to establish certain charges against an individual officer by making insinuations which are without justification. In the opinion of Government Mr. Booth is an able and conscientious officer.

APPOINTMENT OF MUHAMMADANS IN THE MALABAR DIVISION OF THE POSTAL DEPARTMENT.

465. ***Mr. K. P. Thampan:** (a) Will Government be pleased to state how many Muhammadans have been entertained in the Postal Department in the Malabar Division by the present Superintendent of Post Offices? If no Muhammadan has been entertained at all, is it because there has been no applicant from among the Muhammadans?

(b) Is it a fact that the majority of candidates entertained by him are Christians, and if so, what are the reasons for the same?

(c) Is it a fact that the Superintendent of Post Offices, Malabar Division, is causing great inconvenience and hardship to subordinates under him by frequent transfers?

Mr. H. A. Sams: (a)—(c). The attention of the Honourable Member is invited to the reply given to Mr. S. C. Mitra's starred question No. 369.

APPOINTMENT OF DELIVERY PEONS IN BRANCH POST OFFICES.

466. ***Mr. K. P. Thampan:** (a) Will Government be pleased to state whether they have prescribed any minimum monthly income for Branch Post Offices in the mufussil to warrant the appointment of a delivery peon; if so, what is the amount?

(b) Will Government please state whether in all such Branch Post Offices as have got more than the prescribed income there are delivery peons at present; if not, do Government propose to issue orders to appoint them?

Mr. H. A. Sams: (a) The answer to the first part of the question is in the negative. The second part does not arise.

(b) Does not arise.

†467*—475.*

EMPLOYMENT OF MUSLIMS ON THE NORTH WESTERN RAILWAY.

476. ***Dr. Zia-ud-din Ahmad:** (a) Have the Government of India (Railway Department) received a copy of the resolution passed by the Muslim Association, Peshawar Cantonment, on the 5th January, 1931, about employment in the North Western Railway, a copy of which was sent to the Secretary, Railway Board?

(b) What reply did the Secretary, Railway Board, give to the Association?

(c) Will the Government give effect to the demands of the Muslim Association, Peshawar Cantonment? If so, when?

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

(b) and (c). The letter was acknowledged. The requests made are under consideration and a definite reply to the Association will be sent later. A copy of the reply will be sent to the Honourable Member.

NEW RAILWAY PROJECTS IN SOUTHERN INDIA.

477. ***Mr. K. P. Thampan:** (a) Will Government be pleased to state what are the new railway projects that are to be taken in hand in South India in the ensuing financial year?

(b) In what stage is the Mangalore-Malpi extension proposal; which route, the coast or *via* Karkal, is proposed to be adopted?

(c) Have Government issued orders to begin the survey of the Kollengode-Trichur Line? When will the construction of this line be begun?

Mr. A. A. L. Parsons: (a) None.

(b) Traffic reports for both routes have been received and considered. Neither is likely to be remunerative and both will require a large guarantee. Government have decided to wait for an engineering estimate before making a final decision.

(c) Yes. The survey report has not yet been received and until it has been considered, it is not possible to say if and when construction of the line will be begun.

† These questions were not called, as the Honourable Member (Mr. N. M. Dumasia) had not yet taken the oath.

TRAINING OF INDIAN STUDENTS IN BRITISH FIRMS.

478. ***Mr. Bhuput Sing:** Will Government be pleased to state:

- (a) the number of Indian students in the United Kingdom whom the High Commissioner for India or his Department has assisted directly or indirectly in getting practical training in British firms or companies or workshops on payment of premium in 1929 and 1930;
- (b) the number that has been so assisted on non-payment of premium in 1929 and 1930;
- (c) the names of the students so assisted in (a) and (b);
- (d) the names of British firms, companies, or workshops that have afforded facilities for practical training to Indian students at the instance of the High Commissioner, either on payment or non-payment of premium;
- (e) the number of Indian students that sought his intervention or assistance for getting facilities for practical training in British firms, companies, or workshops in 1929 and 1930; and
- (f) the number of Indians that have been provided with appointments either with Government or private parties at the instance or assistance or intervention of the High Commissioner?

Mr. J. A. Shillidy: The information asked for by the Honourable Member is being obtained from the High Commissioner for India and will be supplied to him in due course.

THE MEERUT CONSPIRACY TRIAL.

479. ***Mr. Bhuput Sing:** Will Government be pleased to state:

- (a) since how long the Meerut conspiracy trial has been going on;
- (b) how long yet it is expected to continue; and
- (c) the amount that has already been spent on the trial?

The Honourable Sir James Crerar: (a) The case started in the court of the enquiring Magistrate on the 12th June, 1929.

(b) So far as can be foreseen, the Sessions trial should conclude about the middle of June, 1931.

(c) I would refer the Honourable Member to the answer given by me on the 2nd February, 1931, to part (b) of Lala Hari Raj Swarup's question No. 268.

Mr. Amar Nath Dutt: May I ask whether there was any criminal trial in India which lasted for such a length of time?

The Honourable Sir James Crerar: Some cases, I think, have lasted for almost as long a time as this; but for details I must ask notice.

SEPARATION OF BURMA FROM INDIA.

480. *Mr. Bhuput Sing: Will Government be pleased to state:

- (a) whether arrangements have already been set afoot for the separation of Burma from India;
- (b) if so, the nature of those arrangements in detail;
- (c) the name of the Committee which has been appointed to work out the details;
- (d) the names of the members of that Committee;
- (e) the name of the special officer who leads that Committee;
- (f) whether the Members of the Legislative Assembly will receive a chance to know the details of the inner working of the Committee that has been appointed for the purpose;
- (g) whether Government will consider the question of expenses that had been incurred in the acquisition of Burma to be solely laid upon Burma in future?

The Honourable Sir George Rainy: (a) to (g). The general position appears clearly from the speech of the Prime Minister and the reply given in the House of Commons by the Secretary of State to the question put by Major Graham Pole.

No arrangements have been set on foot by the Government of India. The Government of Burma have, however, received sanction to appoint a small informal committee, as proposed in their review of the recommendations of the Statutory Commission, to consider and report how best a Burma Defence Force can be organised and what the strength and composition of that force should be. The Government of India have agreed that the General Officer Commanding, Burma Independent District, should preside over that Committee.

As a preliminary to a financial settlement between India and Burma, two experts are at work, one on behalf of the Government of India and one on behalf of the Government of Burma, collecting materials and preparing a statement of the case for the consideration of the two Governments and in order that public opinion may be able to apply itself intelligently to financial issues presented clearly and in detail. Their scrutiny would include the proper apportionment of debt, productive and non-productive.

The Government of India, as will be clear from their Reforms Despatch, have always intended that public opinion in both countries should be satisfied that each is being fairly treated in any financial settlement which may be made. But the Government of India have not yet considered the method by which representatives of the public are to be brought into consultation, and will not be in a position to do so until they are in possession of the experts' statement.

OUTPUT OF THE RAILWAY ENGINEERING WORKSHOPS AT ARKONAM.

481. *Mr. B. Sitaramaraju: Will Government be pleased to lay on the table a statement showing the annual output of manufacture and repair work done in the Railway Engineering Workshops at Arkonam on the Madras and Southern Mahratta Railway every month for the last five years?

Mr. A. A. L. Parsons: With your permission, Sir, I would like to reply to questions Nos. 481 to 485 together. It will not be possible to obtain much of the information for which the Honourable Member asks in these questions without a very large expenditure of time and labour, to which Government are not prepared to put the Madras and Southern Mahratta Railway Administration. But on certain points, where I think, the information will be available or can be procured without undue difficulty, I have made enquiries from the Agent and will communicate with the Honourable Member when his reply is received.

SUPPLY OF PERMANENT WAY MATERIALS FOR THE MADRAS AND SOUTHERN MAHRATTA RAILWAY.

† 482. ***Mr. B. Sitaramaraju:** (a) Will Government be pleased to state the nature and the value of engineering materials placed on contract for supply to the Madras and Southern Mahratta Railway, classifying separately the work hitherto outturned in the Engineering Workshops at Arkonam, during each of the last three years?

(b) Has the attention of Government been drawn to the fact that the Madras and Southern Mahratta Railway have been giving out on contract orders for supply of permanent way materials, even when the same can be manufactured in the Railway Workshops, contrary to the recommendation of the Raven Committee (para. 382 of the Report)?

COST OF WORK AT THE ARKONAM ENGINEERING RAILWAY WORKSHOPS.

†483. ***Mr. B. Sitaramaraju:** (a) Will Government kindly state what has been the cost of manufacturing and repair work undertaken at the Arkonam Engineering Railway Workshops, in regard to principal items of output, showing the following details (i) English stores, (ii) Indian stores, (iii) Indian labour, and (iv) general charges?

(b) What items separately constitute general charges according to the present accounts procedure in the Engineering Department of the Madras and Southern Mahratta Railway?

CAPITAL OUTLAY ON THE RAILWAY ENGINEERING WORKSHOPS AT ARKONAM.

†484. ***Mr. B. Sitaramaraju:** Will Government be pleased to state the capital outlay on the Railway Engineering Workshops at Arkonam, showing separately for each shop both book value and estimated present day value (depreciated), with special reference to (i) Workshop buildings, (ii) Workshop Plant and equipment?

LOSS SUFFERED BY THE RAILWAY ENGINEERING WORKSHOPS AT ARKONAM AS A RESULT OF ORDERS GIVEN TO PRIVATE FIRMS.

†485. ***Mr. B. Sitaramaraju:** (a) Is it a fact that the Railway Engineering Workshops at Arkonam are not working to the full extent of their capacity? If so, will Government be pleased to state, how far placing orders with private firms has been responsible for this state of things?

† For answer to this question, see answer to starred question No. 481.

(b) Will Government kindly state the loss suffered by the Madras and Southern Mahratta Railway on account of the machinery in the Engineering Workshops at Arkonam being not used to the full extent of their capacity, taking into account the capital invested in fully or partially idle machinery?

(c) What has been the minimum and maximum amount of stores Balances handled by the Engineering Workshops at Arkonam on the average in each of the last five years?

(d) What is the procedure adopted by the Madras and Southern Mahratta Railway in regard to rating of scrap material in the Engineering Department and what are the rates estimated in regard to the typical representative items?

STRENGTH OF STAFF OF THE RAILWAY ENGINEERING WORKSHOPS AT ARKONAM.

486. *Mr. B. Sitaramaraju: (a) Will Government kindly state what has been the reduction of man power in each of the shops of the Engineering Workshops at Arkonam every year since 1925 and the saving effected in the labour costs accordingly?

(b) Will Government also kindly state the reduction in the supervisory charges in the said Workshops on account of the curtailment of supervising work due to reduction of man power during the last five years?

(c) Are Government aware that there has been an increase of supervising officers in the establishment of the Engineering Workshops in recent years although the strength of the Workshops has been reduced from about 2,000 to 1,000?

(d) Has the attention of Government been drawn to the fact that while a mechanical workshop employing nearly 900 men at Bangalore is manned by one General Foreman, Engineering Workshops of the same Railway at Arkonam employing about the same number of men maintain one Works Manager, one General Foreman and three Assistant Foremen? If so, will Government kindly state the reasons for this wide difference in supervising establishment?

Mr. A. A. L. Parsons: I have called for information and will communicate with the Honourable Member on its receipt.

OUTTURN AND COSTS OF RAILWAY WORKSHOPS.

487. *Mr. B. Sitaramaraju: Will Government kindly lay on the table a statement showing the monthly outturn of each of the Engineering Workshops on each of the State-owned Railways (including Company-managed), together with a statement showing production costs classified as (i) English stores, (ii) Indian stores, (iii) Indian labour, and (iv) general charges?

Mr. A. A. L. Parsons: Government regret that they are not prepared to undertake the extremely lengthy enquiries which the collection of the information for which the Honourable Member asks would entail.

LABOUR EMPLOYED IN WORKSHOPS ON THE MADRAS AND SOUTHERN MAHRATTA RAILWAY.

488. ***Mr. B. Sitaramaraju:** (a) What is the average labour turnover in the Engineering and Mechanical Workshops of the Madras and Southern Mahratta Railway, on account of the following causes (i) discharges and dismissals, (ii) resignations, (iii) deaths, (iv) other causes, during each of the last five years?

(b) What is the percentage of absentees in each of the Mechanical and Engineering Workshops of the Railway, covered by (i) authorized leave excluding sickness, (ii) sickness, and (iii) other reasons, during the last twelve months?

Mr. A. A. L. Parsons: I have asked the Agent, Madras and Southern Mahratta Railway, to supply me with such information as can be readily obtained and I will send it to the Honourable Member when received.

LEAVE RESERVE, STRENGTH AND COST OF EMPLOYEES IN RAILWAY WORKSHOPS.

489. ***Mr. B. Sitaramaraju:** (a) Will Government kindly state what is the normal leave reserve. they have recognized and propose to recognize in the Railway Workshops in each category of employees, if the new leave rules are applied?

(b) What is the strength of the Madras and Southern Mahratta Railway Engineering Workshops and also Mechanical Workshops, in regard to skilled, semi-skilled and unskilled labour, respectively, and what is the amount of wages disbursed monthly under each head?

(c) What is the amount of wages disbursed among supervising staff only in each of the Madras and Southern Mahratta Railway Workshops every month on the average?

Mr. A. A. L. Parsons: (a) The question is under examination.

(b) and (c). I have called for the information and will communicate with the Honourable Member on its receipt.

WASTAGE IN RAILWAY WORKSHOPS ON THE MADRAS AND SOUTHERN MAHRATTA RAILWAY.

490. ***Mr. B. Sitaramaraju:** What is the percentage of wastage on all manufacturing operations conducted in the Madras and Southern Mahratta Railway Workshops and what is the existing procedure for calculating wastage?

Mr. A. A. L. Parsons: The information for which the Honourable Member asks is not procurable.

PRESENT POSITION OF STATE-OWNED RAILWAYS.

491. ***Mr. B. Sitaramaraju:** Will Government be pleased to lay on the table schedules of information applicable to each of the Class I State-owned Railways regarding the latest position in regard to each of the items asked for in the Raven Committee's Questionnaire contained in pages 93 to 101 of the Raven Committee's Report?

Mr. A. A. L. Parsons: It will not be possible to give all the information for which the Honourable Member asks without undertaking anew the very lengthy enquiries which the State-managed railways made in order to provide material for the State Railways Workshops Committee, and much of the information could be of no practical use; for example an estimate of the possible expenditure on machine tools in the course of the next ten years. I am, however, arranging to collect for the Honourable Member a good deal of up-to-date information on points dealt with in the questionnaire given as Annexures I and II of the State Railways Workshops Committee's Report. Even this information will be voluminous and involve references to all railways, and I think it would be preferable for copies of it to be placed in the Library rather than on the table of the House. I will send a separate copy of it to the Honourable Member, but must warn him that it will take a considerable time to collect.

APPOINTMENTS ON THE MADRAS AND SOUTHERN MAHRATTA RAILWAY.

492. ***Mr. B. Sitaramaraju:** (a) Is it a fact that the Madras and Southern Mahratta Railway have recruited as Travelling Ticket Collectors six dismissed or discharged ex-Police and Excise Sub-Inspectors and super-annuated ex-militarymen while many Ticket Collectors of long service have been applying for the posts in vain?

(b) Are Government aware that many of the staff failed in medical examinations for Guards, Station Masters, Assistant Station Masters, Block Operators, Signalmen and similar posts but fit to hold Travelling Ticket Examiners' posts have been overlooked on account of direct recruitment in the latter class of posts? If so, will Government kindly furnish a statement of the staff so affected on each of the Railways (including Company-managed)?

Mr. A. A. L. Parsons: (a) I have called for information and will communicate with the Honourable Member on its receipt.

(b) The answer to the first part is in the negative; the second part, therefore, does not arise.

WORK OF THE PERSONNEL OFFICER ON THE MADRAS AND SOUTHERN MAHRATTA RAILWAY.

493. ***Mr. B. Sitaramaraju:** Will Government kindly supply full information as regards the work done by the newly appointed Personnel Officer on the Madras and Southern Mahratta Railway, stating the number and nature of staff questions dealt with by him favourably or otherwise since his appointment, and also the additional cost involved in maintaining this post?

Mr. A. A. L. Parsons: The duties of the post are to enquire into grievances of the staff, to co-ordinate the work of the Administration in establishment and labour matters, and to assist in the investigation of questions relating to wages and service conditions of the staff.

The cost of the post, which has been created as a temporary measure for two years, is Rs. 1,625 per mensem.

Government regret that they cannot see their way to call for information from the Madras and Southern Mahratta Railway showing the number and nature of staff questions dealt with favourably or otherwise by the officer holding the post since his appointment to it.

ANNUAL REPORTS OF WELFARE COMMITTEES ON STATE RAILWAYS.

494. ***Mr. B. Sitaramaraju:** Will Government kindly furnish copies of annual reports of the work done by each of the Staff or Welfare Committees on each of Class I Railways (including Company-managed), since their inception?

Mr. A. A. L. Parsons: The latest reports available are for the year ended 31st December, 1929, and copies of these are in the Library of the House.

THE INDIAN RAILWAY AMENDMENT ACT.

495 ***Mr. B. Sitaramaraju:** Is it a fact that the Indian Railway Amendment Act of 1930 has not yet been enforced on any of the Indian Railways and that the Act does not fully comply with the provisions of the Washington Hours and Geneva Weekly Rest Conventions?

Mr. A. A. L. Parsons: The answer to the first part of the question is in the affirmative and to the latter part of the question in the negative.

SPECIAL OFFICERS OF THE RAILWAY BOARD.

496. ***Mr. B. Sitaramaraju:** Will Government kindly state the number of Railway Board's Officers on special duty at present, together with a statement of expenditure incurred and proposed to be incurred on them, and the work done so far?

Mr. A. A. L. Parsons: The answer to the first part of the Honourable Member's question is that there are at present 16 officers on special duty under the Railway Board.

I am collecting information concerning the other parts of the Honourable Member's question and will communicate with him when it is ready.

FINE FUNDS ON RAILWAYS.

497. ***Mr. B. Sitaramaraju:** What is the amount of fines collected and the amount of Fine Fund accumulated every year since 1925 on each of the Indian Railways?

Mr. A. A. L. Parsons: Statements giving the information desired have been placed in the Library.

FEMALE EMPLOYEES ON RAILWAYS.

498. ***Mr. B. Sitaramaraju:** What is the number of female employees working on each of the Class I Railways, under the following heads (i) inferior staff, (ii) subordinate staff, (iii) upper subordinate staff, and (iv) others, classified in the same manner as male staff in the Railway Board's statistics?

Mr. A. A. L. Parsons: The information asked for is not available and Government do not consider that, if prepared, its value would be commensurate with the clerical work and expense entailed. Generally speaking the position is that there are few women among the permanent employees on railways, though they are occasionally to be found as clerks and typists in offices and as attendants in waiting and refreshment rooms. Female coolie labour is, of course, not uncommon on ballast trains and earth work.

RECRUITMENT DURING THE STRIKE ON THE GREAT INDIAN PENINSULA RAILWAY.

499. ***Mr. B. Sitaramaraju**: Will Government be pleased to state the number of posts permanently filled up during the strike recently on the Great Indian Peninsula Railway, and the number of Europeans, Anglo-Indians and Indians recruited during the strike?

Mr. A. A. L. Parsons: In answer to the first part of the question, I would refer the Honourable Member to the reply given to part (iii) (c) of short notice question by Diwan Chaman Lall in this House on the 25th March, 1930. As regards the latter part of the question Government have no information.

REPORTED SECURITY SCHEME FOR RAILWAY STATIONS.

500. ***Mr. B. Sitaramaraju**: Has the attention of Government been drawn to the statement in the *Morning Post* about the intention of the Railway Board to introduce a new scheme called a Security Scheme, to post Anglo-Indian staff to hold charge of each important station, with a view to meet emergencies caused by strikes among the Indian Staff? Will Government place full details of the scheme on the table?

Mr. A. A. L. Parsons: Government have seen the article referred to by the Honourable Member. There is no such scheme.

Mr. B. Sitaramaraju: Sir, with your permission I will read the article. I will point out to the Honourable Member that this is the article in the *Morning Post* which refers to the scheme.

The Honourable Sir George Rainy: Will the Honourable Member kindly say to whom his question is put?

Mr. B. Sitaramaraju: Is it not a fact that this scheme is mentioned in the *Morning Post*?

Mr. A. A. L. Parsons: The scheme is mentioned in a paragraph of the *Morning Post* dated, I think, the 24th of November of last year. If the Honourable Member wants a more explicit reply than that I have given, that there is no such scheme, I am quite prepared to give it to him. The article says:

"It would appear that Mr. Hayman, a Labour Member of the Railway Board, submitted to the Board a proposal to exclude both Europeans and Indians from the traffic service of the Indian railways, thereby ensuring a close preserve for only Anglo-Indians."

Neither Mr. Hayman nor anybody else has prepared any such scheme, or any scheme which can conceivably be so described. The article goes on:

"This proposal which has been designated the 'security scheme', has been supported by the Railway Board;" (*it has not*), "and has gone up for consideration by the Viceroy's Executive Council."

No such proposal has gone before His Excellency the Governor General's Executive Council.

Dr. Ziauddin Ahmad: Has the Honourable Member read this article already referred to?

Mr. A. A. L. Parsons: I have just been reading it out, Sir.

Mr. S. C. Mitra: Does he want a copy from the Honourable Member reading it?

Sir Abdur Rahim: Is any such scheme under contemplation of the Railway Board?

Mr. A. A. L. Parsons: No, Sir; as I have explained, the article is an entire fabrication.

UNSTARRED QUESTIONS AND ANSWERS.

MUSLIM REPRESENTATION IN THE POSTAL DEPARTMENT:

189. **Mr. M. Maswood Ahmad:** (a) Have Government seen the communication published on page 6 of the 14th January, 1931, issue of the *Muslim Outlook* of Lahore, entitled "Muslim representation in the Postal Department"?

(b) Will Government be pleased to state whether the figures given in the said communication are substantially correct and, if not, will Government be pleased to state the correct figures?

(c) Will Government be pleased to state whether the percentage of Muslims as stated below is correct:

<i>Gazetted Staff.</i>			
	Total strength.	Muslims.	Percentage.
1. Postal and R. M. S.	287	40	14
2. Engineering and Wireless	193	2	1
3. Traffic	90
<i>Non-Gazetted Superior Staff.</i>			
1. Postal and R. M. S.	35,217	6,718	19
2. Engineering	1,645	285	17
3. Traffic	4,448	218	4
<i>Non-Gazetted Inferior Staff.</i>			
1. Postal and R. M. S.	65,000	15,325	23
2. Engineering	4,117	1,531	37
3. Traffic	2,720	710	26

(d) Will Government be pleased to state the information under the heads given in part (c) above separately for every Postal Circle in India and what special steps do Government intend taking to give proper representation to Muslims?

Mr. J. A. Shillidy: With your permission, Sir, I propose to answer questions Nos. 189 to 195 together. In these questions information relating to the communal composition of several classes of employees of the Indian Posts and Telegraphs Department has been asked for. Government do not possess the information, nor do they propose to call for it, as its collection will involve the expenditure of time and labour not commensurate with the advantage to be gained. As regards the steps taken by Government in the matter of redressing communal inequalities in the services, the Honourable Member is referred to the answer given to

Mr. Anwar-ul-Azim's starred questions Nos. 72, 73, 75, 78 and 201 on the 5th September, 1928, by Sir Arthur McWatters in the Legislative Assembly.

MUSLIM REPRESENTATION IN THE POSTS AND TELEGRAPHS DEPARTMENT.

†190. **Mr. M. Maswood Ahmad:** (a) Has the attention of Government been drawn to the communication printed on page 6 of the *Muslim Outlook* of Lahore in its issue of the 5th January, 1931, under the caption "Posts and Telegraphs Department"?

(b) Will Government be pleased to state whether the figures of communal representation in the Posts and Telegraphs Department as a whole and in the Punjab and North West Frontier Postal Circle as stated in the said communication are correct and, if not, will Government be pleased to state the correct figures under the respective heads given in the said communication?

(c) Is it a fact that the Director General of Posts and Telegraphs felt the necessity of drawing the attention of his subordinate officers to the Government orders about recruitment in services with special regard to Muslims?

(d) Is it a fact that from the information collected by the Director General, Posts and Telegraphs, it was observed that Government orders were not strictly carried out by certain officers of the Department?

(e) If the reply to part (d) above is in the affirmative, will Government be pleased to state the action taken by the Director General, Posts and Telegraphs, against such officers and what steps Government propose to take to prevent the preponderance of any one community in the Posts and Telegraphs Department and to give Muslims their due representation as contemplated in Government orders?

COMMUNAL COMPOSITION OF CERTAIN POSTAL STAFFS.

†191. **Mr. M. Maswood Ahmad:** (1) Will Government be pleased to state the communal composition of candidates, (a) clerks and sorters, (b) postmen and mail guards, (c) inferior servants, approved of and entertained for the period from the 1st January, 1926, to the 31st December, 1930, in respect of the following Head Post Offices and Postal and R. M. S. Divisions, etc.:

1. R. M. S. 'L' Division, Lahore.
2. Lahore G. P. O.
3. Amritsar G. P. O.
4. Rawalpindi G. P. O.
5. R. M. S. 'D' Division, Delhi.
6. Delhi Division.
7. Delhi G. P. O.
8. Simla G. P. O.
9. Office of the Postmaster General, Lahore.
10. Dead Letter Office, Lahore.
11. Postal Stock Depot, Lahore?

† For answer to this question, see answer to unstarred question No. 189.

(2) Will Government be pleased to state the communal composition of (a) graduates, (b) relations of postal and R. M. S. employees approved as candidate clerks in respect of the offices and divisions stated in part (1) above?

■ COMMUNITIES REPRESENTED BY POSTMASTERS IN CERTAIN POST OFFICES. ■

†192. **Mr. M. Maswood Ahmad:** (a) Will Government be pleased to state the existing communal composition of Sub Postmasters in the following Postal Divisions and first class Head Post Office groups:

1. Lahore, Delhi, Rawalpindi, Simla First Class Head offices; and
2. Lahore, Delhi, Amritsar, Lyallpur, Ludhiana and Kashmir Divisions?

COMMUNITIES REPRESENTED BY RECORD CLERKS IN CERTAIN POST OFFICES.

†193. **Mr. M. Maswood Ahmad:** Will Government be pleased to state the communal composition of (a) Head Record Clerks and (b) Sub Record Clerks separately in the R. M. S., D. & L. Divisions?

COMMUNITIES REPRESENTED BY CORRESPONDENCE CLERKS IN CERTAIN POST OFFICES.

†194. **Mr. M. Maswood Ahmad:** (a) Will Government be pleased to state the total number of Correspondence Clerks sanctioned for each First Class Head Post Office in the Punjab and North West Frontier Circle and R. M. S., D. & L. Divisions?

(b) Will Government be pleased to state the communal composition of correspondence clerks in the offices referred to in part (a) above?

COMMUNITIES REPRESENTED BY CLERKS AND ACCOUNTANTS IN CERTAIN POST OFFICES.

†195. **Mr. M. Maswood Ahmad:** (a) Will Government be pleased to state the total number of clerks (including accountants and assistant accountants) sanctioned for each first class Head Post office in the Punjab and North West Frontier Circle and in the R. M. S., D. & L. Divisions?

(b) Will Government be pleased to state the communal composition of the officials referred to in part (a) above?

(c) Will Government be pleased to state the number of passed accountants employed in the Accounts Branch of each of the first class Head Post Offices in the Punjab and North West Frontier Circle, with the period of their tenure in that Branch?

(d) Will Government be pleased to state the names and particulars of any passed accountants not at present employed in the accounts branch and the period for which such passed accountants were employed in the accounts branch since the date of their passing the accountants examination?

† For answer to this question, see answer to unstarred question No. 189.

**COMMUNAL COMPOSITION OF CERTAIN POSTAL STAFF IN THE PUNJAB AND
NORTH WEST FRONTIER PROVINCE.**

196. **Mr. M. Maswood Ahmad:** (a) Will Government be pleased to state the communal composition of officials of the lowest Selection Grade in the Punjab and North West Frontier Postal Circle?

(b) Will Government be pleased to state the communal composition of the Head Clerks and Assistant Postmasters of the lowest selection grade employed in each of the first class Head Post Offices?

(c) Will Government be pleased to state the communal composition of officials of the lowest selection grade employed in each of the R. M. S., D. & L. Divisions?

Mr. J. A. Shillidy: (a), (b) and (c). Government have no information and do not propose to call for it. The Honourable Member's attention is drawn to the reply given by the Honourable Mr. McWatters to starred question No. 72 of Mr. Anwar-ul-Azim on 5th September, 1928.

PROMOTION TO SELECTION GRADE IN THE POSTAL DEPARTMENT.

197. **Mr. M. Maswood Ahmad:** (a) Will Government be pleased to state whether in view of the restrictions of (i) nominations, (ii) selections, (iii) service limit, (iv) seniority, the Postal Accountants' examination is a qualifying or competitive examination?

(b) Will Government be pleased to state whether the Director General of Posts and Telegraphs has decided that seniority and not date of passing the examination of the available passed Accountants shall be the criterion for acting or permanent promotion to the selection grade appointments of Accountants?

(c) Is it a fact that in view of the decision of the Director General, Posts and Telegraphs, referred to in part (b) above, the Director General, Posts and Telegraphs, considers the examination as a qualifying test?

(d) Are Government prepared to consider the question of declaring that seniority in the gradation list subject to efficiency and not the dates of passing the examination shall be the only criterion for (i) drawal of special pay, (ii) appointment as Accountant and Assistant Accountant, and (iii) for promotion to higher grades?

Mr. H. A. Sams: (a) The Postal Accountants' examination is qualifying and not competitive.

(b) Yes. Seniority combined with fitness.

(c) Yes.

(d) The principle suggested by the Honourable Member is already followed when it is a question of promotion as Accountants and Assistant Accountants in the Selection Grades. In making appointments of Accountants and Assistant Accountants in the ordinary time scale, which carry with them a special pay, the date of passing the examination is the criterion and not the relative seniority in the gradation list. Government do not propose to depart from this arrangement.

MOTION FOR ADJOURNMENT.

ACTION TAKEN AGAINST THE GENERAL COUNCIL OF BURMESE ASSOCIATIONS.

Mr. President: I have received a notice from Mr. Tun Aung that he proposes to ask for leave to make a motion for the adjournment of the business of the House today for the purpose of discussing a definite matter of urgent public importance as follows: the declaration by the Government of Burma that the General Council of Burmese Associations are unlawful under the Criminal Law Amendment Act. I have to inquire whether any Honourable Member has any objection to this motion.

Some Honourable Members: No, no.

The Honourable Sir James Orerar (Home Member): Sir, under Standing Order 23 I must take objection. I should like to point out very briefly, that the action dealt with in the motion is action taken by the Local Government on their own discretion and within their own competence. The Burma Legislative Council meets today, and I suggest that if a matter of this kind ought to be discussed in the Legislature, the proper forum would undoubtedly be the local Legislative Council. For these reasons, I suggest that discussion, at any rate at this stage, in this Assembly is not likely to be conducive to any purpose.

Mr. President: As objection has been taken, I would request those Honourable Members who are in favour of leave being granted to rise in their places.

(More than twenty-five Members rose in their places.)

As not less than twenty-five Members have risen, I declare that leave is granted and that the motion will be taken up for discussion at 4 p.m. this afternoon.

STATEMENT OF BUSINESS.

The Honourable Sir George Rainy (Leader of the House): Sir, I desire with your permission to make a statement as to the probable course of Government business in the week beginning Monday, the 16th. That Monday, Sir, is a gazetted holiday and the House will not sit. Tuesday, the 17th, has been appointed by His Excellency the Governor General for the presentation of the Railway Budget. On the afternoon of the same day, as I explained yesterday, Government are providing time for the continuation of business not disposed of by this House on the morning of Saturday, the 14th. On Wednesday the 18th, you, Sir, have directed that the elected Members of this House shall proceed to the election of Members to the Court of the Delhi University. Thereafter motions will be made to take into consideration and, if those motions are accepted, to pass the following Bills:

Bill further to amend the Indian Merchant Shipping Act, 1923, for certain purposes.

Bill to provide for the fostering and development of the gold thread industry in British India.

Bill to provide for the modification of certain import duties relating to the fostering and development of the steel industry in British India.

On the completion of the legislative programme of the day, the House will proceed to deal with excess grants under the General Budget and supplementary grants under the General Budget and also under the Railway Budget. Thursday, the 19th, has been appointed by His Excellency for the general discussion of the Railway Budget. As at present arranged, Sir, it is not proposed that the House should sit on either Friday or Saturday, the 20th or 21st, one of which days will in any case be a gazetted holiday.

Maulvi Muhammad Yakub (Rohilkund and Kumaon Divisions: Muhammadan Rural): Sir, it is very possible that Thursday, the 19th, may be the *Id* day and therefore I would request that if it is an *Id* day, the Assembly will not sit on that day.

The Honourable Sir George Rainy: According to the calendar it is either Friday or Saturday. But if that day should fall on the 19th, then I think undoubtedly the matter will require reconsideration.

Maulvi Muhammad Yakub: It cannot be Saturday. It will be either Thursday or Friday—it depends on the day when the moon appears; but it is quite possible it may be on Thursday.

The Honourable Sir George Rainy: In that case different arrangements will have to be made, and I will certainly undertake to take the matter into consideration.

Mr. T. N. Ramakrishna Reddi (Madras ceded Districts and Chittoor: Non-Muhammadan Rural): Sir, for certain reasons I do not propose to move the Resolution* standing in my name.

RESOLUTION RE VANASPATHI GHEE.

Mr. Bhuput Sing (Bihar and Orissa: Landholders): Sir, the Resolution that stands in my name today and which I beg leave to move is as follows:

“This Assembly recommends to the Governor General in Council that pending legislation on the lines of the English Food and Drugs Act in the Imperial and Provincial Legislatures, prohibitive Custom duties be levied on that questionable commodity which goes by the name of ‘Vanaspathi’, or Vegetable Ghee, or Vegetable Oil.”

It was early in 1917 that this commodity first made its appearance in this country. At the outset the foreign importers experienced great difficulty in their attempts to introduce it into the Indian markets as a cheap substitute for ghee. The most unfortunate features of the situation at that

*“This Assembly recommends to the Governor General in Council that instructions be issued giving liberty to Hindus enumerated at the ensuing census to state whether they do or do not belong to a caste and that this liberty be given not only to those who have in their marital or commensal relations proved their dissociation but also to those who have ceased to regard themselves as belonging to a caste and have conscientious objection to stating it.”

[Mr. Bhuput Sing.]

time were that the foreign importers found in our trading community ready supporters for pushing on the sale of that article and that at some important towns owners and editors of Indian newspapers were induced to write articles crying up the virtues of that stuff. But what tended to give it a lease of life was the action of the European Health Officer of the biggest Municipal Corporation in India who declared the product *as fit for human consumption* without entering into any analysis whatsoever, in order to enable the dealers to take out licences from the Corporation. But soon after that he availed himself of a long leave and never returned to his duties. The result is that since then, through Calcutta, the trade has permeated into the whole of Northern India and the stuff has been freely used as a substitute for or an adulterant of genuine ghee everywhere. The spurious stuff is packed and stored in tins similar to those used in packing of genuine ghee and thus the people are all the more easily duped.

The Netherlands, Belgium, and Germany are the places from which that product is sent out to this country. A perusal of the "Official Statement of the Sea-borne Trade of British India", 1928-29, Volume II, will show that the import of the stuff is steadily increasing; the total import figures calculated in rupees stand at two crores, the total weight imported being about 500,000 cwts.

But we are all yet in the dark as to the real composition and processes of manufacture of that substance. Whatever information we possess about it is what the foreign importers, represented by the various European Chambers of Commerce, have been pleased to furnish us by way of giving this stuff their certificate—that it is a thing in which "the process is scrupulously clean", that "it is clean, pure, wholesome and cheap", that "it is made from such articles as cotton seed, cocoanut, sesame arachis, etc.", and the like. The Government Department concerned have not yet given us any reliable analysis of the product, nor have they declared in unequivocal terms its food value. They have more or less echoed the foregoing statements of the European Chambers of Commerce. But the general impression in the country is that the product is some chemical preparation from some substances—whether they are entirely vegetable, or wholly animal substances, or both combined is what is yet unknown.

Now to enter into the chemistry of the substance. All fats and oils are mainly mixtures of three compounds—stearin, palmitin, and olein. Our ghee has besides those three, a fourth constituent called butyirin. Of the three ingredients the first two namely, stearin and palmitin, are solids and olein is a liquid. If in a mixture the first two ingredients, *viz.*, stearin and palmitin preponderate, it is a solid at an ordinary temperature and is called a fat; but if olein preponderates, it is a liquid and is called an oil. The difference between olein and stearin lies in the fact that olein contains less hydrogen than stearin and by introducing hydrogen chemically into liquid olein, it is converted into solid stearin. Any oil can be converted into solid fat in the presence of fine nickel dust at a high temperature by the process of hydrogenation. But the fact remains that, in spite of careful refining some residue of nickel dust is left over after the chemical process has been completed. That process of converting liquid oil into solid fat by hydrogen-process is carried on in an extensive scale

in the Netherlands and Belgium. Vegetable ghee is such a product and it is for you to consider whether such a hydrogenated chemical product with very minute traces of nickel dust present in it can serve as a substitute for ghee, which is an organic substance, the legal definition therefor being "fat derived from the milk of mammals, namely, cows and buffaloes". It is thus manifest that in chemical composition the so-called vegetable ghee is not identical with and cannot approach ghee, because of the fact it lacks butyric, the most essential ingredient in ghee.

Then there is the considered testimony of our medical men, physiologists and scientists to prove that a vegetable product and our ghee have different physiological effects upon the human system. Ghee is more easily assimilable than oil and is abundantly rich in Vitamin A, in which the vegetable product is entirely deficient. Again according to expert medical opinions the presence of traces of nickel in the article is liable to bring about affections of the eyes and the hydrogenated oil contributes to affections of the heart and is largely believed to be the chief cause of beriberi and similar complaints. Opinions of European medical men are also forthcoming in support of those views. Dr. Plimmer, an authority on dietetics, in his book on "Food, Health, and Vitamin" says:

"Vegetable oils generally do not contain Vitamin A; that the danger of rickets and of stunted growth and bad teeth will increase if the people rely for their fats on vegetable product. There is reason to believe. . . that tuberculosis, leprosy, cholera, dysentery, plague and malaria have often in India a mal-nutritional element in their genesis and course."

Colonel F. P. Mackie, I.M.S., Director, Bombay Bacteriological Laboratory at Parel, in giving his own opinion on vegetable substitutes says thus:

"I am dead against the substitution of animal fats by vegetable oils, and consider that it should be vetoed at once. . . I am sorry to see these substitution products put on the market at all and think the municipal authorities should prohibit their sale unless they can be proved to contain a fair quantity of fat soluble vitamin. Otherwise the requirements of economy will result in children being brought up on those oils—a procedure which may have a disastrous effect on public health. . . As to the question of giving them to the hospital patients, I should forbid it absolutely."

Captain J. R. Thomas, another Member of the Indian Medical Service, who was for some time the Chemical Examiner to the Punjab Government, in making his experiments on the effect of vegetable ghee upon lower animals, arrived at the conclusion that the product produced a decided degenerating effect even upon lower animal life. In his opinion:

"Vanaspathi cannot be used as a substitute for genuine ghee. It must not be given to infants and lactating mothers. There is something missing in Vanaspathi, which is present in ghee, something which is necessary for growth and good health."

(*Vide* his paper in Volume XIV of the *Indian Journal of Medical Research*.) Again, in reply to a question put by the Honourable Rai Bahadur Ram Saran Das about that product in the Council of State on 23rd August, 1926, the then Commander-in-Chief of the Indian Forces observed as follows:

"Ghee contains this vitamin in considerable quantities. Vegetable oils, such as Cocogem, do not contain it except perhaps in traces negligible for practical purposes. It is not thought desirable to deprive the Indian soldier of an article which contains substances essential to the growth and physical fitness in favour of one which does not and which would probably be much less acceptable to him than the article to which he has been accustomed from childhood."

[Mr. Bhuput Sing.]

But all those opinions and statements notwithstanding, we are confronted with some stern realities about the vegetable product. From the busiest town to the meanest hamlet pure ghee is being steadily displaced by that questionable commodity. Both manufacturers and dealers of pure ghee are being ousted from their trade by the cheapness of the article; some are even being forced to adopt the adulteration of the genuine stuff with that product just in order to get on with their business. On the other hand consumers are made to pay quite dearly for this stuff in the belief that it is genuine ghee and also have to imbibe this poison in the name of the much-prized ghee. Economically, therefore, both manufacturers and consumers are hard hit. On the top of this, is the drain of about two crores of the country's wealth by this product of questionable merits.

I need not emphasise the important part that ghee plays in the Indian sentiment and the extent of the sanctity that is ordinarily attached to it. It is daily used in our Pujahs and Homas and our Shastras enjoin that nothing, but the purest stuff, should be used for our religious observances. Again there can be no feast or festival in an Indian home, be it that of a Hindu, or a Mussalman, or a Christian, that can dispense with some preparations or other made from the purest ghee. It is absolutely necessary, therefore, that an article which plays such an important part in our dietary and is so very essential for our religious observances, should be made immune from adulteration, and no cheap and spurious imitation should be suffered to take its place, and that in the best interests of the health of the nation, in the interests of indigenious dairy-farming and cattle-breeding and in the interests of the healthy development of future generations.

The European Chambers of Commerce, which are vitally interested in the import of the commodity, will tell us that when pure ghee is not to be had quite enough for all the requirements of the whole population, when what we get is allowed to be adulterated with animal fats and other foreign substances, we should have no objection to have this product either as a substitute for or as an adulterant of ghee. They confess that the substance is deficient in vitamins, but still they will tell us, "Go on taking it but have the deficiency of vitamin supplemented by other things possessing that food value". They will also maintain that the Government should afford every encouragement to the sale of the product so that the poor people in India—for whom their hearts melt at least when the sale of some imported commodity is concerned—may consume it largely owing to its cheapness in place of natural ghee, which is rather too costly for them. They say also that when margarine is allowed to be used for the adulteration of butter in Europe and America, we should also have no compunction to allowing vegetable ghee to be freely mixed with our natural ghee. That sort of reasoning need not surprise us, for that has always been the logic with the European trading community in India, who think of nothing else but the expansion of their trade.

Evidently with a view to awaken the conscience of the Government of India to the undesirable situation that has been created by the widespread sale of vegetable ghee, the Honourable Lala Ram Saran Das, whose attempts at checking the evils of vegetable ghee are too well-known,

moved in 1929 in the upper House a Resolution to introduce some distinguishing colouring effect in vegetable ghee so that people might be put on their guard about the stuff they purchased. The motion was adopted by the House and the Local Governments were addressed for their opinions on the subject. The European Chambers of Commerce in a body stoutly opposed the proposal. For reasons best known to them the various Local Governments took an unusually long time to send in their replies. But the Ministry of Local Self-Government of the Punjab took prompt action in the matter and introduced the Punjab Act 1929 to prevent adulteration of the natural ghee, very much on the lines of the English Food and Drugs Acts. Again, when my brother, Mr. Surput Sing, brought forward Resolution for the entire stoppage of the import of that commodity into this country in the same Chamber last year, the Government Member, the Honourable Mr. Woodhead, gave a reply in which he felt convinced about the extensive adulteration of ghee with vegetable product, and although opposing the Resolution, promised that the Government of India would address the Local Governments on the subject of minimising the evil, and would request them to consider the advisability of undertaking legislation on the footing of the Punjab Act, based on the lines of the British Food and Drugs Act of 1928.

I may inform the House for their information that all European countries without exception and the United States of America have introduced stringent legislation to prevent adulteration of genuine food articles on the one hand and on the other have prescribed a standard to which all imported things having any food value should strictly conform. I may also add that quite a number of Indian States, too numerous to mention here, have either legislated against the total import of or introduced heavy terminal duties on this vegetable product with a view to banish it from their territories altogether. But our Municipalities are somewhat powerless in the matter, for they cannot levy on articles, subject to sea-custom duty, more than Rs. 3-2-0 per cent., in accordance with the Government of India, Home Department Resolution No. 206-12 (ii) of 9th December 1904. Of course, they can prescribe a very high prohibitive license fee for the dealers, but that will be something ridiculous. It is also stated for the information of the Honourable Members that the selling price of the vegetable ghee is ordinarily about Rs. 25 per case of two tins weighing 80 lbs. This price works out to approximately Rs. 25-13-0, per maund, whereas the price of natural ghee is about Rs. 60 per maund. This comparative cheapness of the article, coupled with the fact that in colour it is akin to natural ghee, makes it an easy and profitable adulterant of ghee.

I think I have made it clear both from the opinion of experts as well as from the information obtained from various other sources, that I have a case and that I can very well ask the House that we should check the evils of this vegetable product betimes before that stuff, by the lapse of time, is allowed adversely to affect the health, vigour, and growth of the nation already ill-nourished. It is therefore incumbent upon the Government of India to devise some means forthwith on the lines of what they have done in the European countries and America in order to check the adulteration of articles of food so as to ensure the Indian public that the ghee which they buy may be of the same nature, substance, quantity and quality as it purports to be. What is wanted is that, pending the introduction of legislation, as promised by the Government of India last year on the floor of the other House on the lines of the English Food and

[Mr. Bhuput Sing.]

Drugs Act of 1928 by the Imperial and Provincial Legislatures, the customs duty on this vegetable product should be enhanced so much as to render it so costly that it should no longer be found to be a convenient medium for the adulteration of ghee. My prayer is modest and I trust the House will record their vote in favour of my proposal.

With these words, Sir, I beg to move my Resolution.

Dr. R. D. Dalal (Nominated Non-Official): The Resolution of my Honourable friend Mr. Bhuput Sing involves the consideration of a highly technical subject of great public health importance, and if the House will bear with me for a few minutes, I shall explain all to the House in simple lucid language, and as brevity is the soul of wit, I shall be as brief as possible.

The Honourable Member hails from Bihar and Orissa. He is a landholder. It is common knowledge that landholders are the largest ghee producers in this country, and when I read the Resolution for the first time, I wondered if Mr. Bhuput Sing was a ghee producer. Now, it is high time that I should proceed with the subject, and we shall see whether it will be "paradise lost" or "paradise regained" of the Honourable Mover's Resolution.

Sir, in the first place, I do not like the words "vegetable ghee". From the point of view of fraud on the consumer, the expression "vegetable ghee" is unfortunate and misleading. The first point that strikes me is this. Is consumption of vegetable oil injurious to health? Well as a public health expert, I can, with all the force and conviction of which I am capable, assure the House that it is not injurious to health in any way. Now, let us compare vegetable ghee—or rather I will call it vegetable product or vegetable oil—and the genuine ghee. As cooking fat, there is no difference at all between genuine ghee and vegetable oil. The only point is that genuine ghee is rich in vitamins, and the vitamin that we are concerned with here is vitamin A and vegetable oil is deficient in vitamins. Now, what are vitamins? Vitamins are substances about which we do not know much, but vitamin is something that is absolutely essential for the maintenance of health. When ghee is actually consumed, do we get this vitamin A? Does it enter the system? No. During the manufacture of ghee, the fluid is raised to a high temperature and so the vitamins are done away with to a certain extent, and the process of destruction is complete during the culinary cooking process. The ghee is raised to a high temperature, and the vitamins are completely destroyed.

Mr. Bhuput Sing: Can you prove that it is completely destroyed?

Dr. R. D. Dalal: The Honourable Member had his turn; and interruptions are inadmissible during a maiden speech.

An Honourable Member: Especially when you cannot answer a question.

Dr. R. D. Dalal: It is admitted that the vitamins are completely destroyed when the ghee is actually consumed. Now, Sir, margarine has supplanted genuine butter in Europe to a great extent. When margarine was first introduced into England, the arguments that are now being

used in India to prohibit the import of vegetable oils were then advanced. Now, how is this vegetable oil prepared? It is manufactured in up-to-date factories by machinery under aseptic precautions; and it is pure and wholesome, and it has a definite food value.

Sir Hari Singh Gour (Central Provinces Hindi Divisions: Non-Muhammadan): But it is sold as ghee.

Dr. R. D. Dalal: I shall come to that, Sir Hari Singh. When it is hardened to the consistency of genuine ghee by a chemical process which is known as hydrogenation, it is sold as ghee, as Dr. Gour says. I have pointed out that vegetable oil is not injurious to health in any way, and therefore on the ground of public health there is no justification at all for interference with the import of vegetable oil into British India. Now, I will admit that genuine ghee is adulterated with vegetable oil; and every one would like that the adulteration should be prevented; but if you prohibit the import of vegetable oil, have we not other adulterants and are they not objectionable and are not they offensive? The traders will make use of objectionable adulterants. There is one point which I must make clear, and that is that the adulteration of ghee did not begin with the introduction of vegetable oil, and will not disappear with the prohibition of import of vegetable oil. Then the cost of genuine ghee is so high that it is beyond the means of millions of people in India. Now, in the province from which the Honourable Mr. Bhuput Sing hails, 90 per cent. of the population use vegetable oil; and if you deprive the poor rustic people of this admittedly pure and wholesome article, do you think that the poor people will bless Mr. Bhuput Sing?

Then, Sir, there is another thing. It has been suggested that colouring matter should be used to prevent adulteration. I strongly deprecate that suggestion. Any attempt to colour vegetable oils would lead to the possibility of introduction of poisonous matter. Further, if the consumer sees that the article is coloured, he will think ten thousand times before purchasing it. So, it would wreck the industry; and there is the general tendency now-a-days to prohibit the use of artificial colouring matters and preservatives; so the proposal to colour vegetable oils cannot possibly be supported. Then, what is the remedy? To my mind it seems that tins of vegetable oil should be labelled, and the sellers of vegetable oil should exhibit a notice making it quite clear that pure ghee is sold here, and also vegetable oil, and also a mixture of ghee and vegetable oil. If the adulteration is objected to, then what is the remedy? The remedy is quite simple. You take samples and then you analyse them and examine them and then if they be found faulty, prosecutions should be launched. Now, as regards the duty, the vegetable product already bears a high duty of 15 per cent., and I am strongly opposed to any increase in the duty and I am strongly opposed to undue interference with trade.

***Mr. Muhammad Yamin Khan** (Agra Division: Muhammadan Rural): In my capacity as Chairman of a Municipal Board, I have had to deal with this question very often, and the remedies which have been suggested by my Honourable friend Dr. Dalal have been found to be absolutely incapable of coping with this evil. There are health officers in each and every town. They take samples of the ghee which goes about in the name of pure ghee. This is really an adulterated mixture of vegetable oil and

*Speech not revised by the Honourable Member.

[Mr. Muhammad Yamin Khan.]

pure ghee. You take the sample and send it for chemical examination. Before that comes back and a legal remedy can be had, the same commodity is being sold every day with impunity and we cannot check this evil by this dilatory method proposed by my Honourable friend, Dr. Dalal. Hundreds of petty dealers come in on the market day and it is very very difficult to take samples from these people. They only visit the town once a week and you cannot deal with them properly by having recourse to law, as suggested by my Honourable friend, Dr. Dalal. Probably he had experience of Bombay only, which is a big town and is not visited by the rural population at all. But when you deal with the question in the towns where you have the people selling ghee from the villages, you cannot deal with the question in the manner suggested by my friend, Dr. Dalal. My friend says that the zemindars are the largest producers of ghee. I do not agree with him. The zemindars are not the producers of ghee, it is the tenants who produce ghee, and therefore my friend, the Honourable Mr. Bhuput Sing had no personal interest in moving this Resolution, if that was the insinuation which my friend, Dr. Dalal, made.

Dr. E. D. Dalal: I did not mean to make that insinuation at all.

Mr. Muhammad Yamin Khan: I am glad he did not mean that, and he admits in effect that his intention was not to say that the zemindars are the producers of ghee. Then, again, he has tried to create a distinction between vegetable oil and vegetable ghee, and he objects to the words vegetable ghee being used because the article is not really vegetable ghee but vegetable produce. I quite agree, but here what my Honourable friend, Mr. Bhuput Sing, wants is not a legal distinction; he wants to cope with the evil as it presents itself to the ordinary consumer in the streets. A man does not know whether it is ghee or whether it is vegetable produce.

Sir Harj Singh Gour: He wants to prevent a fraud.

Mr. Muhammad Yamin Khan: The only thing which he wants is that a thing which is sold in the name of vegetable ghee should not pass in that name at all. That is why he suggests a certain remedy, so that every consumer must know on the very face of the article when it comes into the bazaar that it is not ghee but something else and that it should not be sold in the name of ghee at all. There are thousands of shops which put up boards in bold letters saying that pure ghee is sold there, but certainly we know that thereby a fraud is committed on the people; and even those people who sell the commodity cannot find out the fraud committed on themselves also; and they are obliged to sell this commodity after examining whether, when a seer or two of ghee is brought by a particular producer, that contains some vegetable oil or not. That is very difficult, and it cannot be done as easily as my friend suggests. We have been seeing this evil for such a long time and trying to stop it, but we have not succeeded in any way. The only remedy which can be successful is this, that there should be some colour which may at once distinguish pure ghee and vegetable ghee from other articles which come into the market in the name of ghee and are not really ghee.

Then there is another class which has arisen, the petty dealers; I know that at least they are in my district in large numbers. They purify fat

by certain chemical processes and they mix a certain quantity of oil in that and a little bit of this vegetable ghee (*An Honourable Member*: "Cocoonut oil"), and you cannot distinguish between pure ghee and this mixture. Of course the producers can sell it at the rate of one seer and a half per rupee. But what do the petty dealers do? They purchase this stuff from these people, who of course show in bold letters that it is not pure ghee but an adulterated mixture, but the petty dealer who purchases the stuff from them goes about and sits in the market on the market day and sells it under the name of pure ghee, and the people living in the cities are led to believe that that man has brought the stuff from the village, and so it must be pure ghee because the man is a rustic, and so they purchase under the impression that it is pure ghee, but they find out afterwards that it is not really ghee but fat. Sir, from the Hindu point of view it is a great fraud committed on the Hindu community, the members of which are prohibited by their religion from taking any kind of animal fat apart from that obtained from milk; and it is a fraud committed upon other persons as well who would like to purchase pure ghee but who are not supplied with that. My friend, Dr. Dalal, will agree with me that it cannot have the same effect on health as pure ghee would have. Vegetable oil may not be so injurious to health but it cannot be so good for health as pure ghee.

Dr. R. D. Dalal: There is no difference at all.

Mr. Muhammad Yamin Khan: That may be his view, but that is not the view of the people who can claim to be experts equally along with him.

Dr. R. D. Dalal: Sir, on the other hand

Mr. Muhammad Yamin Khan: When the consumer does not like to purchase it, there is no meaning in one man from the Public Health Department coming up and saying that, "you must purchase it because it won't affect your health". What I found however in his speech was not so much love for the Public Health Department as for the people who deal in this business, because his concluding words were to the effect that he does not like to stop the trade, and that he does not like to hamper the trade going on as I say by fraudulent methods in this country. So the whole gist of his argument was that he wants to save the trade—which as I say is committing a fraud upon the people—and he tries to speak in the name of the Public Health Department. If that Department wants that the fraud may continue to be committed on the consumers, he is quite all right in defending it in that shape, but what I suspect is that he was probably speaking from the point of view of the tradesman dealing in this stuff, and not so much out of love for the Public Health Department. Sir, I very strongly support the Resolution; and I think that it is high time that this evil was stopped at once.

Rai Sahib Harbilas Sarda (Ajmer-Merwara: General): Sir, I rise to support the Resolution moved by my Honourable friend, Mr. Bhuput Singh. The question of artificial ghee was raised several times in this Assembly during the life time of the second and third Assemblies. I put several questions in connection with this matter, and Mr. Bajpai, on behalf of the Government, assured the House that the matter was being looked into, that the Government was considering this question seriously, and that they would take such steps as would be necessary to enable purchasers to see that they purchased the genuine article and not artificial ghee. Several

[Rai Sahib Harbilas Sarda.]

years have past, however, and Government have not taken any action in the matter. And I want to emphasise that this is a matter which deeply concerns the people of this country because it affects their health and vitality. I wish again to appeal to the Government to levy a heavy import duty on artificial ghee and to order that it should be either coloured or that some other steps should be taken to enable people who want to purchase the genuine article to see that they do not purchase "brummagem" but get the genuine article. If Government will only take steps to see that adulteration does not take place, they shall have earned the thanks of the public.

The Revd. J. C. Chatterjee (Nominated Non-Official): Sir, this question of vegetable ghee and the evil effects thereof has on various occasions been discussed at length in the Delhi Municipality. It cannot be denied that there is a strong feeling, whether from the point of view of health, or because of its being a foreign article, or may be because of sentimental reasons, against the free use of this commodity. I remember that on the last occasion when the question of imposing a heavy terminal tax on this article was discussed in the Municipality of this city, a venerable City Father got up and said that studying the birth and death returns in the City of Delhi, he found that the mortality rate had been going up, while there was a fall in the birth rate, and he was of opinion that this was largely due to the increased use of vegetable ghee. How far he was correct I cannot say, but I would only point out how people believe that even birth and death returns are affected by the use of this ghee.

Now, Sir, the point is this. I am not quite clear as to what are the real grounds on which the Honourable the Mover of this Resolution wants to base his plea for the imposition of a heavy import duty on vegetable ghee. If it is on the ground that this imported article is having an injurious effect on and offers an unfair competition to a home made article—that is real ghee—if that is the real ground, then it is a different matter and we ought to consider the proposition on that score alone. We must consider whether vegetable ghee imported from foreign countries is having an injurious effect on the production and sale of pure ghee. If that is so, then we ought to ask for legislation on that ground and I have no quarrel with that point of view.

The second point is the question of public health. Now, is it really correct that public health is being undermined by the use of this ghee? That is more a medical and public health question. Dr. Dalal has expressed his view. I may also say that this question was referred to our Municipality. The Health Officer of our Municipality, another distinguished member of the Public Health Service—he is an Indian, not a European—gave it as his considered view that the use of vegetable ghee in itself had no injurious effects whatsoever on public health. But I am not competent to go into that question. I can only repeat what is said by the medical profession or by the Members of the Public Health Department on that subject.

Now, the next question is the sentimental objection to this product and also the more important problem of adulteration of the real article with this stuff. There is considerable strength in that plea. There are other people who have a greater right to speak on that aspect of the question. They object to the use of vegetable ghee on sentimental grounds.

Some object on religious grounds also, but I prefer not to bring religion into this matter, though I do not question their right to say that they object to its use on sentimental grounds. I also support my Honourable friend Mr. Yamin Khan in his plea that this question of adulteration of the real article with the mixture or the fear of fraud by imitations of this kind is certainly a very important problem. We, in our Municipality have tried to prevent it by various means, but I confess we have not been able to prevent it completely. It has been urged by my friend Dr. Dalal that samples of ghee can be taken and analysed to discover fraud on adulteration. I do not know whether my Honourable friend knows it, but I know that it is very difficult to get samples analysed. In most towns in India, there is no analytical laboratory to deal with any such stuff. To do this properly, we must get a large number of samples taken and thoroughly examined. That is not at all a practical proposition. We have tried various methods of colouring and all the rest of them, but we found we could not prevent admixture or adulteration.

Dr. E. D. Dalal: We can do it; let the Food and Drugs Adulteration Act come.

The Revd. J. C. Chatterjee: But we have not been able to do it. The Honourable Member wants legislation for a certain period only. That certainly is not the only difficulty. I must also point out on the other hand that whenever serious objections have been made to the use of such articles, I have noticed—I may be wrong and I speak subject to correction—that these objections come from the well-to-do quarters, from people who can afford to get real ghee, the really good article. It is possible, there may be ample justification for it. But I want to know whether it is not after all a question of supply and demand. After all, does it not come down to that? Can we argue that everybody in this country or a vast majority of people in this country can use real ghee? Have they got the means to use real ghee? It is well known that in Bengal—my Honourable friend, Mr. Amar Nath Dutt, who is not at present here would bear me out—the vast majority of people cannot afford to have real ghee. They never make any attempt to use that ghee. They have always used vegetable oil in the preparation of their food. That, again, is true of people in these places also. I have to work among very poor people, and I find that real ghee is absolutely unknown or very little known to them. I wish they could obtain real ghee. I do not for a moment suggest that vegetable ghee can take the place of real ghee. Vegetable ghee has very little nutrition as compared with pure ghee, and every one needs pure ghee. But all the same the fact remains that many people cannot get it; they cannot afford it, and so they do not attempt to get it. The fact is that most people have to use vegetable oil of some kind; and the medical authorities or the public health authorities have not demonstrated that the vegetable oils produced in the country are superior to this particular vegetable ghee or oil as we prefer to call it. They have not proved that this particular oil is really injurious. There may be differences of opinion between medical men and public health experts, but the fact has not been properly established. I still say it is all a question of supply and demand, and so long as there is a demand for the use of vegetable oils, that demand will be fulfilled. If my Honourable friend feels that this particular article is pernicious, then what is the proper remedy? It is public education. He should undertake extensive propaganda against the use of this article and they should teach people why certain articles should not be used.

[The Revd. J. C. Chatterjee.]

Now, take the case of margarine. I remember during the time of war—I happened to be in England at that time—when margarine first made its appearance, there was a tremendous propaganda against it. People said that it was going to undermine national health and so on, but there was no better substitute for butter. It was widely used and even now I believe that margarine still continues to be used largely. The same thing happens in this country. Let us try to prevent adulteration by all means. Let Municipalities ensure that there should be separate dealers for different kinds of ghee. You can take any steps to prevent adulteration and fraud; there can be no objection to that. But I think legislation of the kind proposed will not help forward the cause that we have at heart. Municipalities can deal with the problem. They have been dealing with the matter. In the Delhi Municipality a heavy terminal tax has been imposed on the import of this article though it is still being brought in. What we really need is public education and not legislation.

Raja Bahadur G. Krishnamachariar (Tanjore *cum* Trichinopoly: Non-Muhammadan Rural): Sir, the Resolution which I have the honour to support is, I think, quite an innocent one and it does not at all require any argument for or against in great elaboration. The point that is contained in that Resolution is not whether it is injurious or otherwise, but the point is, do not sell a thing under a fraudulent name. If yours is not ghee, then why do you call it so? That is the whole question. It is not a question whether the producer objects to it or whether it is the consumer who objects to it. I would respectfully submit that, as far as I understand the Resolution, the intention of that Resolution is quite plain. Why call a certain thing, which you know is not known to be ghee, as ghee, and try to sell it and pass it off to the consumer as if it was real ghee? As my Honourable friend Revd. Chatterjee said, a large class of poor people in this country use vegetable oil. I think it is admitted on all hands that as between vegetable oil and ghee, the latter is considered to be certainly superior. What these people do is this. They take the adulterated substitute, go and tell the unfortunate villagers that it is ghee, which they know is superior to vegetable oil and try to pass it on at a price which otherwise it would not fetch. It is that to which my Honourable friend, Mr. Bhuput Singh, objects. And after all, what does he want? There has been an undertaking on behalf of Government that legislation would be brought forward. That undertaking has not yet been fulfilled, and until that is done, you should take steps to stop the sale of this article which is brought in under a false name and brought for the purpose of inducing people to take it as a particular substance when it is not really so and which it would otherwise be difficult to sell in the bazar in an easy manner. There is absolutely no harm in that; and as for its being injurious or not, you may take it that as long as the doctors are able or not able to analyse it, there is going to be no finality in the matter. Those of us who have had any experience of chemical analysis in criminal trials can very easily realise what the result of this analysis by chemical processes amounts to. One particular doctor comes to one conclusion or another; another doctor comes to another conclusion, and you can never satisfactorily decide when doctors disagree. As for taking a sample and getting it analysed, my Honourable friend, Mr. Yamin Khan, has stated the difficulties in clear terms, and there is no point in repeating them.

There is one point which was raised by Mr. Bhuput Sing, which I think has not been sufficiently emphasised, and it is this, that up to the present there is no authoritative analysis on behalf of the sellers of that commodity as to what it really contains. I have seen certain patent medicines, on the bottles of which they say what are the ingredients of which the medicine is composed and in what quantities, so that the man who purchases the medicine may know the particular ingredients of the medicine and the proportion of each. If it is a non-injurious product and there is so much difficulty in submitting it to examination after it is put on the market, what is the difficulty in saying that a man who wants to bring this article into the market should say what the composition is. Then we shall have no difficulty about any doctor coming in and giving his opinion. We shall then know whether it is injurious or not and whether to prohibit it or not.

As for prosecutions, the least said about it the better. You first allow the mischief to be done, God knows to what extent, and then you go and take hold of probably a man who is not able to defend himself, fine him five rupees because it is probably a summary procedure, and no one is any better for it except perhaps Government which puts five rupees into its pocket. Therefore a prosecution is not the proper remedy. The proper remedy is to take drastic steps and not allow this thing to come into the country at all. If you cannot do it, the next best thing is to stop it until you have the proper piece of legislation by which you can regulate it if you cannot stop it from coming in. With these words, I very strongly support the Resolution of my Honourable friend, Mr. Bhuput Sing.

The Honourable Sir George Rainy (Member for Commerce and Railways): I do not propose, Mr. President, to speak at any great length upon this Resolution. Some of the points I had intended to make have been anticipated by two of the previous speakers, my Honourable friend Dr. Dalal and my Honourable friend Mr. Chatterjee. I want to begin with a point which was made by Dr. Dalal, namely, that vegetable ghee, so-called, is a substance which is not injurious to health and has a definite food value. The last speaker took a somewhat pessimistic view as to qualifications of the medical profession and the credence which we ought to give to them. He rather suggested that, as there was so much disagreement among experts on this question, one man's opinion was as good as another's. But I cannot share that view; nor do I think the Honourable the Mover of the motion was quite fair when he suggested that all the information we had about vegetable ghee came from the exporting firms in European countries, and that there have been no reports from Government experts. This question was referred to all Local Governments and we have had their replies; and no doubt before they gave these replies the Local Governments must have consulted their experts, and the experts again would not themselves have given their opinions without having taken steps to satisfy themselves on an obvious point of that kind.

Now, the purport of the replies we have received from the Local Governments—with one exception, namely, the Central Provinces,—was that although the vegetable product was deficient in certain vitamins, it was not injurious to health. And all that the Central Provinces Government had to say on the subject was that,—

“the Local Government is inclined to agree that the substitution of an article deficient in vitamins must necessarily be harmful to that section of the population whose diet is so meagre that the deficiency is not made up otherwise.”

[The Honourable Sir George Rainy.]

But that falls a great deal short of saying that in itself the vegetable product is injurious to health. All that the statement of the Central Provinces Government really comes to is this, that a certain proportion of vitamins is necessary to health, that these vitamins may come from different substances, and that if the population cannot obtain them from other food substances, then the vegetable product is injurious in the sense that the people would be better if they could get pure ghee. That does not in the least affect the main proposition which, as far as I can see, is firmly established, namely, that the vegetable product has a definite food value and is not injurious to health. If that be so, it is a very strong measure indeed to impose a prohibitive duty on the import of this substance with the intention of keeping it out altogether. Very strong reasons would have to be adduced before that can be shown to be a justifiable course; and the first reason against any such measure to which I would wish to direct the attention of the House is this. What would be the consequences of the imposition of such a duty? Would the result be that the people of India would be able to buy, to the full extent they desire, ghee or unadulterated ghee? I am afraid there is only one answer to that question, that the measure would not have that result. And my Honourable friend Revd. Chatterjee pointed out with great cogency that as a matter of fact it is a question of demand and supply, and that there is not a sufficient production of pure ghee in India to enable the great mass of the population to obtain it at the price they can afford to pay. And if the importation of the so-called vegetable ghee is prohibited, then I am afraid the only consequence will be that adulteration will be effected with even more undesirable substitutes. My Honourable friend Mr. Woodhead in another place, a few months ago, referred to what was said by Sir George Watt as long ago as 1885 on the subject of adulteration. This is what Sir George Watt said:

"The chief articles used in the adulteration of ghee are vegetable oil, such as cocoanut, groundnut, cotton, safflower, poppy, sesamum, niger and kokam. These are all harmless enough, though cheaper than ghee; but injurious oils are also used, especially mahua, salvadora and castor oil. Other animal fats, especially mutton, are largely utilised."

Then again it came to our notice quite recently that large quantities of a mineral white oil had been imported into Burma and were being used for the adulteration of the ghee there. It seems to me that, if by prohibiting the importation of this *vanaspathi ghee*, the result is that the ghee is adulterated not with a harmless substance with a definite food value, but with all sorts of other substances, some of which may be definitely pernicious, instead of benefiting the people, we should be injuring them, and it is for this reason that Government do not feel that any sufficient justification has been advanced for the action proposed in the Resolution. My Honourable friend, Mr. Yamin Khan, took the line, and he received some support from my Honourable friend, Mr. Chatterjee, that it is very difficult, if not impossible, to enforce legislation directed to prevent adulteration and to secure an adequate supply of pure food.

(At this stage Mr. President vacated the Chair, which was taken by Rai Sahib Harbilas Sarda.)

I quite admit that there are difficulties, but on the other hand, if the line taken is that there is no use passing legislation to secure these objects because nobody can enforce that, then it is wholly inconsistent with the

terms of the Resolution as it has been actually moved, because the Resolution says; "that pending legislation on the lines of the English Food and Drugs Act in the Imperial and Provincial Legislatures, prohibitive Custom duties be levied". Presumably they would cease to be levied as soon as the legislation has been passed and therefore the line of argument adopted by my Honourable friend, Mr. Yamin Khan, ought not to lead him to support the Resolution as it stands on the paper. One speaker, I think, said that an undertaking had been given by Government to pass legislation and that this undertaking had not been carried out. I have several times gone through all the papers in possession of the Government in connection with this matter, and I do not recollect that any binding undertaking was on any occasion given that Government would legislate on the subject in the sense which the Honourable the Mover of the Resolution desires. What we did promise to do several years ago was to examine the question. We did examine the question and we consulted all Local Governments, with the result which I have already indicated to the House. Last year, my Honourable friend, Mr. Woodhead, said in the Council of State that the Government of India had come to the conclusion that the proper way to deal with the matter was by provincial legislation directed to prevent adulteration. He also said that if the Local Governments found that, in order to make their legislation effective, Central legislation on the subject of the nomenclature to be applied to vegetable products at the time of importation was necessary, the Government of India were quite prepared to consider passing such legislation. But up till now we have not received from any Local Government any request that we should legislate in that way. When I had notice of the terms of this Resolution, telegrams were sent to all Local Governments on the subject to find out what steps they themselves had actually taken in the way of passing provincial legislation. The Punjab has of course its Pure Food Act, passed in 1929, and I think Members already know that. The Government of Bengal said that they have already taken steps under the Bengal Municipal Act notifying a set of rules in order to ensure that what is sold as ghee is pure ghee. As regards legislation to prohibit the application of the term "ghee" to the vegetable product, they report that the term "ghee" is not in practice on the labels of any vegetable product nor on the shop sign boards. There is not therefore in Bengal this practice on any considerable scale against which legislation could be directed. Bihar and Orissa report that the question of legislation is under consideration. The Central Provinces do not consider special legislation necessary, and say that bye-laws regulating the sale of ghee and vegetable products and preventing adulteration are in force in most of the municipalities. The Bombay Government have already issued a notification under the Bombay Prevention of Adulteration Act. The relevant portion of their notification prescribes that no ghee substitute that resembles ghee shall be sold except under the name of "Vegetable Product" or "Vanaspathi". Packages containing this substance have to be conspicuously marked with the name, "Vegetable Product" or "Vanaspathi". This notification applies only to Bombay City at present, but its extension to other municipal towns is under consideration. The United Provinces passed last July legislation amending their Prevention of Adulteration Act. The new Act gives all necessary powers for dealing with adulteration of ghee or for imposing conditions, if needed, on the sale of vegetable ghee. Madras did not legislate further, and they say that their Prevention of Adulteration Act of 1918, as amended in 1928, prevents the sale as ghee of what is not pure ghee.

[The Honourable Sir George Rainy.]

The circumstances being what they are, and the Local Governments, or the great majority of them, being apparently satisfied with the legal position as it stands, I cannot feel that any emergency exists which would justify the Government of India in taking the action which the Resolution suggests. I have already explained to the House the reasons which render it impossible for the Government of India to accept the Resolution, and if I may state it again in a single sentence, it is this.

(At this stage Mr. President resumed the Chair.)

It is not right or proper to impose a prohibitive duty on a commodity which is not injurious to health and which has a definite food value, when the result of that prohibitive duty would be, not to prevent or reduce the adulteration of pure ghee nor to enable the population to obtain in larger quantities pure ghee, but more probably with the result of greater adulteration with more deleterious substances.

Mr. A. Das (Benares and Gorakhpur Divisions: Non-Muhammadan Rural): Sir, coming from two districts in the United Provinces which are the most important Eastern districts, I wish to submit to this House that the feeling against the sale of vegetable ghee is very strong in the districts of Gorakhpur and Benares. The real point is not what my Honourable friend, Dr. Dalal, has said, that the vitamins would not be there; if that was carried to its logical consequence, the result is that we should not use any cooked food, because the scientific opinion is mostly in favour of saying that anything which is cooked and anything which goes beyond the temperature of steam does not have vitamins. It may be a sound principle; it may not be a sound principle that cooked food or uncooked food should be taken. But because you boil your ghee or oil and therefore take away the vitamins is, I submit, no argument against this Resolution which has been moved by my Honourable friend, Mr. Bhuput Sing. The real point is not whether this vegetable ghee is wholesome or not. Many Honourable Members have said, and I think rightly, that that is a question for the individual consumer to be guided by the opinion of the medical authorities on the subject. Each man is at liberty to use whatever product he likes and to be guided by the medical authorities who have pronounced for or against it. Why I wish to support this Resolution is this; why should this fraud be continued on the poor consumer and a product which is not pure ghee sold as pure ghee? This fraud is always perpetrated on the poor consumer, and unless we can stop the import of this vegetable ghee or somehow prevent by legislation this *vanaspathi ghee* being sold as ghee, this fraud will continue. I have absolutely no objection to this article being sold as a vegetable product or as oil. We have so many kinds of oil in the market, mustard oil, linseed oil, til oil and other oils. Let this be sold as an oil or vegetable product, but do not call it vegetable ghee; and if any legislation can be introduced by which the sale of this product under the misname of vegetable ghee can be stopped, then I submit that the object of this Resolution will be served.

Speaking personally, from the experience of one of the biggest Municipalities, Gorakhpur, I can endorse every word of what my friend, Mr. Yamin Khan, has said. We have tried in various ways to stop the perpetration of this fraud, but have not been able to do so successfully, and

because we have failed in the United Provinces and because the Municipal authorities have failed, therefore we ask the protection of this House to enable us to do something by which this fraud will not be allowed to continue in future. The real object of supporting this Resolution is that something should be done by which no article which is not ghee but merely a vegetable product should be allowed to be called ghee. If this object can be served by some legislation, I think it will be for the good of the community as a whole. I have been listening carefully to all the speeches made so far, including that of the Honourable the Leader of the House—arguments for and against the Resolution—but not one word has been said by any Member opposing the Resolution to show whether he is in favour of this fraud being perpetrated or not. The question is not one of adulteration, because if you stop vegetable ghee, probably there will be many other products with which ordinary ghee would be adulterated. Leaving aside therefore the question of the wholesomeness of the article or the question of adulteration, the only point on which I appeal to Honourable Members of this House to focus their opinion is this: as to whether they should or should not allow this fraud to continue in the country by allowing some article which is not the article which it purports to be. That is why I support this Resolution.

Sir Hari Singh Gour (Central Provinces Hindi Divisions: Non-Muhammadan): Sir, we on this side of the House must confess to a sense of disappointment at the speech delivered by the Honourable the Leader of the House. We all expected that this Resolution, or at any rate the substance of it, would be accepted by the Government. But the Honourable the Leader of the House, far from accepting either the Resolution or its substance, opposed it on various grounds which we are not in a position to endorse. He tells us, in the first place, that this imported article which is vanaspathi or vegetable ghee is not injurious, or is not proved to be injurious to health. But I beg respectfully to point out to him that that is not relevant at all. The point at issue is that if brass is imported into this country and is sold as gold, would Government take action or not? Here, vegetable oil produced in modern factories comes into this country in large quantities and is sold as a colourable imitation of genuine ghee. What action have the Government taken to prevent the importation into this country of this spurious article which they know is a colourable imitation of the genuine article for which it is sold in the country? If this were all, it would be a sufficient charge against the Government. But this is not all. We have been told—and I accept that statement because it has not been contradicted by the Honourable the Leader of the House—that this spurious article that is imported into this country from Europe is sold at the rate of about Rs. 25 a maund, whereas the genuine ghee in this country is sold at the rate of Rs. 60 a maund. If this be the fact, and it must be a fact, we have to remember that this spurious article comes into this country and, by being either sold instead of pure ghee or being mixed with the pure ghee, fetches a high price and passes for genuine ghee which sells for Rs. 60 a maund. In other words, the importers make out of this spurious article a much larger profit than they would otherwise make if they were not permitted to sell it as genuine ghee. That, I submit, is clearly a charge which we on this side of the House make regarding the importation of vanaspathi or vegetable ghee.

Then, Sir, it has been said that if this vanaspathi oil is not permitted to be imported into this country, the genuine ghee produced in this country

[Sir Hari Singh Gour.]

is not sufficient to meet all requirements, and therefore that our ghee would be adulterated with more deleterious substances. But I would point out to the Honourable the Leader of the House that the adulteration of ghee in this country by the admixture of more deleterious substances would be more easily recognised in the market and more easily detectable than this adulteration with vanaspathi oil, which is produced in modern factories, and as the Honourable Dr. Dalal has pointed out, produced under most scientific supervision with a view to its importation into this country with the object of its adulteration with ghee so that the genuine and the counterfeit articles may be indistinguishable. All scientific appliances are used for the purpose of making the spurious article look the pure and genuine article. That, I submit, is the distinction between the deleterious admixture of ghee in this country and the adulteration of ghee with imported vanaspathi oil. We therefore think that the fraud to which the importation of foreign oil into this country leads is far more dangerous than the danger to which we would be otherwise exposed if genuine ghee were adulterated in the country.

Then, Sir, it has been said by the Honourable the Leader of the House that he has consulted the various Local Governments. We have not the slightest doubt that the various Local Governments are against the enactment of any law on the lines of the English Foods and Drugs Act in this country, but the Local Governments have not met the objection which we on this side of the House raise, and that objection has been reiterated in this House time and again as the Honourable the Leader of the House is only too well aware. Some four or five years back there was a Resolution in which this question was raised, and my friend Mr. Sarma has just now pointed out to this House that he has also been agitating on the same lines by putting questions to the Treasury Benches.

Sir, it has been suggested that the mischief is easily susceptible of relief if municipalities under their bye-laws were to take action. Honourable Members on the opposite Benches and Honourable Members on this side of the House have pointed out that the municipalities with their present equipment are not able to cope with this mischief. Sir, I have been myself connected with the municipality of my town, and I can support all that has been said on the subject by Honourable Members in this House. It is impossible for the municipalities to cope with this mischief. They cannot go about examining every sample that is sold in the bazar, and you have got ghee vendors going from door to door with tins or pots on their heads selling for ghee what is nothing but vegetable oil produced in Belgium. I therefore submit that the Government should take action in this matter, and it will not do to leave this matter to the initiation of the Local Governments or to the local bodies. Honourable Members here seem to think that because this vegetable oil, which is imported into this country, does not contain Vitamin A to the same extent as pure ghee, therefore we should penalise the importation of it into this country. The ground upon which we on this side of the House are pressing the Government is this, that the importation of this oil into this country leads to fraud, and it is a widespread fraud. That fraud cannot be otherwise checked than by the intervention of the Government and by means of legislation. That the fraud is there is admitted, but it is said that if we were to penalise the importation of vegetable oils, or prohibit this importation, the fraud would still be there. Our answer is that the risk of the fraud

contemplated in the latter case is nothing compared to the widespread fraud which the wholesale importation of foreign oil into this country leads to, and upon this ground I hope Members on this side of the House will support the Resolution.

Several Honourable Members: The question may now be put, Sir.

Mr. President: Closure has been proposed, and I accept it. The question is that the question be now put.

The motion was adopted.

Mr. Bhuput Sing: Sir, I don't wish to make any reply.

The Honourable Sir George Rainy: I don't wish to say anything more.

Mr. President: The question is:

“That this Assembly recommends to the Governor General in Council that, pending legislation on the lines of the English Food and Drugs Act in the Imperial and Provincial Legislatures, prohibitive Custom duties be levied on that questionable commodity which goes by the name of ‘Vanaspathi’, or Vegetable Ghee, or Vegetable Oil.”

The Assembly divided:

AYES—58.

Abdur Rahim, Sir.	Pandian, Mr. B. Rajaram.
Aggarwal, Mr. Jagan Nath.	Pandit, Rao Bahadur S. R.
Anwar-ul-Azim, Mr. Muhammad.	Puri, Mr. B. R.
Azhar Ali, Mr. Muhammad.	Puri, Mr. Goswami M. R.
Bagla, Lala Rameshwar Prasad.	Raghubir Singh, Kunwar.
Bhargava, Rai Bahadur Pandit T. N.	Rajah, Raja Sir Vasudeva.
Bhuput Sing, Mr.	Ranga Iyer, Mr. C. S.
Biswas, Mr. C. C.	Rao, Mr. M. N.
Brij Kishore, Lala.	Rastogi, Mr. Badri Lal.
Das, Mr. A.	Reddi, Mr. P. G.
Dudhoria, Mr. Nabakumar Sing.	Reddi, Mr. T. N. Ramakrishna.
Dutt, Mr. Amar Nath.	Sant Singh, Sardar.
Fazal Haq Piracha, Shaikh.	Sarda, Rai Sahib Harbilas.
Gour, Sir Hari Singh.	Sen, Pandit S. N.
Gunjal, Mr. N. R.	Shahani, Mr. S. C.
Hari Raj Swarup, Lala.	Singh, Kumar Gupteshwar Prasad.
Ibrahim Ali Khan, Lt. Nawab Muhammad.	Singh, Mr. Gaya Prasad.
Ishwarsingji, Nawab Naharsingji.	Sitaramaraju, Mr. B.
Ismail Ali Khan, Kunwar Hajee.	Suhrawardy, Dr. A.
Ismail Khan, Haji Chaudhury Muhammad.	Sukhraj Rai, Rai Bahadur.
Jog, Mr. S. G.	Talib Mehdi Khan, Nawab Major Malik.
Krishnamachariar, Raja Bahadur G.	Thampan, Mr. K. P.
Lahiri Chaudhury, Mr. D. K.	Tun Aung, U.
Maswood Ahmad, Mr. M.	Uppi Saheb Bahadur, Mr.
Misra, Mr. B. N.	Wajihuddin, Khan Bahadur Haji.
Mitra, Mr. S. C.	Walayatullah, Khan Bahadur H. M.
Muazzam Sahib Bahadur, Mr. Muhammad.	Yakub, Maulvi Muhammad.
Mujumdar, Sardar G. N.	Yamin Khan, Mr. Muhammad.
	Ziauddin Ahmad, Dr.
	Zulfiqar Ali Khan, Sir.

NOES—39.

Acheson, Mr. J. G.
 Alexander, Mr. W.
 Allah Baksh Khan Tiwana, Khan
 Bahadur Malik.
 Anklesaria, Mr. N. N.
 Ayyangar, Diwan Bahadur V.
 Bhashyam.
 Bajpai, Mr. R. S.
 Banarji, Mr. Rajnarayan.
 Baum, Mr. E. F.
 Boag, Mr. G. T.
 Chatterjee, The Revd. J. C.
 Crerar, The Honourable Sir James.
 Dalal, Dr. R. D.
 Fazl-i-Husain, The Honourable Khan
 Bahadur Mian Sir
 French, Mr. J. C.
 Graham, Sir Lancelot.
 Gwynne, Mr. C. W.
 Hamilton, Mr. K. B. L.
 Heathcote, Mr. L. V.
 Hezlett, Mr. J.

Jawahar Singh, Sardar Bahadur
 Sardar.
 Khurshed Ahmad Khan, Mr.
 Macmillan, Mr. A. M.
 Montgomery, Mr. H.
 Moore, Mr. Arthur.
 Mukherjee, Rai Bahadur S. C.
 Parsons, Mr. A. A. L.
 Rafiuddin Ahmad, Khan Bahadur
 Maulvi.
 Rainy, The Honourable Sir George.
 Rajah, Rao Bahadur M. C.
 Row, Mr. K. Sanjiva.
 Roy, Mr. K. C.
 Sahi, Mr. Ram Prashad Narayan.
 Sams, Mr. H. A.
 Schuster, The Honourable Sir George.
 Shillidy, Mr. J. A.
 Studd, Mr. E.
 Sykes, Mr. E. F.
 Tin Tüt, Mr.
 Young, Mr. G. M.

The motion was adopted.

(Mr. President called on Mr. Gopika Romon Roy to move the Resolution* standing in his name, but the Honourable Member was not in his place.)

Mr. B. Rajaram Pandian (Madura and Ramnad *cum* Tinnevely: Non-Muhammadan Rural): I do not propose to move the Resolution† standing in my name for certain reasons today.

Mr. A. Das (Benares and Gorakhpur Divisions: Non-Muhammadan Rural): Having regard to the answer given by the Honourable Sir James Crerar on the 29th January, 1931, to the effect that necessary instructions have been issued to the various officers to carry out the important part of my Resolution‡ I do not propose to move it. Nor do I wish to move the other Resolution‡ also standing in my name.

(Rai Sahib Pandit Hari Das when called on to move the Resolution‡ standing in his name, was not in his place.)

Mr. Jagan Nath Aggarwal (Jullundur Division: Non-Muhammadan): I do not wish to move the Resolution§ standing in my name. But I wish to make my position clear with regard to it. The Resolution is important, and I hope, Sir, that the Honourable the Leader of the House and the Government will be pleased to grant us another day for the discussion of this important Resolution. In view of the urgency of some other matter on the agenda, I do not wish to move my Resolution.

* "This Assembly recommends to the Governor General in Council to take steps to get incorporated in the new constitution a provision to the effect that the proprietary rights of any citizen in the land should not be taken away for any reason whatsoever without the payment of adequate compensation".

† The same as that standing in the name of Mr. Gopika Romon Roy.

‡ The same as that of Mr. T. N. Ramakrishna Reddi on page 797 *ante*.

§ "This Assembly recommends to the Governor General in Council to appoint a committee of officials, non-officials and experts to enquire into the whole question of public borrowing in India in all its branches, to lay down general principles for guidance as regards the future policy and programme of Capital Expenditure with borrowed funds and to suggest other measures for the better administration of the Indian Public Debt".

The Honourable Sir George Rainy: With reference to what has fallen from my Honourable friend, I should like to say this, that the assignment of days for non-official business does not rest with Government but with the Governor General. I should be quite prepared, however, to ask the Governor General whether another day could be allotted for Resolutions, but I must make it clear that I can see no chance of giving a day before the Finance Bill has been passed.

Some Honourable Members: That is all right.

Mr. President: That completes the agenda for to-day's meeting, and the House will now adjourn till quarter past two when we will take up the adjournment motion.

The Assembly then adjourned for Lunch till a Quarter Past Two of the Clock.

The Assembly re-assembled after Lunch at a Quarter Past Two of the Clock, Mr. President in the Chair.

MOTION FOR ADJOURNMENT.

ACTION TAKEN AGAINST THE GENERAL COUNCIL OF BURMESE ASSOCIATIONS.

U Tun Aung (Burma: Non-European): Sir, I feel it my duty to place Honourable Members in possession of certain relevant facts in connection with the G. C. B. A. or the General Council of Burmese Associations in Burma. The General Council of Burmese Associations in Burma is one of the pioneer political organisations and it has been in existence for the past decade. The policy of these associations has been not to seek election to the Legislative Councils but to work from outside on constitutional lines. The main General Council of Burmese Associations has now been split up into three different bodies under three different leaders, one of which is the General Council of Burmese Associations under the leadership of U Soe Thein. These associations, 129 in all, have now been declared unlawful under the Criminal Law Amendment Act, which has been introduced into Burma in the form of an Ordinance. That Ordinance has been introduced very recently. So far as I have been able to gather, this G. C. B. A. under the leadership of U Soe Thein, along with other G. C. B. A.'s, sent messages to England when the Round Table Conference was engaged on the question of the separation of Burma from India. They emphatically said that they did not wish separation alone. As a matter of fact in the province also, they have been agitating all along that separation alone would not be beneficial to the Burmese. They are to some extent similar to the Indian Congress in India, with this difference that they do not go to great extremes. The Government have justified their action by the issue of a Government communiqué which I propose to read out to you. The Government in a Press communiqué, giving reasons for declaring U Soe Thein's G. C. B. A. as

[U. Tun Aung.]

unlawful, details out of the history of the recent rebellion, and points out evidence as to complicity in the rebellion of Athins or Associations affiliated to the above G. C. B. A. It states:

"The rebellions in Tharrawaddy, Insein and Pyapon districts were all part of a concerted plan to overthrow the Government by armed force, Saya San being the leader. He in 1924 was a member of an Athin affiliated to Chit Hlaing's G. C. B. A. but after a quarrel joined Soe Thein's G. C. B. A."

After describing how he organised this rebellion, commencing preparation thereof from the beginning of November, 1930, by secret conferences and meetings, the communiqué states:

"The information obtained from prisoners and other sources established that the rebellion was a rebellion of Wanthanus (being the Burmese expression for Nationalists) belonging to Athins affiliated to Soe Thein's G. C. B. A. who was cognisant of the preparations made for it."

This portion of the communiqué is important and I would particularly invite the attention of the House to it.

"There is no evidence to prove that the Committee of Soe Thein's G. C. B. A. explicitly approved of these unlawful activities of Saya San and others but it is certain that the President and the Secretary were aware of them and connived at them by remaining silent."

That perhaps is the only bad point which the Government can make against the Association. As a matter of fact, it is a very bad argument. Then the communiqué states:

"The past record of Soe Thein's G. C. B. A. was bad for creating disaffection against the Government. As an instance, reference was made to the capitation tax campaign of 1927 in Tharrawaddy. Open rebellions in Tharrawaddy, Insein and Pyapon are the results of such unlawful activities in the direction of creating disaffection against the Government, besides the immense harm, general misery and unhappiness caused. The rebels are known to have murdered 28 persons, mostly Government officers, killed three policemen in action and wounded seven."

The latter part of the communiqué deals with the number of deaths and casualties. Honourable Members will see that there is a distinct declaration that there is no evidence to connect the G. C. B. A. with the open rebellion. I may remind you that a question was asked in Parliament the other day and the Secretary of State for India declared that the rebellion was the outcome of the economic distress in the country. No reference whatsoever was made to show that the Associations in Burma have anything to do with the rebellion. The only point that I wish to bring into prominence is this, that these G. C. B. As. are primarily responsible for the delay in the disposal of the question of separation in England by sending telegraphic messages at the time the discussion about separation was going on and the Governor had to come back without that well nourished object of his being fulfilled. As you are aware, this Ordinance was introduced into Burma only about two or three weeks ago, and promptly this Ordinance has been applied to these Associations. In this connection I would like to remind you that there is much more than meets your eye at the present moment. This is the beginning of the repressive measures and repression that will obtain in Burma. In a week or two Burma will be receiving back the delegates that went to the Round Table Conference and these delegates represent various associations, and they

will surely give vent to their views which they have gathered while in England, and if the repressive action now adopted by the Government of Burma be countenanced by this House, I shall not be surprised if all the associations and all parties engaged in any political movement in Burma are silenced by this Ordinance.

Reference was also made in the Government statement to the capitation tax. I may tell you that the capitation tax is a tax peculiar only to Burma. This is not known in any part of the world. This capitation tax has been a source of misery to the people of Burma, particularly to the poorest of the poor class. They are assessed to pay a certain sum annually irrespective of the fact that they are poor, aged, diseased or otherwise. This tax has been engaging the attention of all associations, not only this G. C. B. A. but all other associations, and as a result question after question and resolution after resolution have been made in the Local Council for the abolition of this tax, and the unanimous opinion is that this tax should be abolished. The mere fact, that a party or an association takes up the cause of its people and agitates that this tax should be abolished by Government, does not prove that it is inciting the people to take up arms against the Government. You will see from the statement of the Government that at the most the Government could say that Saya San and some other members of the Association, were responsible for the rebellion. How can they on the strength of that point alone make the whole Association unlawful? Perhaps I might tell you also that, before I left Burma, I had occasion to see the Chief Secretary in connection with the application of the Press Ordinance. After I had finished my work there, I told him that I would be going to India, and I told him that the people in Burma were very much perturbed by the fact that the Ordinance had been introduced into Burma and that much uneasiness had been caused thereby. People have been under the apprehension that any agitation, irrespective of whether that agitation is conducted on constitutional lines or not, would be brought within the purview of the Ordinance. Well, he told me that the Ordinance was meant for, and would be only applied to, cases of terrorism and anarchical movements which, according to him, have been imported into Burma from outside, and to no other case would the Ordinance be applied. To my great surprise, however, on the very day I arrived here, I saw in the *Hindustan Times* that 129 Associations affiliated to this General Council of Burmese Associations have been declared unlawful under that Ordinance. I wish only to say that I have every reason to fear that this is just the beginning of a repressive policy in Burma. While I was going through the debates here, Sir, I found there was a motion about the repressive policy and repression in India. Repression, Sir, I may say, begets only resentment and reaction and no good results can be expected from repression. ("Hear, hear".) If, Sir, the repression and repressive measures adopted by the Government of Burma were to be countenanced by this House, I can safely say that the history of India would be repeated in Burma. ("Hear, hear".) This Ordinance, as you are aware, is a very dangerous weapon and should not be experimented with, and for a dangerous weapon of this nature to be left in the custody of a man who has an axe to grind is all the more dangerous. The capital fact that has been made in the Government statement is that there is a rebellion under the leadership of the so-called Saya San. Well this Saya San, according to the Government, is a pretender to the throne. Sir, I shall only say in the words of Shakespeare that "greatness

[U Tun Aung.]

has been thrust upon him by the Government quite unduly." (Laughter.) Since the Government have not been able, according to their own confession made in the Government's statement, to adduce any evidence to connect the rebellion with the G. C. B. A. Executive, I fail to understand what case they have to apply this Ordinance to the Association. I would therefore ask that this adjournment motion may be duly appreciated and accepted in view of the fact that this declaration by the Government of Burma, I fear, is just the forerunner of a series of repressive measures which are most likely to come in that province, of which I am a member. (Applause.)

Mr. President: Motion moved that the House do now adjourn.

The Honourable Sir James Crerar (Home Member): Mr. President, as a preliminary I think I must briefly reiterate the contention which I laid before the House this morning, *viz.*, that the subject-matter of this motion is no doubt one of considerable importance, but that in all the circumstances of the case it would probably have been better that the matter should have been left, in the first instance at any rate, to be debated in the local Legislative Council which meets today. The action taken was action taken by the Local Government acting at its own discretion and within its own powers.

Sir Hari Singh Gour (Central Provinces Hindi Divisions: Non-Muhammadan): You were never consulted about it?

The Honourable Sir James Crerar: The Local Government informed us that action of this kind would probably be necessary. That being the case, I think it was perhaps not an entirely well conceived idea on the part of the Honourable the Mover to move this motion here today in this House. I am nevertheless in a position to give the House some general idea of the position as it stands, and of the grounds which moved the Local Government in taking the action which they did. Indeed, I think the best thing I can do is to read out more *in extenso* the most important passages of the Government of Burma's communiqué, some passages of which were read out by the Honourable the Mover:

"The Government are issuing today a notification declaring the Soe Thein G. C. B. A. an unlawful association under section 16 of the Criminal Law Amendment Act, 1908. The reasons why they are taking this action are explained below.

It is now known that the rebellion in the Tharrawaddy, Insein and Pyapon Districts were all part of a concerted plan to overthrow the Government by armed force. The leader of the rebellion was one Saya San. It was he who proclaimed himself Thupannāka Galon Raza Mingyi (King of the Galons) and who issued a proclamation, a copy of which has been obtained from prisoners, declaring war upon the British. He is a person who has been previously convicted and is well known to the Police. In 1924 he was a member of an Athin affiliated to U Chit Hlaings G. C. B. A., but after a quarrel he left this Athin and joined Soe Thein's G. C. B. A. He attended the conference of this G. C. B. A. at Minbu in 1928 and when visiting Rangoon usually stays at the G. C. B. A. Hall. It has been established that he made careful preparations for the rebellion and these preparations seem to have begun before the beginning of November, 1930, when he is reported to have visited Dedaye Township in the Pyapon District, the scene of the rebellion in January, last. Conferences were held by him in November, at Taikkyi in the Insein District and at Inywa in Tharrawaddy and towards the end of November, Saya San again visited the Dedaye Township. A secret meeting was held by night, at Htandaw, in the house of Aung Hla, the leader of the Pyapon rebellion, and, at this meeting plans for the rebellion

were discussed. A final conference was held at Spwenakwin in Insein District on December 12th. At this meeting Saya San explained his plans and announced that a palace had been built at Alantaung and that he had assumed the title of King of the Galons. Arrangements were also made at this meeting for tattooing and the distribution of charms. The meeting was attended by delegates from Pyapon as well as from Tharrawaddy and Insein.

The information obtained from prisoners and other sources makes it clear that the rebellion was primarily a rebellion of Wunthanus belonging to Athins affiliated to the G. C. B. A. and affords good grounds for believing that the Soe Thein G. C. B. A., though it may not have explicitly approved of the rebellion, was cognisant of the preparations made for it. The former point admits of no dispute. To take the Pyapon rebellion first. The rebellion took place in the Dedaye Township. This Township is a strong-hold of Wunthanu Athins all affiliated to Soe Thein's G. C. B. A. The Athins are organised into circles or taiks and the most active of these circles was the Mayan Taik which had eight affiliated societies. The President of the Mayan Taik was Maung Aung Hla, the local leader of the rebellion in Pyapon, now absconding. It was in his house that the secret meeting was held by Saya San at the end of November last, and this meeting was attended by the leading Wunthanus. The Dedaye Athins are known regularly to have sent representatives to the annual conference of Soe Thein's G. C. B. A., and among those who are known to have attended these conferences are, Aung Hla himself, Kyaw Shin the leader of the rebels in the fight with the Police on January the 7th, who is now absconding, Ba Sein son of Aung Hla now a prisoner who was wounded in the fight, and Ba Aye who is now under arrest at Tharrawaddy. Two of these, Ba Aye and Kyaw Shin were the Pyapon representatives at the conference of December 12th at which the final plans for the rebellion were matured and it was Kyaw Shin who seems to have taken the lead in tattooing in the Dedaye Township. There is ample evidence that the Athin organisation was used for obtaining recruits and that the Athin leaders were the leaders of the rebellion. Enquiries into the Tharrawaddy and Insein disturbances are not so far advanced as in Pyapon but the evidence, so far collected, all points to the conclusion that the members of the Wunthanu Athins affiliated to the Soe Thein G. C. B. A., were the mainstay of the rebellion; that the Athin organisation was made use of for the purpose of the rebellion, and that in most villages the lead was taken by office bearers of the local Athin. The Presidents or leading members of Athins at the villages of Ingauky, Yedaik, Sinakhwa, Zeinza, Kyaungnyagan, Hlwazadon and Ngapyugale, are known to have taken a prominent part in the rebellion.

As regards the second point, the evidence consists of a letter found in the search of the Secretary of the Soe Thein G. C. B. A. It is a letter written by the President of the G. C. B. A., to the Secretary, and is dated November the 2nd, 1930. In this letter the President expressed alarm at the unlawful actions of Saya San and suggested that he should be written to to stop these unlawful actions. * * *

* * * It is to be noted that he refrained from giving any information to the authorities regarding the activities of Saya San. There is no evidence to prove that the committee of the Soe Thein G. C. B. A., as a committee, explicitly approved of these activities, but it is certain that the President and the Secretary of that Committee were aware of them and connived at them by remaining silent. It is also known that the Soe Thein G. C. B. A., deliberately in spite of their being aware of the preparations which were being made by Saya San in the Tharrawaddy and Insein Districts recommended the enrolment of volunteers in those Districts.

The record of the Soe Thein G. C. B. A. in the matter of creating disaffection against Government is a bad one. In 1927, a regular campaign was instituted by coupon preachers affiliated to the Soe Thein G. C. S. S. which is the religious section of the Soe Thein G. C. B. A. Meeting after meeting was held in the District and at these meetings violent speeches were made with the object of creating disaffection towards the Government. Most of the speakers were prosecuted and convicted under section 124A of the Indian Penal Code, but the result of the campaign was a determined refusal on the part of certain villagers in the Tharrawaddy District to pay capitation tax and one of the objects of the meetings held by coupon preachers throughout the year was to induce the villagers to take this action. The movement led to one serious riot and it was only suppressed after a large force of Military Police had been sent to the area and after punitive police had been stationed in the villages affected. The Government has no desire to interfere with the legitimate political activities of any body or association in Burma, but they will not tolerate activities designed to create disaffection and to overthrow the Government. Activities of this kind have led in

[Sir James Crerar.]

the last few weeks to open rebellions in three Districts of the Province and it is difficult to exaggerate the harm done and the general misery and unhappiness caused by these rebellions.

Then the Local Government communiqué details the casualties and the other damage caused in the course of this rebellion and continues:

"In addition the rebels have left a legacy of armed dacoit bands in Tharrawaddy and Insein which it will take some time to put down. These are some of the results of the activities of the Wunthanu Athins in these Districts and for the reasons given the Soe Thein G. C. B. A. to which they are affiliated cannot be acquitted of complicity in the rebellion.

In these circumstances the Government have thought it necessary to notify the Soe Thein G. C. B. A., and a number of other Athins in the Tharrawaddy, Insein and Pyapon Districts as unlawful associations. Similar action has been taken in respect of selected Athins in certain other Districts. The Government being satisfied that the Athins in question constitute a danger to the public peace."

Now, Sir, I thought it convenient to let the House have, somewhat more fully than was given by the Honourable Member, in their own words the grounds on which the Local Government have taken this action. But I have some few additional comments to make. In the first instance, the Honourable the Mover was under an obvious misapprehension as regards the enactment under which this action was taken. The action, as is stated in the communiqué, was taken under the second part of the Criminal Law Amendment Act. It was not taken under the recent Ordinance which as the Honourable Member was informed by an official of the Burma Government, is directed solely against the terrorist activities. This action was taken not under the Ordinance, but under the second part of the Criminal Law Amendment Act. Then, the Honourable Member naturally enough from his own point of view, stressed a passage in the Government of Burma's communiqué in which they said there was no direct evidence to prove that the Committee of the Association had, as a Committee, definitely approved of the projects for the rebellion. That no doubt is true, but the communiqué goes on to explain that prominent office-bearers of that Association were fully cognisant of the plans of the rebellion and not only that, but that the organisation of the General Council was employed for the purpose of rebellion in the way of enrolment of volunteers, and the leaders of the rebellion were actually, in nearly all cases, prominent members of the local associations affiliated to the main association. Consequently the passage which my Honourable friend emphasised will by no means bear out the inference which he desires to draw that the General Council of Burmese Associations was not itself cognisant of, and to that extent at least, in complicity with the rebellion.

One other point, as my time limit has almost been reached, I wish to emphasise. The Honourable Member has suggested that the action taken, as he supposed under the Ordinance, but in fact under the second part of the Criminal Law Amendment Act, was in some way directed against the movement unfavourable to the separation of Burma. That, Sir, is entirely remote from the facts. The Government of Burma have no intention whatsoever, by the action they have taken, to restrict in any way any constitutional movement, either for or against separation. Everyone will recognise that views on the subject of separation may very properly and very legitimately differ and any motion of interfering

with the constitutional expression of that opinion would be entirely unwarranted. The Local Government, not less than the Government of India, would be absolutely opposed to any such action. The action taken by the Local Government has no relation whatsoever to any motive of the kind. The action was taken because, for the reasons which the Local Government have given, briefly and summarily necessarily, but based on larger information on record at their disposal that there was a definite connection established between the rebels in these districts and the local associations, and also between the local associations and the General Council of Burmese Associations. For these reasons and because they were confronted with a very serious situation in the whole Province, the Government of Burma took the action they did. The rebellion was not confined entirely, the danger of rebellion was by no means confined, to those districts in which it actually broke out. There were serious grounds for apprehension of, and indeed attempts had been made to provoke and promote, rebellions in other districts of the Province, and the amount of injury inflicted upon the miserable inhabitants of those districts is beyond calculation. I do not exclude from the victims of that misery a large number of misguided people who were induced to take part in this lamentable rebellion. But the duty of the Local Government in the matter was clear. A very serious situation had arisen which might have involved even a greater part of the Province than was actually affected, and if the Government had not taken prompt action, then a situation of incalculable danger would have supervened. Prompt action has fortunately limited the trouble to two or three districts, but the situation is still far from being free from danger, and I contend that the Local Government not only are fully justified, but they did no more than their plain and manifest duty, in taking every precaution for the speedy end of these troubles. (Applause.)

Sir Hari Singh Gour: Sir, nobody on this side of the House would be a party to a motion that in the slightest degree embarrasses Government in quelling disorders in whatever part of the British Empire they arise. But we on this side of the House have supported the motion of the Honourable Member from Burma on two grounds. In the first place, it is clear from the communication issued by the Government of Burma that the General Council of Burmese Associations is not shown to have been privy to the disorders that took place.

The Honourable Sir James Crear: If the Honourable Member will forgive me for interrupting him, that is not correct. What the Burma Government state is that they were privy to the disorders, but that there is no definite evidence to prove that the Committee of the Council as a Committee had clearly identified themselves with the movement.

Sir Hari Singh Gour: That is exactly the point that I was making. There is no evidence that the Association as such

The Honourable Sir James Crear: The Committee.

Sir Hari Singh Gour: I am talking of the General Council of the Burmese Association. I am not talking of the Committee. I am dealing with the declaration that has been made by the Government of Burma declaring the General Council of Burmese Associations an unlawful association. I am therefore dealing with the General Council of Burmese Associations and the question before the House is whether the declaration made

[Sir Hari Singh Gour.]

by the Government of Burma against the General Council of Burmese Associations is a declaration which this House should support. The Honourable the Home Member has pointed out that this declaration was not made under the Ordinance which has recently been promulgated in Burma, but that it was made under section 16 of Part II of the Criminal Law Amendment Act of 1908. Therefore we have to refer to that section. Section 16 under which this declaration is made reads as follows :

"If the Local Government is of opinion that any association interferes or has for its object interference with the administration of the law or with the maintenance of law and order, or that it constitutes a danger to the public peace, it may, by notification in the official Gazette, declare such association to be unlawful."

I think the Honourable the Home Member will therefore admit that the only question relevant to the present discussion is whether the General Council of Burmese Associations has been guilty of any of the acts which constitute interference with the administration of law; and from what the Honourable the Home Member has stated and from what the Honourable Member from Burma has stated, nothing has been said against the General Council of Burmese Associations. What has been said is this, that certain office-bearers of the General Council and certain members of the General Council have been guilty of interfering with the administration of law. If that be the case, I beg to ask the Honourable the Home Member what ground is there for declaring the whole body of the General Council of Burmese Associations an unlawful body, when the only charge made by Government is against certain office-bearers and certain members. That, I submit, is a point which calls for an explanation.

The second point to which I wish to draw the attention of the House is this. Part II of the Criminal Law Amendment Act was passed in 1908 and ever since, the initiation of the Montagu Reforms, the Legislative Assembly has condemned the Criminal Law Amendment Act. In 1921, immediately upon the assumption of office, the Members of this House pressed upon Government the desirability of repealing this Criminal Law Amendment Act along with other repressive laws. A Committee was appointed and that Committee recommended that this along with the other repressive laws should be repealed as soon as possible. That was some eight years ago. After that Members of this House have tabled various Resolutions and two of us had brought in amending Bills repealing Part II of the Criminal Law Amendment Act, along with the other repressive laws which remained unrepealed on the Statute-book. This House by an overwhelming majority decided in favour of their repeal, but when they went to the other House, the repeal was not carried out. I wish to bring this to the notice of this House for this purpose, that I want to make it clear that Part II of the Criminal Law Amendment Act is not one of those Acts which should be regarded as part of the general statutes of this country. It was an Act which was passed at a time of great national crisis and it has been condemned by the late Imperial Legislative Council and has been condemned, if I mistake not, at least twice by the Legislative Assembly. In view of the opinion of this House, resort to section 16 of the Criminal Law Amendment Act must be justified only in exceptional cases, and the Honourable the Home Member has therefore to make out a case of exceptional necessity justifying resort to section 16 of the Criminal Law Amendment Act. Therefore

the question that arises is, upon the facts that he has read from the communiqué of the Government of Burma, is there anything to condemn the Association as a body, as an organisation which interferes or has for its object interference with the administration of law? I wish to emphasise one fact. Honourable Members will observe that section 16 of the Criminal Law Amendment Act does not say that if the Local Government is of opinion that any association or any of its members interferes, etc., the whole association may be condemned. It says that the association as such must be found to interfere or to have the object of interfering with the administration of the law. Therefore I submit that the mere fact that some members of that association, or for that matter some office-bearers of that association have been interfering with the administration of the law would not justify recourse to the provisions of section 16 of the Criminal Law Amendment Act. And the reason is obvious. Any individual who interferes in an illegal manner with the administration of law, or is a danger to the public peace can be prosecuted under the ordinary law; and if he cannot be prosecuted, or if there is no evidence to prosecute him under the ordinary law, Government know too well that they have the extraordinary power under the Regulations to detain him or deport him. In other words, there is absolutely no justification whatever for charging a collective body of men constituting an association by declaring them an illegal body under section 16 on the mere ground that some of its members may have been guilty of individual acts of lawlessness. I therefore submit that this was certainly not a case for a declaration under section 16 of the Criminal Law Amendment Act. All that the Honourable the Home Member has said and all that he has read out from the communiqué of the Government of Burma justifies action under the ordinary law and against individuals who have been guilty of offences of which they are suspected. But that is not a reason, as I have said, for charging the whole Association consisting of thousands of people, the majority of whom are innocent, as an unlawful association.

I therefore submit, Sir, that the Honourable the Home Member has shown no cause whatever why the action of the Local Government should be held as justified. Honourable Members will remember that when the Honourable the Home Member rose to speak on the wisdom of this House in granting leave to the Honourable Member from Burma, he said that this was a matter for the Local Government. I interjected and asked him, "Is it the Local Government that has issued this notification? Have you had nothing to do with it?" I am sure, Sir, that the Honourable the Home Member is only too cognisant of the part he has taken and that his Government have taken in issuing this notification under section 16 of the Criminal Law Amendment Act, and I think the Honourable the Home Member is not justified in taking shelter behind the Local Government and asking this House to dismiss this question as a parochial question and a proper question only to be disposed of by the Government of Burma. So long as the Government of India Act remains what it is and this House is charged with the duty of controlling the policy of the Government of India, and so long as the Government of India are in charge of law and order in Burma as well as in other parts of British India, I think it is not only a duty but it would be a dereliction of duty if Members of this House do not take upon themselves to express their views on questions of this momentous issue. I therefore think that, far

[Sir Hari Singh Gour.]

from this being a question for the decision of the Local Government, it is a question upon which this House is fully entitled to express its view. Now that the Honourable Member has read out to the Members of this House the terms of the communiqué of the Government of Burma, we should have no hesitation whatever in voting for the adjournment of this House, because according to the Honourable the Home Member himself there is absolutely no justification, much less no allegation against the unlawful activities of the G. C. B. A. as such, and I wish to emphasise the fact because some Honourable Members may say, "if you are a thief your neighbour must be a thief as well". That is the sort of criminal administration of justice which the Government of India and the Government of Burma might sometimes, in times of panic, indulge in. I would, therefore ask the House dispassionately to consider this question. Burma is a far off cry from Delhi, and one of the reasons why the Burmese people want separation from India is that they do not receive from the Government of India, or for that matter from this House, that justice to which they, as members of British India, are entitled. I therefore feel that we should not dismiss this question because it is a question of an outlying province, a province that is asking for separation and therefore we need not interest ourselves in it. So long as Burma is a part of India, so long as Burma is an integral part of British India, it is the primary and sacred duty of every Member of this House to assist our fellow countrymen across the seas. (Hear, hear.) And whether Burma separates or not, let us send our message to the people of Burma that, so far as the people of India are concerned, we have our good wishes for the people of Burma and we shall strive to help you in your struggle for liberation. If the Burmese can get Dominion Status or freedom for which they are thirsting, we shall be very glad to part company with them. But ours is a fight for freedom, and in the struggle for freedom for India, we regard Burma as a part of ourselves. (Hear, hear.) Sir, it is for this reason that I ask every Honourable Member to treat this question not as a question of an outlying province of this Empire, but as a question which primarily concerns every hearth and home, and if we are concerned—and I am sure every one of us is concerned—if we are convinced that the Burma Government have taken this action with a precipitancy which was not justified by the facts disclosed in the communiqué, we should be well justified in asking this House to adjourn. (Applause.)

Sir Abdur Rahim (Calcutta and Suburbs: Muhammadan Urban): Sir,
 3 P.M. in rising to speak on this motion, one no doubt feels some difficulty because the facts are not so close to us as they would be in a case which had happened in one of the ordinary provinces of India. But all the same, so long as Burma is a part of India, this Assembly is responsible for giving its careful consideration to all that happens in that territory. Sir, the Honourable Member for Burma, if seemed to me, was perfectly justified in bringing this case to the notice of the House. (Hear, hear.) It is not an ordinary case of local administration; it is a case of great importance affecting the political life of Burma. I understand this G. C. B. A., the General Council of the Burmese Associations, is a political association which has affiliated to it a very large number of other associations and these have been in existence and have been working for a long period of time. Under the

Act of 1908, to which reference has been made, the general body has been declared an unlawful association. That means that a great deal of the political activities of the Burmans would be paralysed, and this House has to consider very seriously whether that is a step which is justified. The Local Government has, in its communiqué, given certain reasons which have been read out to us by the Honourable the Home Member. But it seems to me that the reasons do not go far enough to justify a step of this character. In Burma as well as in any other part of India, we have got the Penal Code, the Criminal Procedure Code and other penal statutes which are in daily operation, and if individuals are proved to be guilty of any offence under those Codes, there are courts of justice where they can be brought to book, and if there was evidence before the Local Government of Burma and before the Magistrates and the courts of any individuals taking part in rebellion or inciting rebellion, they and those that have been detected in committing those acts should have been punished under the ordinary law. (Hear, hear.) But here what has been done is something of a far more comprehensive and serious character. A whole group of political associations has been declared to be unlawful, that is to say, they are to be suppressed. Now, what has been shown which connects this general body with the rebellion in Tharrawaddy and may be in some other localities in Burma? To my mind no proof has been put forward in support of any such allegation. The Honourable Member from Burma stated to us that in the House of Commons, in answer to a question, it was stated that the rebellion was the outcome of economic distress. I do not think the Honourable the Home Member has contradicted that statement. There is no allegation that the rebellion was connected with, or was incited by, this General Council of Burmese Associations. The Honourable the Home Member has repudiated the suggestion that because this General Council did not take part in advocating the separation of Burma from British India, this action has been taken against it. That is a matter of inference. What we have to see now is whether the Burmese Government had any good legal grounds for declaring this Association unlawful. If as a matter of fact it had been proved that the Association had for its object interference with the administration of law and order, that would bring it undoubtedly within the Act of 1908. But until the Association as such, to use the language of the Act, has been shown to be unlawful in that sense, the Government of Burma would not be justified in declaring it an unlawful association. I take it—and it cannot be denied—that the aims and objects of the Association, so far as the public know, are of a perfectly lawful and perfectly legitimate character. Then all that is alleged is that perhaps some members of the Association have been guilty of certain acts in connection with the rebellion in Burma. If that be so, then it is only those individuals that are answerable. But that is no ground for suppressing a whole association. Nowadays when there is unrest in the country, whether here or in Burma, some members of some associations may be guilty of excesses and of violations of the law. But surely that can be no ground for suppressing lawful ordinary legitimate political associations. In the case of secret conspiracies and terrorist movements, where the Government are unable to reach the offenders, there would be justification undoubtedly for special laws which might to some extent dispense with the ordinary procedure prescribed by the Criminal Procedure Code or the Evidence Act. But

[Sir Abdur Rahim.]

unless any association is shown to be a secret organisation of that character, there can be no ground for treating a political association as an unlawful body.

Sir, I think the Vice-Leader of the Nationalist Party was perfectly justified in saying that this Assembly is not only expected but is bound to take notice of such cases, and whether the cry for separation of Burma from India has the support of the general population of Burma or not—if it has, undoubtedly separation would be justified—but whether that be so or not, so long as Burma is an integral part of British India, it is the duty of this Assembly to take note of these important cases and to help the Burmans as much as it is our duty to help the people of Bengal, or the United Provinces, or the Punjab. We can make no distinction against them, and I am absolutely sure that no member of this House will desire that because of the distance, the Burmans should not receive a proper hearing from this House. Sir, with these words I support the motion.

Mr. E. F. Baum: (Burma: Nominated Official): Sir, my Honourable friend, U. Tun Aung, has made various statements in his speech which may, I think, give the House a mistaken impression of what is happening in Burma. He has informed us that the General Council of Burmese Associations is a body rather like the Congress except that it is not extremist. I challenge that statement. We know that Saya San, one of the principal organisers of the rebellion was a member of that Association. So were the majority of rebels who have since been captured in Burma. In face of all this, I think it is impossible to say that the G. C. B. A. is not an extremist body and is not responsible to a very large extent for the trouble we are having at present.

Then my Honourable friend went on to suggest that the orders passed by the Government of Burma were not really intended to suppress the rebellion merely, but to meet the agitation for separation of Burma from India. With that again, I cannot agree. Everybody who has served in Burma for any time knows that the majority of the Burmese population are solid for separation. (*Honourable Members on Nationalist Benches*: "No, no and question".) (*An Honourable Member*: "Have you served in Burma?") I believe a Resolution was passed in the local Legislative Council advocating separation

Mr. S. C. Mitra: After the Nationalists had non-co-operated.

Mr. E. F. Baum: In any case the question has been settled in principle at the Round Table Conference.

Mr. Gaya Prasad Singh: Has it been settled?

Mr. E. F. Baum: So I do not really see why the Government of Burma should concern itself to meet any agitation.

There is one other point. The people of Burma are perhaps one of the most lovable races in the Indian Empire, but they are exceedingly credulous, and that makes political agitation among them all the more dangerous. The Burma Government is faced with a dangerous and widespread rebellion, and I think that this House will agree that it has a right to protect the Burman from subversive and dangerous propaganda. For that reason, Sir, I feel that I must disagree with the action taken by my friend, Mr. Tun Aung.

Mr. C. S. Ranga Iyer: (Rohilkund and Kumaon Divisions: Non-Muhammadan Rural): Sir, the Honourable the official representative from Burma, who just now concluded, said the House should extend its "protection," and truly we are extending our protection to the representative of the Burmese people, who has made a very clear case that the General Council, which contains a large number of members, is being punished wholesale for the action of a few who also happen to be members of that Council. Sir, in Burma at any rate, I concede, those members who have been known to have identified themselves with the rebellion have become rebels probably of a violent type, while in India, even a non-violent organization like the National Congress, which has not been found guilty of the same kind of offences of which the Burmese Government think certain members of the Burmese General Council are guilty, even the National Congress organizations have been declared unlawful. I propose, therefore, Sir, to examine this Burmese question from the Indian point of view.

I cannot accept the argument of the Government for the very simple reason that rebellion, whether violent or non-violent, is being punished by the wholesale declaration of public bodies as unlawful. Sir, supposing a few Members of the House of Commons, or supposing one Member of the House of Commons had left some explosives under the seat of Mr. Gladstone, one could not condemn the entire House of Commons. Supposing a few members of an organization which is non-violent and constitutional—the Burmese Council to the best of my knowledge has not been a supporter of violent methods: at any rate even the Honourable the Home Member when he read out the communiqué of the Burma Government did not say that the Burmese Council, which is declared unlawful, was guilty of violence as a whole, nor did he say that it was a part of the terrorist organization, nor did he make out that its creed was violent—supposing a few members of an organization which is constitutional and non-violent adopt violent methods, you cannot declare the whole organization as unlawful. Under these circumstances, Sir, I really cannot understand how the Government of India could initiate the step they have taken and how the Government of Burma could carry out their policy of condemning a whole organization as unlawful. This, Sir, directly goes against the spirit of the Resolution of the House of Commons last year. I was a witness to that debate in the House of Commons when it passed a Resolution taking strong exception to interference with expression of opinion by Indian organizations, and when they said Indian organisations, they also meant Burmese organizations. We all know how the Governor of Burma, though a very very great favourite of this House when he was in the place of the present Commerce Member over there, went on what appears to us as an ugly propogandist venture, on what appears to us . . .

Sir Lancelot Graham: (Secretary, Legislative Department): Is not the Honourable Member reflecting on the conduct of the Governor of Burma?

Mr. C. S. Ranga Iyer: I say that the Governor of Burma went to England in connection with the separation of Burma from India. Far from me to make any reflection on the conduct of the Governor of Burma, but I consider that the fact that the Governor of Burma went to England in connection with a mission—(An Honourable Member:

[Mr. C. S. Ranga Iyer.]

“He had then ceased to be Governor of Burma”)—yes, he might have then ceased to be the Governor of Burma technically, but that does not at all interfere with the point that I am making,—I believe the Governor of Burma was actually deputed either by the Government at Whitehall or by the Government in this country, but he was actually deputed to England on what appears to be

The Honourable Sir James Crerar: He went on leave.

Mr. C. S. Ranga Iyer: An ugly propagandist venture, namely the separation of Burma from India, a question on which Indians have as much right to express an opinion as the Burmese, or for that matter, the instigators of Burma to bring about the separation. Sir, I will ask Sir Lancelot Graham to go into Edwin Montague’s “Diary” where there is an abundance of facts in regard to the manipulations connected with the question of the separation of Burma from India. Sir, one organization in Burma, namely the organization to which the Burmese Member has referred and to which also the Honourable the Home Member referred while quoting a communiqué from the Burma Government which he read out to this House, an organised body of Burmese opinion has stood out strongly against the separation of Burma with the ugly motive,—the ugly imperialist motive to which the Burma Government, the Government at Whitehall and the Government of India are parties—of converting Burma into a kind of outhouse of British Imperialism while India may be forging ahead with constitutional developments and even Dominion Status. Nowhere, to my knowledge at any rate, has Burma been promised the same position that India is to achieve. Sir, the political organization in Burma, the General Council and all its branches, stand out against separation, because they want to know exactly where they stand in regard to their country’s status. They want to know whether Burma is going to be an appendage of British Imperialism, or whether Burma, like India, is going to be made responsible to the people of Burma.

The organization under discussion contains, it is stated, some rebels, that certain of its members are rebels,—not underground rebels, not revolutionaries, but clean rebels, rebels in the open, like the followers of Oliver Cromwell, who made the modern parliament and modern history. Sir, because a few members went out for open rebellion, not secret conspiracies—and not all of them have a great following in the Council itself because the Council has not identified itself with that rebellion, at any rate to my knowledge no resolution has been passed by that Council adopting the rebels’ methods or endorsing the rebels’ action—merely because a few members of that Council launched an open rebellion, I think it is very improper, it is very uncanny, it is extremely ugly that the Government of India should extend the tentacles of Ordinance to Burma and instigate the Government of Burma, as they have no doubt instigated them to introduce what may be called an almost martial law atmosphere there. Sir, I quite sympathise with the Honourable Member from Burma when he apprehends that Burma is going to be treated in the same manner as the Government of India have been treating the people here. Time and again they have been doing this. Sir, you remember as an old politician how when the Morley-Minto Reforms were being introduced, we were treated to a dose of repression; how when the

Montague Reforms were being introduced, martial law and monstrocities were perpetrated in the Punjab and certain ugly things were done later on all over the country. And now they are following up the same policy, trying to dilute the spirit of reforms with repression. If they mean to repeat in Burma, just what they are doing in this country, this House, I venture to say, Sir, cannot be a party to the perpetration of what is a very irresponsible policy of an executive unwilling to be responsible to the people, unwilling to be responsive to their aspirations; an executive which is doing everything in their power through the instrumentality of every little law that they can get hold of or make, to destroy the awakening of the Burmese people. This is a thing we should resist very strongly, especially as we know that the Government of Burma as well as the Government of India have identified themselves with the policy of separation of Burma from India without giving an opportunity to the Indian people to express themselves in the matter.

I am sorry, Sir, that I could not see eye to eye with my Honourable friend, Sir Lancelot Graham, when in his extremely interesting interruption he tried to make out that I was casting any reflection on the Governor of Burma. I may tell you that I have the great privilege of enjoying what I may consider the personal friendship of the Governor of Burma. He made a great name as the Collector of Malabar, the district from which I come. And, Sir, everybody in this House knows that when a social function was arranged on the eve of his departure, though I belonged to a particular party which boycotted that function, I, at any rate, attended that function. Needless to say, I will be the last man to cast any reflection on Sir Charles Innes, who is one of the very best friends of India that we have got, or for the matter of that, of Burma. But I am criticising the system of which he is the head in Burma, and I am criticising the method which was responsible for sending him to England in connection with a policy with which the Association which is being suppressed is not in agreement any more than this House.

The Honourable Sir George Rainy (Member for Commerce and Railways): There is one thing, Mr. President, which I have noticed in all the speeches of Honourable Members after the Honourable the Mover of this motion, and that is a certain timidity in dealing with the proper names involved in the Government of Burma's communiqué, and I own myself that I share that feeling because as to the pronunciation of any of them I am extremely uncertain. Apart from that, I do not think that we have the materials before us for any prolonged discussion upon this question. In spite of all that has been said by Honourable Members opposite, it is a long way to Burma, and it is difficult for Members of this House, even for Members of the Government, to have the same kind of acquaintance with what is going on there as they have with what is going on in other parts of the Indian Empire.

Now, Sir, what I particularly wish, in the very brief remarks I shall make, to refer to, is the suggestion that the notification of the General Council of Burmese Associations is part of some covert plot to prevent any expression in Burma of opposition to the separation of Burma from India, and I find it difficult to believe that my Honourable friends opposite seriously in their own hearts entertain that idea. My Honourable friend the last speaker spoke highly of the personal qualities of His Excellency Sir Charles Innes. But it is more than a personal question, and does any

[The Honourable Sir George Rainy.]

Honourable Member seriously suppose that the British Government, or the Government of India, would lend themselves to any sort of manœuvre of that kind?

Mr. C. S. Ranga Iyer: Certainly they have lent themselves. How can you deny the fact that the Governor of Burma, Sir Charles Innes, went to England on the mission of bringing about the separation? Can you deny it?

Sir Hari Singh Gour: And sent a telegram that the separation had been accomplished?

The Honourable Sir George Rainy: The Governor of Burma went on leave to England.

Mr. C. S. Raṅga Iyer: Are you aware that he sent a telegram to the acting Governor of Burma congratulating him upon the separation? And do you understand the implications of that telegram?

The Honourable Sir George Rainy: I am totally unable to follow the workings of my Honourable friend's mind which seems to me to be filled with a double dose of the poison of suspicion, of which we have had a good deal in this House. But I say that the suggestion is preposterous. ("Hear, hear" from the Treasury Benches.) And the extent to which it has been pressed from the other side of the House might possibly raise a feeling in this House that that line was being taken with the opposite motive. These weapons of suspicion are double-edged, Mr. President, and sometimes, they resemble boomerangs in their recoil.

Sir, I am not going to argue the general question whether the action of the Government of Burma was justified, and I will tell you why. When a Government is faced with a very serious position—with an armed rebellion which has broken out in three districts—and when it finds that the local association affiliated to a central organisation are taking an active part in that rebellion, there are *prima facie* grounds for supposing that the General Council to which they are affiliated is a body which requires very careful watching and against which it may be necessary to take action. That is the *prima facie* ground, and nothing that I have heard from Honourable Members on the other side of the House leads me to feel that that is an inadequate ground. I think, Sir, that the House ought not to accept the motion which has been moved.

Several Honourable Members: Let the question be now put.

Mr. President: The question is:

"That the question be now put."

The motion was adopted

U Tun Aung: It was very interesting to me to listen to the speech made by the official Member from Burma just now. He said that separation is a question that has been settled already. I think that he is mistaken in having that idea. No doubt, in the Legislative Council, Resolutions were passed to that effect before the Burmans began to realise that separation was not to be asked for by them but was going to be given to

them by the Government. They have realised it, so much so, that when the discussion in the Round Table Conference was going on, the Burman delegate, the leader of the Peoples Party, U Ba Pe, refused to be made a party to the question of accepting separation alone, and that is why this question of separation has not been settled there. Added to that, as I have stated before, the General Council of Burmese Associations sent a number of telegrams to England stating in very clear terms that they did not wish to have separation, the general opinion being that separation alone would be far more dangerous than being attached to India. If separation were to be accompanied with a status in no way inferior to that to be given to India, in that case separation with that status would be acceptable; but, as I say, separation alone is no longer the desire of the people of Burma. My Honourable friend from Burma should now understand that the attitude of Burmans as regards separation has changed.

I have listened to the speeches from the official side, but I must confess that I have not been convinced that, whatever parts individual members of the Association might have taken in the open rebellion the action now taken by the Government against the Association as a whole is justified. The rebellion has been shown to be the activity of a particular section of the members, and if so, how can the Association and all its members be declared unlawful? I therefore ask the House to accept my motion.

The Honourable Sir James Crerar: I am happy to be in the position of congratulating my Honourable friend from Burma on having adopted in his closing speech a very prudent course. I observe that he devoted the whole of his argument, not to the question now before the House, but to a question, which I myself admit, is much more open to legitimate enquiry and even argument, that is to say, the merits and the demerits of the policy of separation. In that regard, I do not intend to say anything further in rebuttal of the suggestion which has been made that the action taken by the Government of Burma had any relation whatever to the movement for or against separation. This has been dealt with by myself and it has been dealt with very forcibly and concisely by the Honourable the Leader of the House and I would only add that if, on further reflection, the Government of Burma and even the Government of India are to have attributed to them an effort of Machiavellian diplomacy in the matter, that surely implies a certain amount of intelligence at any rate, though it may be intelligence of a low order. Nevertheless, I do not think that anybody who is prepared to grant some measure of intelligence would himself so greatly fail in intelligence as to suppose that a measure of this kind would be adopted, which so openly and palpably defeats its own object. In conclusion, I will only add this, that I sympathise, at any rate in their immediate object, with the appeals which were eloquently made by Honourable Members on the opposite Benches that this House should show its sympathy for Burma and give an eminent sign of its goodwill to the people of Burma. That is precisely what I would like Honourable gentlemen to do. Measures are being taken by the Government of Burma for the restoration to that province of its tranquillity, which has been unhappily seriously disturbed recently. Let us on our side do our best to restore that peace and tranquillity by supporting the Government of Burma in the measures which they are taking for that end.

Mr. President: The question is that the Assembly do now adjourn.

The Assembly divided.

AYES—42.

Abdur Rahim, Sir.
 Aggarwal, Mr. Jagan Nath.
 Azhar Ali, Mr. Muhammad.
 Bagla, Lala Rameshwar Prasad.
 Bhuput Sing, Mr.
 Biswas, Mr. C. C.
 Das, Mr. A.
 Dudhoria, Mr. Nabakumar Sing.
 Dutt, Mr. Amar Nath.
 Gour, Sir Hari Singh.
 Gunjal, Mr. N. R.
 Harbans Singh Brar, Sirdar.
 Hari Das, Rai Sahib Pandit.
 Hari Raj Swarup, Lala.
 Ismail Ali Khan, Kunwar Hajee.
 Isra, Chaudhri.
 Jog, Mr. S. G.
 Krishnamachariar, Raja Bahadur G.
 Lahiri Chaudhury, Mr. D. K.
 Misra, Mr. B. N.
 Mitra, Mr. S. C.

Pandian, Mr. B. Rajaram
 Puri, Mr. B. R.
 Ranga Iyer, Mr. C. S.
 Rao, Mr. M. N.
 Rastogi, Mr. Badri Lal.
 Reddi, Mr. P. G.
 Reddi, Mr. T. N. Ramakrishna.
 Roy, Kumar G. R.
 Sadiq Hasan, Shaikh.
 Sant Singh, Sardar.
 Sarda, Rai Sahib Harbilas.
 Sen, Pandit S. N.
 Shahani, Mr. S. C.
 Singh, Kumar Gupteshwar Prasad.
 Singh, Mr. Gaya Prasad.
 Sitaramaraju, Mr. B.
 Suhrawardy, Dr. A.
 Sukhraj Rai, Rai Bahadur.
 Thampan, Mr. K. P.
 Tun Aung, U.
 Uppi Saheb Bahadur, Mr.

NOES—42.

Acheson, Mr. J. G.
 Alexander, Mr. W.
 Allah Baksh Khan Tiwana, Khan
 Bahadur Malik.
 Ayyangar, Diwan Bahadur V.
 Bhashyam.
 Bajpai, Mr. R. S.
 Banarji, Mr. Rajnarayan.
 Baum, Mr. E. F.
 Boag, Mr. G. T.
 Chatterjee, The Revd. J. C.
 Crerar, The Honourable Sir James.
 Dalal, Dr. R. D.
 Fazl-i-Husain, The Honourable Khan
 Bahadur Mian Sir.
 French, Mr. J. C.
 Graham, Sir Lancelot.
 Gwynne, Mr. C. W.
 Hamilton, Mr. K. B. L.
 Heathcote, Mr. L. V.
 Hezlett, Mr. J.
 Jawahar Singh, Sardar Bahadur
 Sardar.
 Khurshed Ahmad Khan, Mr.

Macmillan, Mr. A. M.
 Montgomery, Mr. H.
 Moore, Mr. Arthur.
 Muazzam Sahib Bahadur, Mr.
 Muhammad.
 Mukherjee, Rai Bahadur S. C.
 Parsons, Mr. A. A. L.
 Rafiuddin Ahmad, Khan Bahadur
 Maulvi.
 Rainy, The Honourable Sir George.
 Rajah, Rao Bahadur M. C.
 Row, Mr. K. Sanjiva.
 Roy, Mr. K. C.
 Sahi, Mr. Ram Prashad Narayan.
 Sams, Mr. H. A.
 Sarma, Mr. R. S.
 Schuster, The Honourable Sir George.
 Scott, Mr. J. Ramsay.
 Shillidy, Mr. J. A.
 Studd, Mr. E.
 Sykes, Mr. E. F.
 Tin Tüt, Mr.
 Young, Mr. G. M.
 Zulfikar Ali Khan, Sir.

Mr. President: There are 42 votes for the "Ayes" and 42 votes for the "Noes". (Applause.) Following the well-recognized practice of *status quo ante*, I vote against the motion. ("Hear, hear.")

The motion was negatived.

The Assembly then adjourned till Eleven of the Clock on Saturday, the 14th February, 1931.