

Wednesday, 20th September, 1933

THE  
**COUNCIL OF STATE DEBATES**

**VOLUME II, 1933**

*(29th August to 16th December, 1933)*

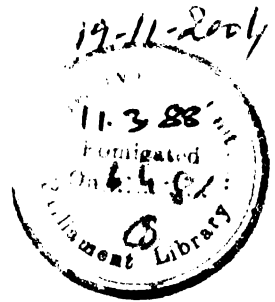
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**SIXTH SESSION**

OF THE

**THIRD COUNCIL OF STATE**

**1933**



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## COUNCIL OF STATE.

Wednesday, 20th September, 1933.

The Council met in the Council Chamber at Viceregal Lodge at Four of the Clock, the Honourable the President in the Chair.

### QUESTIONS AND ANSWERS.

#### GRANT OF A JUNIOR GRADE COMMISSION TO MR. RAZA ALI KHAN.

208. THE HONOURABLE SARDAR BUTA SINGH (on behalf of the Honourable Mr. Satyendra Chandra Ghosh Maulik): (a) With reference to the answer to my question No. 135 of 6th March, 1933, will Government be pleased to state if one Raza Ali Khan, a United Provinces man, has been granted a junior grade of commission in the 11/19th Hyderabad Regiment, Indian Territorial Force, Bengal Wing ?

(b) Is it a fact that there is not a single United Provinces man in the ranks of the above unit ?

(c) Is it a fact that senior non-commissioned officers of the unit have been superseded by giving the junior grade commission to Raza Ali Khan ?

(For reply see under No. 209.)

#### DELAY IN PROMOTION OF OFFICERS IN THE SECOND (CALCUTTA) BATTALION, UNIVERSITY TRAINING CORPS.

209. THE HONOURABLE SARDAR BUTA SINGH (on behalf of the Honourable Mr. Satyendra Chandra Ghosh Maulik): With reference to the answer to my question No. 185 (2) on 28th March, 1933, will Government be pleased to state if the promotions of Mr. P. M. Lahiri and Mr. P. C. Neogi, two officers of the 2nd (Calcutta) Battalion, University Training Corps, were delayed ? If so, the reason therefor ?

THE HONOURABLE MR. M. G. HALLETT: With your permission, Sir, I propose to answer questions Nos. 208 and 209 together.

Inquiries are being made, and I will communicate the result to the Honourable Member in due course.

#### APPOINTMENT OF REGISTRAR, CALCUTTA HIGH COURT.

210. THE HONOURABLE SARDAR BUTA SINGH (on behalf of the Honourable Mr. Satyendra Chandra Ghosh Maulik): Will Government be pleased to state whether any Indian member of the Indian Civil Service has ever been appointed as Registrar of the Calcutta High Court ? If not, why ?

THE HONOURABLE MR. M. G. HALLETT: The answer to the first clause is in the negative. The Registrar is selected by the Honourable the Chief Justice

who has no doubt invariably chosen the officer whom he considered most suitable.

#### ACCIDENTS ON THE EAST INDIAN RAILWAY.

211. THE HONOURABLE SARDAR BUTA SINGH (on behalf of the Honourable Mr. Satyendra Chandra Ghosh Maulik) : (a) Will Government be pleased to state the number of accidents that have happened on the East Indian Railway during the last year ?

(b) Whether the East Indian Railway had to pay any compensation in any of these cases of accidents ?

THE HONOURABLE MR. M. W. BRAYSHAY : The information has been called for from the Agent, East Indian Railway, and will be communicated to the Honourable Member when received.

#### WHEAT PRICES.

212. THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA : (1) (a) Is it a fact that wheat prices have suddenly fallen by more than a rupee per maund on account of large imports of American wheat ?

(b) If it is so, what action does Government contemplate to give protection to one of the chief agricultural products of India ?

(2) (a) Is Government aware that any further fall in prices of wheat will tend to aggravate the present agricultural crisis and may lead to undesirable consequences ?

(b) Will Government be pleased to make all possible efforts to stabilise the present wheat prices and at any rate to prevent prices going down any further ?

THE HONOURABLE KHAN BAHADUR MIAN SIR FAZL-I-HUSAIN : (1) (a) No. The price of wheat f. o. r. Lyallpur on the 7th September was Rs. 2-7-6 per maund. The price for the corresponding week in August was Rs. 2-13-6 and for the corresponding week in May Rs. 2-14-0. The total quantity of foreign wheat imported into India from the end of June to the 9th September was only 21 tons.

(b) Does not arise.

(2) (a) The present trend of the price of wheat does not indicate any grounds for anxiety. The harvest time prices for wheat in 1933 were substantially higher than those for the two preceding years and all three harvests were good. The actual figures for price of wheat f. o. r. Lyallpur are as follows :

		1931.	1932.	1933.
		Rs. a. p.	Rs. a. p.	Rs. a. p.
1st week in April	.. ..	1 14 0	2 1 0	3 3 6
1st week in May	.. ..	1 11 0	1 15 6	2 14 0
1st week in June	.. ..	1 9 6	2 3 6	2 13 0

(b) As the Honourable Member is doubtless aware, foreign wheat is required to pay an import duty of Rs. 2 per cwt. The protection afforded by the imposition of this duty has proved effective and Indian wheat prices are far above world parity.

## SHORT NOTICE QUESTION AND ANSWER.

### REPORT OF THE JOINT SELECT COMMITTEE.

THE HONOURABLE THE PRESIDENT: There is a short notice question by the Honourable Rai Bahadur Lala Mathura Prasad Mehrotra. I understand that the Honourable Member of Government in charge has no objection and the Chair will permit the question to be put.

213. THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA: (1) Has the attention of Government been drawn to a Reuter's telegram, dated 11th September, 1933, stating that "the Joint Select Committee's Report will not be ready till 1934"?

(2) (a) Will Government be pleased to state if it is correct?

(b) If answer to part (a) is in the affirmative how long will the Reforms be delayed and when is it now expected that the new constitution both Provincial and Central will be inaugurated?

THE HONOURABLE KHAN BAHADUR MIAN SIR FAZL-I-HUSAIN: (1) Yes.

(2) (a) The Joint Select Committee has made no statement as to the date by which its report may be expected. It follows that anticipations in the press and elsewhere are in the nature of speculation only.

(b) Does not arise.

### STATEMENTS LAID ON THE TABLE.

THE HONOURABLE MR. M. W. BRAYSHAY: Sir, I beg to lay on the table the information promised in reply to question No. 3 asked by the Honourable Rai Bahadur Lala Ram Saran Das on the 16th February, 1933, regarding the earnings from surcharge on coal and the quantity of coal carried.

#### SURCHARGE ON FREIGHT LEVIED ON STEAM COAL AND HARD COKE.

The total tonnage of public coal, subject to the 15 per cent. surcharge, carried during the month from 1st February, 1932 to 31st January 1933 and the total earnings derived therefrom on the Bengal Nagpur, East Indian and Great Indian Peninsula Railways are as follows:

<i>Railways.</i>	<i>Tons.</i>	<i>Earnings.</i>
		Rs.
Bengal Nagpur Railway .. .. .	1,982,866	59,47,021
East Indian Railway .. .. .	5,787,016	2,74,29,620
Great Indian Peninsula Railway .. .. .	*1,398,155	52,07,202
Total .. .. .	9,168,037	3,85,83,843

\*Represents total public coal traffic including that subject to surcharge.

THE HONOURABLE MR. J. B. TAYLOR: Sir, I lay on the table the information promised in reply to question No. 171 asked by the Honourable Mr. Jagadish Chandra Banerjee on the 11th September, 1933, and question No. 174 asked by the Honourable Mr. Jagadish Chandra Banerjee on the 11th September, 1933.



**ASSISTANT COMMISSIONERS OF INCOME-TAX, BENGAL.**

(a) A statement is laid on the table.

(b) The Government do not intend to make such a rule.

(c) The present Assistant Commissioners, Calcutta and Headquarters, have for a short time held charge of a preponderatingly Marwari district of Calcutta.

*Statement showing the period for which the present Assistant Commissioners of Income-tax, Bengal, served as Income-tax Officers in charge of general districts.*

Names.	Period of service as Income-tax Officer of general districts.
1. Khan Bahadur A. Rahman .. ..	About four months.
2. Rai Bahadur S. N. Banerjee ..	About four months.
3. Mr. N. N. Chakravarty .. ..	One year and nine months.
4. Mr. W. A. Phillippe .. ..	About nine years.

**INCOME-TAX OFFICERS, ETC., IN THE INCOME-TAX DEPARTMENT, BENGAL.**

(a) and (b). Two statements are laid on the table. Details regarding inferior staff are not readily available and cannot be given without undue labour.

(c) Ministerial officers for the offices of the Commissioner and Assistant Commissioners are selected from suitable personnel in subordinate offices ; while the communal proportions are observed with regard to the departmental establishment as a whole.

(a) *Statement showing the number of Income-tax Officers, etc., in the Income-tax Department, Bengal, and the number of Hindus, Muhammadans and Christians on 1st April, 1922, 1st April, 1931 and 1st April, 1933.*

	1st April, 1922.			1st April, 1931.			1st April, 1933.		
	Hindus.	Muhammedans.	Christians.	Hindus.	Muhammedans.	Christians.	Hindus.	Muhammedans.	Christians.
Income-tax Officers ..	5	..	3	25	8	2	24	8	2
Additional Income-tax Officers.	Not in existence then.			15	8	1	13	8	1
Examiners of Accounts ..		Do.		17	11	5	18	11	4
Assessors .. ..	3	2	2	11	5	1	11	5	1
Ministerial Officers ..	68	20	1	245	138	2	240	142	2

(b) *Statement showing the number of Muhammadan ministerial officers in the offices of the Commissioner and Assistant Commissioners of Income-tax, Bengal, range by range.*

Commissioner's Office .. .. .	1
Assistant Commissioner, Headquarter's Office .. .. .	2
Assistant Commissioner, Calcutta's Office .. .. .	..
Assistant Commissioner, Dacca's Office .. .. .	2
Assistant Commissioner, Rajshahi's Office .. .. .	1

**BILL PASSED BY THE LEGISLATIVE ASSEMBLY LAID ON THE TABLE.**

**SECRETARY OF THE COUNCIL:** Sir, in pursuance of rule 25 of the Indian Legislative Rules, I lay on the table copies of the Bill to constitute a Medical Council in India, which was passed by the Legislative Assembly at its meeting held on the 20th September, 1933.

**DANGEROUS DRUGS (AMENDMENT) BILL.**

**THE HONOURABLE MR. J. B. TAYLOR (Finance Secretary):** Sir, I move :

"That the Bill to amend the Dangerous Drugs Act, 1930, for certain purposes, as passed by the Legislative Assembly, be taken into consideration".

Twelve months ago, Sir, this House ratified a Convention passed at Geneva for the further regulation of dangerous drugs. In the speech which I made on that occasion, I pointed out the object of that Convention, which was to tighten up the control over various dangerous narcotics such as the derivatives of opium and cocaine. The first part of the present Bill is designed to give effect to this ratification. The Dangerous Drugs Act, in clause 2(g), empowers the Government to regulate by notification in "pursuance of a finding under Article 8 of the Geneva Convention" and we ask that in future such regulation should also be in pursuance of any International Convention supplementing the Geneva Convention. Any such International Convention will of course be brought before both Houses of the Legislature before ratification before any legislative action is taken in accordance with it.

The second part of the Bill deals with a lacuna in the Dangerous Drugs Act of 1930. As this House is aware, the administration of dangerous drugs is in the hands of Local Governments, but the legislation is central in order that we may more easily comply with International Conventions on the subject. Clause 3 of the Bill is designed to give Local Governments power to regulate the quantity of prepared opium which individuals may possess, a provision which through inadvertence was overlooked at the time when the Dangerous Drugs Act of 1930 was being passed. I do not think, Sir, that there will be any criticism in this House of these two clauses. As regards the first, it has already been ratified and as regards the second, the defect was pointed out to us at the time, but we did not consider it of sufficient importance to require legislation until we could include it with some other amendment.

Sir, I move.

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

THE HONOURABLE MR. J. B. TAYLOR : Sir, I move :

“That the Bill to amend the Dangerous Drugs Act, 1930, for certain purposes, as passed by the Legislative Assembly, be passed.”

The motion was adopted.

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### STATEMENT OF BUSINESS.

THE HONOURABLE KHAN BAHADUR MIAN SIR FAZL-I-HUSAIN (Leader of the House) : Sir, the only business which remains for the House is the motion for the consideration and passing of the Bill which has been laid on the table today. Honourable Members are, I believe, anxious to leave Simla as early as possible, subject of course to the overriding necessity of the business before the House. Therefore, I believe, Sir, I am voicing their feeling in requesting your permission that the requirement under the Standing Orders in respect of the period of notice may be dispensed with and this Bill be taken up tomorrow. That will enable them to leave Simla tomorrow afternoon.

THE HONOURABLE THE PRESIDENT : Many Honourable Members have expressed their desire to leave Simla as early as possible on account of the forthcoming important Hindu holidays and I therefore entirely approve of the suggestion made by the Honourable the Leader of the House and I propose to take up this Bill tomorrow morning at 11 o'clock and I will suspend the operation of Standing Order 37 in order to enable the Council to proceed with it.

THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA (United Provinces Central : Non-Muhammadan) : Sir, may I know what will be the time for handing in amendments ? There are only 20 hours left between now and the beginning of the meeting tomorrow so I would request you, Sir, to allow us to move amendments when the clauses are taken up.

THE HONOURABLE KHAN BAHADUR MIAN SIR FAZL-I-HUSAIN : If there are any amendments that the Honourable Members wish to move if they will be good enough to let me have them before 11 o'clock tomorrow, I shall be very glad indeed to meet them and to have them discussed.

THE HONOURABLE THE PRESIDENT : Though this Bill has been laid on the table just now, Honourable Members have had it and the report of the Select Committee about eight days ago and they are in full possession of this Bill. Moreover, I understand that no alteration has been made by the other House in this Bill which was presented with the report of the Select Committee. However, I will permit amendments to be forwarded to the Honourable Member in charge and to the President before 10 o'clock tomorrow morning.

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The Council then adjourned till Eleven of the Clock on Thursday, the 21st September, 1933.