

4th February 1930

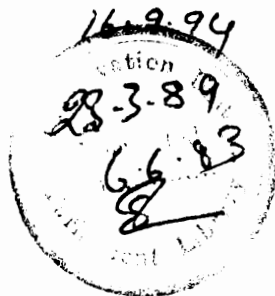
THE
LEGISLATIVE ASSEMBLY DEBATES
(Official Report)

Volume I, 1930

(20th January to 24th February, 1930)

SIXTH SESSION
OF THE
THIRD LEGISLATIVE ASSEMBLY, 1930

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DELHI
GOVERNMENT OF INDIA PRESS
1930

Legislative Assembly.

President :

THE HONOURABLE MR V. J. PATEL.

Deputy President :

MAULVI MUHAMMAD YAKUB, M.L.A.

Panel of Chairmen :

PANDIT MADAN MOHAN MALAVIYA, M.L.A.

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

SIR DARCY LINDSAY, KT., C.B.E., M.L.A.

SIR ZULFIQAR ALI KHAN, KT., C.S.I., M.L.A.

Secretary :

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

Assistant of the Secretary :

RAI SAHIB D. DUTT.

Marshal :

CAPTAIN SURAJ SINGH BAHADUR, I.O.M.

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LEGISLATIVE ASSEMBLY.

Tuesday, 4th February, 1930.

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

QUESTIONS AND ANSWERS.

INFECTED GARMENTS RETURNED BY THE ORDNANCE CLOTHING DEPARTMENT.

204. ***Mr. Abdul Latif Sahib Farookhi**: What is the remedy followed by the Ordnance Clothing Department for garments returned made up by the contractors during an epidemic season, that is when cholera or small-pox breaks out in the city? Will that remedy prove effective in the case of stained garments which may be infected by venereal diseases?

Mr. G. M. Young: The information is being obtained and will be furnished to the Honourable Member in due course.

GRANT OF A GRATUITY TO TEMPORARY COMMISSIONED MEDICAL OFFICERS.

205. ***Mr. Lalchand Navalrai**: (a) What compensation do temporary commissioned medical officers get from Government when they are thrown out of the service?

(b) Is it a fact that there is a similar temporary service in England in the Royal Army Medical Corps and Royal Navy?

(c) If the reply to part (b) is in the affirmative, is it a fact that they get a gratuity of £800 after three years' service? If not, how much do they get?

(d) Do Government propose, in view of the hardship to such Indian medical officers owing to being discharged after serving for a number of years, to provide gratuity or bonus for them on termination of their temporary commission?

(e) If the answer to part (d) be in the negative, will Government be pleased to state full reasons for not extending a reasonable concession to such temporary officers after their having done so useful a service?

Mr. G. M. Young: (a) There is no question of compensation. Temporary officers are engaged on contracts renewable yearly. The terms offered are by no means unattractive. The rates of pay and allowances are the same as in the permanent service.

(b) and (c). Government have no information of the practice in the Royal Navy. In the Royal Army Medical Corps there is a system of temporary officers whose services are liable to termination at one month's notice on either side. No gratuity is paid.

(d) The answer is in the negative, nor do Government admit that there is any hardship.

(e) For the reasons given in my reply to part (a).

Mr. Lalchand Navalrai: Will the Honourable Member be pleased to say if these temporary commission people are going to be retained after they put in five years' service?

Mr. G. M. Young: If they are selected for permanent commissions, Sir, they are retained.

THE ROUND TABLE CONFERENCE.

206. ***Mr. Mukhtar Singh** (on behalf of Pandit Thakur Das Bhargava):

(a) Will Government be pleased to state when the proposed Round Table Conference is going to be held and how its personnel is going to be selected or elected?

(b) Is it a fact that the Government had decided to grant an amnesty to political prisoners in case the Indian National Congress made a gesture for participation in the Round Table Conference?

(c) Has any correspondence passed between the Secretary of State for India and the Government of India in respect of the proposed Round Table Conference, and if so, will Government be pleased to lay the same on the table?

The Honourable Sir James Orerar: (a) I have nothing to add to the information which His Excellency gave to the House in his address on the 25th January regarding the time when the proposed Conference will be held and its personnel.

(b) No. The Honourable Member's attention is invited to the reply which I gave to his question No. 194 on the 29th January.

(c) Government are not in a position to lay any papers on the table.

RECRUITMENT OF POLITICAL OFFICERS.

207. ***Dr. B. S. Moonje:** (a) Will Government be pleased to state if a system of competitive examinations to be held in India will be established for the recruitment of Indians as Political Officers for services in the Indian States as Residents and Political Agents?

(b) What is the present system of recruitment of such Political Officers?

(c) Will Government be pleased to lay on the table a copy of the rules and regulations that may be in force at present in connection with the recruitment of these Political Officers?

Mr. E. B. Howell: (a) and (b). There is no present intention of abandoning the existing system of recruitment, which is by selection by His Excellency the Viceroy from amongst junior members of the Indian Civil Service and junior officers of the Indian Army holding the King's Commission. Provincial Civil Service officers also are selected in cases of exceptional merit.

(c) Copies of the latest rules regulating the admission of Civil and Military officers to the Political Department are laid on the table.

Rules regulating the admission of junior members of the Indian Civil Service to the Political Department of the Government of India (vide Notifications No. 3104-Est. A., dated the 6th October, 1910, and No. 724-Est. A., dated the 15th April, 1915).

1. All applications for employment in the Political Department should be submitted officially through the proper channels, with information in the form attached. Such application will be considered in the Foreign and Political Department, and each candidate will be duly informed, through the Local Government under which he is serving, of the result of his application.

2. The choice of probationers will ordinarily be made from officers of not more than three or four years' service, but the Viceroy reserves full discretion to select any officer of any standing.

2-A. In making selections much weight will be given to linguistic attainments, Urdu, Hindi, Persian, Pushtu, Arabic, Russian especially in the languages specified in the margin, and French.

3. A married officer will not ordinarily be eligible for admission to the Political Department and the name of an accepted candidate will ordinarily be removed from the list in the event of his marriage.

4. Officers selected for employment in the Political Department will be required to undergo a medical examination.

5. An officer selected for the Political Department will be on probation for a period of three years. During this period, reports on his work and general suitability for the Department will be submitted once every six months, through the proper channels by the Political Officer under whom he is serving. Should any officer marry during this period he will ordinarily revert to his Province.

6. An officer will, on selection, be posted for six months to a Native State or a Frontier District for training in political or frontier work. At the end of this period his general knowledge of Indian History and Political subjects or frontier conditions will be tested by examination which will be both oral and in writing and include questions on the following works :

For officers under training in a Native State.

- (a) Lyall's "Rise and Expansion of the British Dominion in India".
- (b) The introduction to Aitchison's Treaties for Central India or Rajputana as the case may be.
- (c) The Political Department Manual.

For officers under training on the Frontier.

- (a) Lyall's "Rise and Expansion of the British Dominion in India".
- (b) The introduction to Aitchison's Treaties in regard to Afghanistan.
- (c) Articles in the Imperial Gazetteer on the North-West Frontier Province and Baluchistan.

Candidates will also be expected to have some knowledge of standard works bearing on the country in which they are serving, *i.e.*, in the case of :

Native States.—Tod's *Rajasthan*, Malcolm's "Central India," Sleeman's "Rambles and Recollections," Lyall's "Asiatic Studies;" and in the case of :

The Frontier.—Edwards' "Year on the Punjab Frontier," Thornton's "Life of Sir Robert Sandeman," Chirrol's "The Middle Eastern Question".

7. An officer will not be confirmed in the Political Department unless he can speak Urdu fluently and in a manner befitting the occasion.

Information to be supplied by a member of the Indian Civil Service who is a candidate for Political employ.

- | | |
|---|----|
| 1. Name and profession of father | 1. |
| 2. Where educated | 2. |
| 3. University honours and distinctions | 3. |
| 4. Language qualifications, stating degree of proficiency and examination (if any) passed in each. | 4. |
| 5. Brief statement of how and where service has been passed. | 5. |
| 6. Whether married or single | 6. |
| 7. Names of any near relatives who have served or are serving in India. | 7. |
| 8. Names of persons, other than immediate superiors, who can testify to character and qualifications. | 8. |

Dated the of 19 .

Information to be supplied by his immediate superiors respecting an applicant for Political employ.

(This form should be forwarded through the Local Government, for transmission, with remarks, to the Secretary to the Government of India in the Foreign and Political Department.)

- | | |
|---|-----|
| 1. How long have you been acquainted with
? | 1. |
| *2. Is he popular— | 2. |
| (a) with his brother British officers and
in society generally ? | (a) |
| (b) with those Natives of India with
whom his duties or relations
bring him into contact ? | (b) |
| *3. Do you consider that he shows tact in
dealings with Natives of India ? | 3. |
| 4. Give a Medical Officer's opinion respecting
his physique and general health. | 4. |
| 5. Is he of active habits and proficient in
field sports ? | 5. |
| 6. Is he a good, bad or indifferent horseman ? | 6. |
| *7. Do you consider him to be in general
ability above, up to, or under the
average of his rank and service ? | 7. |
| 8. Has in any way
specially distinguished himself ? | 8. |
| *9. Add any general remarks you may have
to offer in respect to his ability,
character, etc. | 9. |

*It will be convenient if reasons are given for the replies to these questions, which should usually be answered in some detail.

Rules regulating the admission of junior military officers to the Political Department of the Government of India (vide Notifications No. 2016-Est. A., dated the 31st August, 1914, and No. 195-Est. A., dated the 25th January, 1916).

1. All applications for employment in the Political Department should be submitted officially through the proper channels, with information in the form attached. Such applications will be considered by the Government of India in the Foreign and Political Department, and each candidate will be duly informed, through the military authorities, of the result of his application. Applications should not be submitted until the applicant has passed all the prescribed examinations for admission to the Indian Army, and officers will not be appointed to the Department until they have qualified for promotion to the rank of Captain.

Officers are not ordinarily eligible for appointment to the Political Department if they are married.

2. The name of an accepted candidate for the Political Department will ordinarily be removed from the list (a) in the event of his marriage; or (b) if he should obtain any other permanent extra-regimental employ, e.g., in the Military Accounts Department; or (c) when he completes seven years' army service; or attains the age of twenty-seven years.

3. In making selections much weight will be given to linguistic attainments, especially Urdu, Hindi, Persian, in the languages specified in the margin.
Pushtu, Arabic, Russian and French.

4. Officers selected for employment in the Political Department will be required to undergo a medical examination.

5. First appointments to the Political Department will ordinarily be made with effect from the 1st April in each year; and all officers, who are appointed to the Department, will be on probation for a period of not less than three years, from the date of first appointment. No officer will ordinarily be confirmed in the Department unless he is free from debt.

6. An officer, on first appointment to the Political Department will, as a general rule, be attached to a district in the United Provinces of Agra and Oudh for a period of not less than eighteen months, to undergo a course of training in revenue and judicial work similar to that prescribed for Assistant Collectors in that Province, and to acquire proficiency in Urdu. During this period he will be required to pass a departmental test, which will be identical with that prescribed for members of the Indian Civil Service in the United Provinces, except that (1) the use of books will be allowed in all subjects, except in Urdu and in Treasury and Accounts, (2) probationers will not be expected to pass the local examination in Hindi. Particular importance will be attached to a probationer's ability to speak Urdu fluently and in a manner befitting the occasion.

NOTE.—An officer who has passed the Proficiency examination in Urdu will be exempted from further examination in that language while undergoing training in the United Provinces.

7. Should an officer fail to pass the departmental examination within the period of his training, he will ordinarily revert to military duty.

8. On the expiry of the period of preliminary training, a probationer will be posted for six months to a Native State or a Frontier District for training in political or frontier work. At the end of this period, his general knowledge of Indian History and Political subjects or frontier conditions will be tested by examination, which will be both oral and in writing and include questions on the following works :

For officers under training in a Native State.

- (a) Lyall's "Rise and Expansion of the British Dominion in India."
- (b) The introduction to Aitchison's Treaties for Central India or Rajputana as the case may be, and
- (c) The Political Department Manual.

For officers under training on the Frontier.

- (a) Lyall's "Rise and Expansion of the British Dominion in India."
- (b) The introduction to Aitchison's 'Treaties in regard to Afghanistan.
- (c) Articles in the Imperial Gazetteer on the North-West Frontier Province and Baluchistan.

Candidates will also be expected to have some knowledge of standard works bearing on the country in which they are serving, i.e., in the case of :

Native States.—Tod's *Rajasthan*, Malcolm's "Central India," Sleeman's "Rambles and Recollections," Lyall's "Asiatic Studies;" and in the case of :

The Frontier.—Edward's "Year on the Punjab Frontier," Thornton's "Life of Sir Robert Sandeman," Chirol's "The Middle Eastern Question."

9. During the period of an officer's probation, reports on his work and general suitability for the Political Department will be submitted once every six months, through the proper channels, by the Collector or Political Officer under whom he is serving. Should an officer marry during this period he will ordinarily revert to military duty.

10. Nothing in these rules shall interfere in any way with the absolute discretion of the Viceroy to select any officer for the Political Department.

Information to be supplied by a candidate for Political employ.

1. Name and profession of father . . .	1.
2. Date of candidate's birth . . .	2.
3. Where educated. Length of stay at school. Highest form reached and distinctions gained there. Place in Sandhurst, entrance and final examinations. Prizes won there.	3.
4. Language qualifications stating degree of proficiency and examinations (if any) passed in each.*	4.
5. Whether qualified for promotion to the rank of Captain.†	5.
6. Brief statement of how and where army service has been passed.	6.
7. Particulars as to any active service in the field.	7.
8. Whether married or single . . .	8.
9. Whether free from debt . . .	9.
10. Names of any near relatives who have served or are serving in India.	10.
11. Names of persons other than immediate military superiors who can testify to character and qualifications.	11.

* Particulars of language examinations passed after submission of this application should be reported without delay, through the usual channel, to the Secretary to the Government of India in the Foreign and Political Department.

† Accepted candidates who have not so qualified should report to the Secretary to the Government of India in the Foreign and Political Department through the usual channel, as soon as they pass the examinations for promotion.

Information to be supplied by the Officer Commanding *Regiment*
respecting Lieutenant *, an applicant for Political employ.*

[This form should be forwarded through the proper channel, for transmission, with remarks, to the Military Secretary to His Excellency the Commander-in-Chief in India, by whom it will be transferred to the Secretary to the Government of India in the Foreign and Political Department.]

- | | |
|---|-----|
| 1. How long have you been acquainted with Lieutenant _____ ? | 1. |
| *2. Would you recommend him for the appointment of Adjutant ? | 2. |
| *3. Do you consider him suited for Staff employ ? | 3. |
| *4. Is he popular— | 4. |
| (a) with his brother British officers, and | (a) |
| (b) with the Native ranks ? | (b) |
| 5. Do you consider that he shows tact in dealing with Natives of India ? | 5. |
| 6. Give the Medical Officer's opinion respecting his physique and general health. | 6. |
| 7. Is he of active habits and proficient in field sports ? | 7. |
| 8. Is he a good, bad or indifferent horseman ? | 8. |
| *9. Do you consider him to be in general ability above, up to, or under the average of his rank and service ? | 9. |
| 10. Has Lieutenant _____ in any way specially distinguished himself ? | 10. |
| *11. Add any general remarks you may have to offer in respect to his ability, character, etc. | 11. |

*It will be convenient if reasons are given for the replies to these questions, which should usually be answered in some detail.

FACTORIES FOR THE MANUFACTURE OF ARMS AND AMMUNITION.

208. *Dr. B. S. Moonje: (1) Will Government please state if there are Government and non-official factories in India for the manufacture of rifles and sporting guns, revolvers and pistols and also for the manufacture of ammunition for these firearms?

(2) If so, will Government please state:

(a) how many Government and how many non-official factories there are; and

(b) the names and addresses of these factories?

(3) Is there any provision made for admitting non-official apprentices for training with or without remuneration in these Government factories?

(4) If the reply to part (3) be in the negative, do Government propose to make this provision?

Mr. G. M. Young: The Government of India have no information regarding private factories, but inquiries have been made and the result will be communicated to the Honourable Member in due course. As regards Government factories, the answer is:

(1) Yes, there are Government factories for the manufacture of rifles and ammunition.

(2) Two. The Rifle Factory, Ishapore, and the Ammunition Factory, Kirkee.

(3) Yes, Sir. A scheme for the vocational training of boy artisans and apprentices is already in force. They are recruited periodically through a competitive examination open to the public, and undergo a 5 years' course of training with remuneration.

(4) Does not arise.

PAY OF THE NON-GAZETTED STAFF OF THE AUDIT OFFICE, INDIAN STORES DEPARTMENT.

209. *Lala Rang Behari Lal: 1. Will Government be pleased to state the date on which the memorials from the non-gazetted staff of the Audit Office, Indian Stores Department, praying for the continuance of the special pay attached to their posts, were received in the office of the Auditor General?

2. Is it a fact:

(a) that the memorialists mentioned in part 1, despairing of any decision, addressed a second memorial to His Excellency the Viceroy praying that the orders reducing their special pay might be held in abeyance pending a decision on their former memorials?

(b) that having failed to elicit any reply the memorialists refused to accept pay until their case was decided but continued to do their duties as faithfully as before?

(c) that there was abnormal delay on the part of the late Auditor General in submitting the memorials to the Government of India?

(d) that the memorials in question were not submitted by the late Auditor General to the Government of India until after the memorialists had acted in the manner referred to in part 2 (b) above?

3. (a) Is it a fact that only two-fifths of the special pay originally sanctioned for the non-gazetted staff of the Audit Office, Indian Stores Department, has been retained subject to the condition, that, if the growth of work which is stated to be spasmodic and abnormal at present, is proved to have become regular and normal in the meantime, then two-fifths of the special pay will also be wholly and finally withdrawn from 1st September, 1931?

(b) If the reply to part 3 (a) be in the affirmative, will Government be pleased to quote another instance from the history of Government service in India in which the staff of a civil accounts office were subjected to a similar condition in the past?

4. Will Government be pleased to state whether they are aware that the Government of India orders contained in Finance Department letter No. F./15/IX/R. 11/28, dated the 25th February, 1929, have created, among the staff of the Audit Office, Indian Stores Department, a sense of uncertainty and constant anxiety about their future?

5. Will Government be pleased to lay on the table complete proceedings originating with the sanction of a special pay for the non-gazetted staff of the Audit Office, Indian Stores Department, and leading up to the issue of orders on their memorials praying for the continuance of the special pay?

The Honourable Sir George Schuster: 1. 7th June, 1929.

2. (a) The memorialists submitted a second memorial on the 31st August, 1929. The first memorial was then still under consideration.

(b) Government cannot say what the motive of the memorialists was. They acted as stated by the Honourable Member, and were immediately informed that their case was before the Government of India.

(c) No.

(d) The Finance Department had been apprised of the situation informally at an early stage. The memorialists, however, took the action to which the Honourable Member refers before the Auditor General had had sufficient time in which to consider adequately the various issues which the memorials had raised.

3. (a) The Honourable Member's version of the Government orders is sufficiently correct.

(b) So far as I know, there has never been an instance possessing similar features.

4. No. On the contrary, the assistants of the Audit Office, Indian Stores Department, reported to the late Auditor General, after the orders issued, their deep-seated loyalty and their gratitude to him for all that he had done on their behalf in the past. They asked the Auditor General to forgive them for their hasty action.

5. The answer is in the negative.

EXEMPTION OF MUSSALMANS FROM THE OPERATION OF THE CHILD MARRIAGE RESTRAINT ACT.

210. ***Khan Bahadur Makhdum Syed Rajan Bakhsh Shah:** (a) Will Government please state whether a unanimously passed Fatwa of Jamiat-ul-Ulma Hind, which is a recognised religious Muslim association in India, has been received by the Government, requesting that the Muslim community be exempted from the operations of the Sarda Marriage Act?

(b) Are Government aware that a severe agitation is prevailing in the Muslim atmosphere throughout India against the Sarda Act and that the Mussalmans are constrained to use the weapon of civil disobedience for non-compliance with the Sarda Act provisions? If so, are Government prepared to consider the question of exemption of the Muslim community from the operations of the Sarda Marriage Act? If not, how do Government propose to redress the grievances of the Mussalmans against this Act?

The Honourable Sir James Crerar: (a) Yes.

(b) Government are aware that there is considerable feeling among Muslims regarding the provisions of the Act. They trust, however, that the difficulties at present felt may be resolved on fuller discussion and consideration of the problem.

POWERS OF THE FINANCIAL COMMISSIONER OF RAILWAYS.

211. ***Pandit Hirday Nath Kuneru:** (a) Is it a fact that the Honourable the Finance Member exercises much less control over the Railway Accounts Service than over the Indian Audit and Accounts Service, and that in respect of the former the Financial Commissioner of Railways exercises even the powers which in the case of the Indian Audit and Accounts Service are exercised only by the Governor General in Council?

(b) Is it a fact that no administrative head of any other superior service has such extensive powers?

(c) If so, are Government prepared to take early action to assimilate the post of Financial Commissioner, Railways, to that of heads of other departments?

The Honourable Sir George Rainy: (a) In accordance with clause (a) of the Resolution passed by the Legislative Assembly on the 15th September, 1925, on each railway system, where accounts have been separated from audit, the accounting staff is under the orders of the Financial Commissioner of Railways for the purpose of appointments, promotions and transfers. Officers of the Railway Accounts service are railway officers on a par with officers in the superior revenue establishment of State Railways. The question whether appointments, promotions and transfers to certain of the higher posts in the Railway Accounts Department should be referred to the Railway and Finance Members is being considered.

(b) No head of a Department under the Government of India has similar powers.

(c) The Financial Commissioner of Railways is not the head of the Railway Accounts Department; that position is held by the Controller of Railway Accounts.

Pandit Hirday Nath Kuneru: Will the Honourable Member repeat his reply to part (c) which I could not hear?

The Honourable Sir George Rainy: The Financial Commissioner of Railways is not the head of the Railway Accounts Department; that position is held by the Controller of Railway Accounts.

Pandit Hirday Nath Kunzru: Is it a fact nevertheless that in regard to all the matters to which the Honourable Member referred in his reply the Financial Commissioner exercises much more powers than, say the Auditor General, in regard to posts in Class I of the Indian Audit Service?

The Honourable Sir George Rainy: I think that point arises in connection with a subsequent question put by the Honourable Member. It will be covered by one of the answers which I am about to give.

PROMOTIONS IN THE RAILWAY ACCOUNTS SERVICE.

212. ***Pandit Hirday Nath Kunzru:** (a) Is it a fact that in the Indian Audit and Accounts Service, all promotions to selection grade posts require the approval of the Governor General in Council and that even the postings and transfers of officers filling selection grade posts cannot be made by the Auditor General without the approval of the Finance Department?

(b) Is the approval of the same authorities obtained in the case of promotions and postings of selection grade officers of the Railway Accounts Service?

(c) If the answer to (b) be in the negative, will Government state if they propose to adopt the same procedure in the case of the Railway Accounts Service as has been in force for officers in the case of the Railway Audit Service?

(d) If Government do not propose to do so, will they state what control they propose to exercise over the Railway Accounts Service and in what manner?

The Honourable Sir George Rainy: (a) Yes, except that the Auditor General can grant any officer in Class I of the Indian Audit Department any leave that may be admissible under rule and, subject to the control of the Governor General in Council, may transfer any such officer.

(b), (c) and (d). The procedure is not at present the same for the Railway Accounts Service, but, as I have explained in my answer to the Honourable Member's previous question, the matter is under consideration.

POWERS OF THE FINANCIAL COMMISSIONER OF RAILWAYS.

213. ***Pandit Hirday Nath Kunzru:** (a) Is it a fact that the powers of all authorities in India, from the Governor General in Council downwards, have been defined?

(b) Is it a fact that, although the Railway Accounts Department has been placed under the control of the Financial Commissioner in his individual capacity, his powers in respect of this Department have been nowhere defined?

(c) Is it a fact that the result of this arrangement is that he exercises far more powers of sanctioning expenditure in the Railway Accounts Department than the Auditor General does in respect of the Indian Audit Department?

(d) Is it a fact that in some respects these powers are even more extensive than those exercised by the Governor General in Council in respect of the Indian Audit Department?

(e) If the answers to the above be in the affirmative, will Government state reasons for these differences and are they prepared to take immediate steps to remove them?

The Honourable Sir George Rainy: (a) Generally speaking this is correct.

(b) No. Under the arrangements sanctioned by the Secretary of State, the Financial Commissioner of Railways is vested with the full powers of the Government of India to sanction railway expenditure, subject to the general control of the Finance Member, to whom he has direct access. These powers have been defined in the Government of India, Finance Department Resolution No. F.-102-F. of the 21st June, 1926, a copy of which is in the Library, and apply to all railway establishments, including the railway accounts establishment.

(c) Yes, but the position of the Financial Commissioner, Railways, does not correspond to that of the Auditor General; it corresponds with regard to railway expenditure more closely to that of the Finance Secretary with regard to other expenditure of the Government of India.

(d) Yes. For the Governor General in Council has larger powers to sanction expenditure on railways without reference to the Secretary of State than on other Central subjects.

(e) For the reasons why the powers of the Governor General in Council to sanction expenditure on railways are more extensive, I would refer the Honourable Member to paragraph 125 and the following paragraphs of the Acworth Committee's Report, and for the reasons why these powers are, subject to the general control of the Finance Member, exercised by the Financial Commissioner of Railways instead of the Finance Secretary, to paragraphs 58, 113 and 114 of the Report. It was on a careful consideration of these recommendations that the present duties and responsibilities of the Financial Commissioner of Railways were assigned to him.

Pandit Hirday Nath Kunzru: Is it a fact that the Acworth Committee in the paragraphs to which the Honourable Member has referred generally recommended that the Financial Commissioner should be independent of the control of the Finance Department?

The Honourable Sir George Rainy: I think the Honourable Member has raised a rather complicated question. I do not know if he quite followed my answer.

Pandit Hirday Nath Kunzru: May I assure the Honourable Member that I read the paragraphs in question this morning before I came to the House?

The Honourable Sir George Rainy: Then I am quite content to take the information from the Honourable Member.

Pandit Hirday Nath Kunzru: Is the Honourable Member aware that neither the first nor the second Assembly accepted the principles mentioned in the paragraphs to which the Honourable Member has referred in his reply?

The Honourable Sir George Rainy: I am afraid I cannot give an answer without notice.

Pandit Hirday Nath Kunzru: Is it a fact that, when the separation of Railway Accounts was given effect to in 1924, the Assembly considered that the control of the Finance Department over the Financial Commissioner would be real and not as general and, if I may say so, as illusory as the Honourable Member has represented it to be.

The Honourable Sir George Rainy: I think the opinion entertained by the Assembly at that time could only be determined from the Resolution that was then passed by the Assembly. I should hesitate to endorse what the Honourable Member has suggested as regards the views of the Assembly.

Pandit Hirday Nath Kunzru: Is it a fact that the Assembly and the Public Accounts Committee have asked for a stricter control of the Finance Department over the Financial Commissioner?

The Honourable Sir George Rainy: I am not aware of that.

Pandit Hirday Nath Kunzru: May I ask whether the Finance Department itself is controlling the Financial Commissioner now, in response to the demands of the Public Accounts Committee, more strictly than it used to do before?

The Honourable Sir George Schuster: I am afraid I cannot answer the Honourable Member with strict reference to the demands of the Public Accounts Committee, because I have not got that particular passage in my mind, but I can tell him that the Finance Department are perfectly satisfied now with the measure of control which they can exercise over the financial policy of the Railways.

Mr. M. S. Aney: May I just ask, with reference to the reply given that the Financial Commissioner of Railways is generally subject to the control of the Finance Member, whether an appeal in regard to Railway financial matters will lie to the Honourable the Finance Member or to the Honourable the Commerce Member?

The Honourable Sir George Rainy: Appeal about what?

Mr. M. S. Aney: An appeal with regard to certain financial questions on orders from the Financial Commissioner of Railways. Will that appeal lie to the Honourable the Finance Member or to the Honourable the Commerce Member?

The Honourable Sir George Rainy: I am afraid I must ask the Honourable Member to give notice of that question, because I do not follow on what subject the appeal is supposed to be lodged.

Pandit Hirday Nath Kunzru: Is it proposed also to consider this matter along with other matters referred to in my previous question?

The Honourable Sir George Rainy: No, Sir. Naturally, if the Government of India had reason to believe that the existing system was not giving satisfactory results, they would take the whole question into consideration. But I am not prepared to give any undertaking at present that the matter will be considered along with the question about promotions and transfers, to which I referred in a previous answer.

Pandit Hirday Nath Kunzru: Why is it, Sir, that the powers of the Financial Commissioner in regard to the creation of new posts or new

classes of services should be greater than, say, those enjoyed by the Secretary to the Government of India in the Finance Department? Will the Government of India say that this delegation of control to the Financial Commissioner has not led to any complication or will not lead to any complication in the future?

The Honourable Sir George Rainy: The present system under which we are working, by which very large powers to sanction expenditure are delegated to the Financial Commissioner of Railways, subject to the control of the Finance Member, was adopted by the Government of India quite deliberately and for definite reasons. I think that it is quite impossible, within the limits of an answer to a supplementary question, that I should attempt to summarise these reasons.

FUNCTIONS OF THE FINANCIAL COMMISSIONER OF RAILWAYS.

214. ***Pandit Hirday Nath Kunzru:** (a) Is it a fact that the Financial Commissioner, Railways, although he is a representative of the Finance Department in the Railway Department charged with the responsibility of exercising financial control on behalf of the former over railway transactions is also a Member of the Railway Board and takes part in the day to day administration of the Railway Department and is a party to all decisions, administrative, financial, etc.?

(b) Are the arrangements in the Army and Postal Departments similar?

(c) Are Government prepared to take early steps to put an end to this anomalous position and confine the role of the Financial Commissioner to that of a vigilant representative of the Finance Department?

The Honourable Sir George Rainy: (a) In accordance with the recommendations of the Acworth Committee, the Financial Commissioner of Railways is one of the officials composing the Railway Board and takes part with the Chief Commissioner and the three Members of the Board in all business which comes before the Board. Where the subject under discussion has no financial implications, he is, like the other three Members of the Board, under the orders of the Chief Commissioner who, under the Member of Council for Railways, is solely responsible for arriving at decisions on technical questions and for advising the Government of India on matters of railway policy. Where the subject has financial implications, he has the right, should he not be in agreement with the Chief Commissioner or with the Railway Department on the financial aspect, to refer the case to the Finance Member, to whom he has free access.

(b) No.

(c) It was the Government of India who recommended the adoption of these arrangements to the Secretary of State, in order to give effect to the view at which they arrived on a consideration of the Acworth Committee's Report, that the financial control over the operations of the Railway Department must be exercised not from without but from within, and by an officer who would himself be responsible for the promotion of efficiency and economic working of the administration.

Pandit Hirday Nath Kunzru: May I ask whether the adoption of a different arrangement in the case of the Army and Postal Departments has prevented co-operation between the Financial Adviser and the administrative authorities?

The Honourable Sir George Rainy: Clearly, that is a question of which the Honourable Member should give notice. It is not possible for me off-hand to give an answer about two other Departments for which I am not directly responsible.

Pandit Hirday Nath Kunzru: May I ask, Sir, whether the representatives of the other two Departments are present in this House or not?

(No answer was given.)

Pandit Hirday Nath Kunzru: May I ask, Sir, if an arrangement were adopted in regard to the Railway Board similar to that which prevails in regard to the Army and Postal Departments, whether there would be less co-operation between the Financial Commissioner and the Railway Board in regard to financial matters?

The Honourable Sir George Rainy: The present arrangement was introduced because the Government of India were of opinion that it was most likely to conduce to efficiency and economy.

Pandit Hirday Nath Kunzru: Will the Honourable Member give any reasons in support of the view that there would be less co-operation between the Financial Commissioner and the railway authorities in case the Financial Commissioner was not a Member of the Railway Board?

The Honourable Sir George Rainy: The Financial Commissioner is not a Member of the Railway Board. He is one of the officials composing the Railway Board.

Pandit Hirday Nath Kunzru: Does he take part in the discussion of the administrative questions or not?

The Honourable Sir George Rainy: He does, Sir.

Pandit Hirday Nath Kunzru: Then in what respect he is not a Member of the Railway Board? Is it not a fact that Mr. Parsons himself said that he was a Member of the Railway Board?

The Honourable Sir George Rainy: I must ask the Honourable Member to repeat that question.

Pandit Hirday Nath Kunzru: Is it not a fact that Mr. Parsons himself has said in this House that he is a Member of the Railway Board?

The Honourable Sir George Rainy: No, Sir. We have always been very careful to choose our phraseology in this matter; but for purposes of discussion on all matters where no financial issue is involved, I quite agree that the Financial Commissioner has the same rights to participate in the discussions and the decisions as any other Member of the Railway Board. In that sense, I have no objection to the Honourable Member describing him as a Member of the Railway Board.

Pandit Hirday Nath Kunzru: If he is only a representative of the Finance Department and his business is to watch over financial questions, then why is he allowed to take part in the discussion of administrative questions?

The Honourable Sir George Rainy: I really think this matter cannot be pursued further by way of question and answer. It is quite obvious that the Honourable Member thinks that the decision which the Government

of India arrived at on this question some time ago was not the right one. He is perfectly entitled to his opinion on the subject, but I honestly do not think that we shall get very much further by this method of exploring the subject.

Pandit Hirday Nath Kunzru: Has the Honourable Member given even a single reason in support of the view that he has propounded?

(No answer was given.)

CHECKING TICKETS OF FIRST CLASS RAILWAY PASSENGERS.

215. *Khan Bahadur Sarfaraz Hussain Khan: Will Government be pleased to state whether ticket collectors and crews are entitled to examine the tickets of first class passengers in the night, and if so, from what hour to what hour?

Mr. A. A. L. Parsons: Yes, at any hour if it is thought necessary.

RECRUITMENT OF INDIAN TRADE COMMISSIONERS.

216. *Mr. Sarabhai Nemchand Haji: (a) Will Government please state if they informed the Standing Finance Committee, when it discussed the question of the appointment of Trade Commissioners, that the official scheme had been prepared after consultation with the Departmental Advisory Committee?

(b) Is it a fact that Government have decided to recruit Indian Trade Commissioners from the ranks of the services? If so, is not the decision in utter contravention of united non-official opinion in the Committee that better recruits would be available from among those already engaged in commerce and industries?

(c) Did Government consult commercial bodies in India before coming to a decision upon this important matter affecting the interests of Indian commerce abroad?

The Honourable Sir George Rainy: (a) Yes.

(b) The scheme for the creation of Trade Commissionerships does not limit the appointments to persons already in Government service, and it has not yet been finally approved. It is premature therefore to speak of decisions. Government will give due weight to the opinion of the Advisory Committee which favoured the appointment of non-officials.

(c) Government have not consulted commercial bodies, but they believe that Indian commercial opinion generally takes the same view as the Advisory Committee.

Mr. Sarabhai Nemchand Haji: While preparing their statement for the Standing Finance Committee, did Government inform the Committee that the Departmental Advisory Committee was in favour of non-service men being recruited for Trade Commissionerships?

The Honourable Sir George Rainy: I cannot speak with absolute certainty, but I think not.

Mr. Sarabhai Nemchand Haji: In view of the fact that a very important part of the information required for a proper decision on the subject was not before the Standing Finance Committee, will Government consider the advisability of re-committing this question to that Committee?

The Honourable Sir George Rainy: I did not wish to raise that point before. But in the rules made by the Governor General regarding the Standing Advisory Committees, it was laid down that their proceedings were strictly confidential. I quite recognise that it is impossible, in a great many cases, strictly to carry that out. But it has not been our practice, at any rate in the Commerce Department, so far as I know, to disclose the opinion of the Advisory Committee. But I can assure the Honourable Member that we have not the least desire to mislead the Standing Finance Committee on the point.

Mr. Sarabhai Nemchand Haji: Do I take it that Government are agreeable to give the Standing Finance Committee another opportunity to give its decision on this subject, now that it is in possession of this information?

The Honourable Sir George Rainy: The scheme placed before the Standing Finance Committee did not limit the appointment to officials. It made provision for the appointment of both officials and non-officials. We did not ask the Standing Finance Committee to commit itself to the approval either of the appointment of officials or the appointment of non-officials. That I understand is the position.

PAY OF OFFICE STAFF OF THE ASSAM BENGAL RAILWAY.

217. ***Mr. Anwar-ul-Asim:** (a) Will Government be pleased to state the basis on which the increments of the office staff are given by the Assam Bengal Railway?

(b) What method is adopted in giving increased pay to Muslims?

(c) Will Government be pleased to state whether increments are given by the authorities of the Assam Bengal Railway irrespective of the length of service, efficiency and honesty of the individual concerned?

(d) Will Government be pleased to give figures with regard to promotion only at the head office of the Company at Chittagong?

Mr. A. A. L. Parsons: With your permission, Sir, I propose to answer this and questions Nos. 219, 222 and 223 together. Inquiries are being made from the Agent of the Assam Bengal Railway and I will communicate with the Honourable Member as soon as I get his reply.

Mr. Anwar-ul-Asim: Will the Honourable Member be prepared to place the information on the table of the House in addition to communicating it to me?

Mr. A. A. L. Parsons: I am quite prepared to put a copy in the Library.

RECRUITMENT OF MUSLIM CLERKS BY THE ASSAM BENGAL RAILWAY.

218. ***Mr. Anwar-ul-Asim:** (a) What was the number of clerks in the following offices of the Assam Bengal Railway on the 1st January, 1926, and how many of them were Muslims?

- (1) Agent's Office;
- (2) Chief Engineer's Office;
- (3) District Engineer's Office;
- (4) Assistant Engineer's Office;
- (5) Executive Engineer's Office;

- (6) Signal Engineer's Office;
- (7) Chief Auditor's Office;
- (8) Traffic Manager's Office;
- (9) District Traffic Superintendent's Office;
- (10) Superintendent, Stores Office;
- (11) Loco. Superintendent at Pahartoli, and
- (12) Chief Medical Office.

(b) How many clerks have since been recruited in the offices mentioned in part (a) and how many of them are Muslims?

Mr. A. A. L. Parsons: (a) I would refer the Honourable Member to Appendix "F" in Volume I of the Railway Board's Report on Indian Railways for 1926-27, a copy of which is in the Library. The statistics were formulated in this form after consultation with, and acceptance by, the Central Advisory Council for Railways, and Government consider that they give as much detail as is desirable or necessary for keeping a watch on the position on each railway to secure that their policy is carried out.

(b) Government have not got the information, and regret that they cannot undertake to call for it.

APPOINTMENT OF CHIEF CLERKS IN THE ASSAM BENGAL RAILWAY.

†219. ***Mr. Anwar-ul-Azim:** Who are generally appointed Chief Clerks in the head office of the Assam Bengal Railway? What are their respective qualifications? Is there any Muslim Chief Clerk in the service of the Assam Bengal Railway? If not, why not?

APPOINTMENT OF TRAVELLING INSPECTORS OF ACCOUNTS IN THE ASSAM BENGAL RAILWAY.

220. ***Mr. Anwar-ul-Azim:** (a) What educational test or otherwise is wanted by the Assam Bengal Railway in appointing their Travelling Inspector of Accounts? *

(b) What is their total strength now, and how many of them are Muslims? Is it a fact that the present holders of the appointments, who are Indian Christians, are not even matriculates?

Mr. A. A. L. Parsons: With your permission, Sir, I shall reply to this and the next question together.

I am obtaining the information required from the Assam Bengal Railway and will communicate with the Honourable Member on its receipt and I will also place copies in the Library.

DEFALCATIONS IN THE ASSAM BENGAL RAILWAY OFFICES.

‡221. ***Mr. Anwar-ul-Azim:** (a) How many Auditors are there in the Assam Bengal Railway, who are Chartered Accountants?

(b) Was there a defalcation of Rs. 80,000 (rupees eighty thousand) from the Chittagong Station of the Assam Bengal Railway and Rs. 4,000 from Gauhati recently? If so, when was this discovered? Who is the

†For answer to this question, see answer to question No. 217.

‡For answer to this question, see answer to question No. 220.

authority primarily and finally responsible for not checking such defalcation? What loss has this Company sustained by defalcations of this nature during the last ten years?

(c) In view of these losses will Government be pleased to state if they are willing to have them investigated by an expert body appointed by the Government of India?

VACANCIES ON THE STAFF OF THE ASSAM BENGAL RAILWAY.

†222. ***Mr. Anwar-ul-Azim**: (a) Will Government be pleased to state whether it is a fact that the Agent of the Assam Bengal Railway, by his letter No. E. P.-116, dated the 25th October, 1929, informed all heads of departments regarding the advertisements of vacancies in a Muhammadan newspaper to enable the Muslims to get to know about the vacancies in the Railway?

(b) If the answer to part (a) be in the affirmative, how many vacancies have been filled up since, and in which of the Muslim newspapers were they advertised by virtue of that circular?

APPOINTMENT OF MUSLIMS ON THE ASSAM BENGAL RAILWAY.

†223. ***Mr. Anwar-ul-Azim**: Will Government be pleased to state whether the Agent of the Assam Bengal Railway issued any instructions to the heads of departments by his letter No. 22-1-A., dated the 5th July, 1926, regarding Muslim representation in the service of the Assam Bengal Railway, and if so, with what result?

APPOINTMENT OF AN ADDITIONAL ASSISTANT SECRETARY IN THE COMMERCE DEPARTMENT.

224. ***Mr. Anwar-ul-Azim**: Is it a fact that an additional Assistant Secretary has been added to the Commerce Department, and if so, with what object?

The Honourable Sir George Rainy: A temporary appointment of Assistant Secretary has been created to cope with the increased work in the Department.

FILLING OF THE VACANCY IN THE FOREIGN AND POLITICAL DEPARTMENT CREATED BY THE DEATH OF KHAN BAHADUR ENAMUL HUQ.

225. ***Mr. Anwar-ul-Azim**: Will Government be pleased to state who has been appointed in the place of Khan Bahadur Enamul Huq in the Foreign and Political Department, who died last year?

Mr. E. B. Howell: Individual vacancies in the Political Department are not filled as they occur. The total number of vacancies each year is assessed annually and recruitment is made accordingly.

AMALGAMATION OF THE GENERAL AND RAILWAY BUDGETS.

226. ***Mr. Anwar-ul-Azim**: Is it a fact that the committee appointed to report on the desirability or otherwise of amalgamating the Railway Budget with the General Budget has been shelved? If so, why?

†For answer to this question, see answer to question No. 217.

The Honourable Sir George Rainy: Government have not heard of any proposal for amalgamating the Railway Budget with the General Budget. If, however, the Honourable Member refers to the Committee appointed to review the convention for the separation of Railway Finance, I may say that a meeting of the Committee will be called at an early date.

REMITTANCES TO THE SECRETARY OF STATE FOR INDIA.

227. ***Mr. Anwar-ul-Azim:** Will Government be pleased to state what amount has been actually paid to the Secretary of State for India in London during this financial year to meet the commitments of this Government?

The Honourable Sir George Schuster: The total amount remitted to the Secretary of State up to the 28th January, 1930, is £24,190,000.

APPOINTMENT OF DISTRICT MEDICAL OFFICERS ON RAILWAYS.

228. ***Mr. Anwar-ul-Azim:** Will Government be pleased to state who are eligible for appointments as District Medical Officers in the State Railways, and in Company-managed Railways? Are the L.R.C.P. and M.R.C.S. degrees of London regarded as sufficient qualifications for these appointments? How many District Medical Officers are there now in the East Indian, Eastern Bengal and Assam Bengal Railways, and how many of them are Indians, and how many of them are Muslims?

Mr. A. A. L. Parsons: A candidate for appointment as District Medical Officer on State-managed Railways must possess qualifications registrable under the Medical Act in force in Great Britain and Northern Ireland. The L.R.C.P. and M.R.C.S. degrees of London are sufficient qualifications for these appointments.

Information as regards Company-managed railways will be obtained and supplied to the Honourable Member.

The information asked for in the concluding portion of the question is as follows:

Railway.	Total No. of D. M. O.'s.	No. of Indians.	No. of Muslims.
East Indian . . .	15	10	Nil.
Eastern Bengal . . .	4	3	..
Assam Bengal . . .	2	Nil.	..

SALARIES OF TEACHERS IN THE EAST INDIAN RAILWAY INDIAN HIGH SCHOOLS.

229. ***Pandit Hirday Nath Kunru:** Have the salaries of teachers in the East Indian Railway Indian High Schools been raised to the level of the rates prevailing in the United Provinces Government High Schools in accordance with the circular issued by the Railway Board in August last? If not, why not?

The Honourable Sir George Rainy: The Railway Board issued orders on the 5th August last to the Agent, East Indian Railway, that the revised scale of pay for teachers in Indian High Schools was to be introduced with effect from the 1st April, 1929. At the same time a further communication was promised as to the manner in which the expenditure was to be met. I regret that there has been unnecessary delay in deciding

the latter question, but final orders were issued on the 29th January. I am indebted to the Honourable Member for drawing attention to the matter.

Pandit Hirday Nath Kunzru: May I take it that, in the next Railway Budget, provision will be made for raising the salaries of these teachers from the 1st April, 1929?

The Honourable Sir George Rainy: Yes, Sir. The orders that the revised rates of pay were to have effect from 1st April, 1929, hold good.

SALARIES OF TEACHERS IN THE EAST INDIAN RAILWAY, INDIAN HIGH SCHOOLS.

230. ***Pandit Hirday Nath Kunzru:** (a) Has the Director of Public Instruction, United Provinces, recommended lower rates of pay for the East Indian Railway Indian High Schools than are in force in Government High Schools?

(b) Are the East Indian Railway authorities considering the substitution of the scale proposed by the Director of Public Instruction, for that decided on by the Railway Board?

The Honourable Sir George Rainy: (a) and (b). The information will be obtained and supplied to the Honourable Member.

Pandit Hirday Nath Kunzru: Will the Honourable Member be good enough to place it on the table of the House?

The Honourable Sir George Rainy: I cannot say off-hand what the volume of the material would be. If the statement is a short one, I have no objection to placing it on the table of the House. But if it turns out to be a lengthy document, it might be more convenient to place it in the Library.

SALARIES OF TEACHERS IN THE EAST INDIAN RAILWAY, INDIAN HIGH SCHOOLS.

231. ***Pandit Hirday Nath Kunzru:** (a) Have the Railway Board laid down that the new rates of pay should apply only to men possessing educational qualifications equivalent to those required from teachers on corresponding rates of pay in Government High Schools in the United Provinces?

(b) Are they aware that, when the salaries were last revised in the United Provinces, the Local Government made the new scales applicable to all existing teachers whatever their qualifications?

(c) Are the Railway Board prepared to reconsider their decision and allow all existing teachers to benefit by the new scales of pay?

The Honourable Sir George Rainy: (a) The orders of the Railway Board were that the new rates of pay would apply to each of the existing incumbents on the condition that he possessed educational qualifications equivalent to those laid down by the Local Governments for their teachers of corresponding rates of pay.

(b) No.

(c) Not on the information at present before the Board.

Pandit Hirday Nath Kunzru: With regard to part (b) of my question, will the Honourable Member be good enough to make inquiries on the subject?

The Honourable Sir George Rainy: Yes, Sir. I am quite sure that the Honourable Member would not have stated that things were as he alleged them to be unless he had good reasons for doing so.

Pandit Hirday Nath Kunzru: Will the Honourable Member be also good enough to make inquiries from the Governments of Bengal, Bihar and Orissa with regard to the manner in which they gave effect to increases in the salaries of their educational employees?

The Honourable Sir George Rainy: If the Honourable Member is prepared to assure me that he has reason to believe that the position in those provinces is the same as he believes it is in the United Provinces I shall make the inquiry he asks for.

Pandit Hirday Nath Kunzru: To the best of my knowledge, it is so. My inquiries show that, even in Bengal and Bihar and Orissa, there was no difference made between existing teachers, whether they possessed superior or inferior qualifications.

The Honourable Sir George Rainy: In that case, on the strength of the Honourable Member's statement, I am prepared to make further inquiries.

UNSTARRED QUESTIONS AND ANSWERS.

INDIGENOUS AND IMPORTED GLASSWARE.

126. **Pandit Thakur Das Bhargava:** (a) Will Government please state what kind of glasswares are imported from foreign countries through British India, into Kashmir, Nepal, Afghanistan, Persia, Iraq, etc., and in what quantities?

(b) Is it a fact that customs duty on these goods is refunded by Government at the time of their being imported into the above territories, and that specially reduced freight rates are charged by Indian Railways for carrying these goods from the port to the railway stations from where they are imported into the above-mentioned territories?

(c) Are Government prepared to consider the desirability of reducing railway freight rates in the case of glassware manufactured in glass factories of India, to place them in a position of equality for trade competition in this connection with the foreign firms?

The Honourable Sir George Rainy: (a) Government are not in possession of the information.

(b) In accordance with the principle that import duties are not intended to operate as transit duties, a drawback of import duties is allowed under certain conditions in respect of goods imported through British India into Kashmir, Nepal, Afghanistan and Persia. A rebate of railway freight is also allowed on goods carried over the Nushki-Duzdap Railway which have been booked from the ports of Bombay, Karachi and Calcutta for export to Persia or Afghanistan. For glassware the reduced charge thus made is higher than the special reduced rates charged on bookings by rail from stations where glass works are situated.

(c) Does not arise.

Mr. E. B. Howell: I give the required statement below:

Year of the case.	The Prince in whose interest the prosecution was launched.	The name and details of accused.	The place of publication of paper if the accused was a newspaper editor.	Government officer or other gentleman with full description who represented the Crown.	Total cost incurred in the prosecution.	Who paid the cost of the case.	Result of the case.
1	2	3	4	5	6	7	8
1. (a) 1927.	His Highness the Maharaja of Patiala.	Santa Singh, Editor, Printer and Publisher of the <i>Sachcha Dhan-dhora</i> .	Amritsar.	The Government Advocate and Public Prosecutor, Amritsar.	Particulars are not known but inquiries are being made and the Honourable Member will be informed.	Government.	Accused sentenced to three months simple imprisonment.
(b) 1928	Do.	Do. Publisher of the <i>Sachcha Dhan-dhora</i> .	Do.	The Public Prosecutor, Amritsar.	Do.	Do.	Do.
2. 1929	His Highness the Nawab of Bhopal.	Nawazish Ali Khan, Editor, Printer and Publisher of the <i>Taqat</i> .	Delhi	The Public Prosecutor, Delhi.	Rs. 1,033-2-0	Do.	Proceedings withdrawn after apology by Defendant
3. 1929	Do.	Diwan Singh <i>Maf-toon</i> , Editor of the <i>Riyasat</i> .	Do.	..	..	..	The suit is now pending.

PROMOTION TO OFFICERS' GRADE ON THE GREAT INDIAN PENINSULA RAILWAY.

129. **Mr. N. C. Kelkar:** (a) With reference to Mr. Parsons' reply to starred question No. 781 of the 26th February, 1929, regarding promotion to officers' grade of subordinates on the Great Indian Peninsula Railway, will Government be pleased to state whether it is a fact that a subordinate junior to the five acting officers whose confirmation was under consideration has already been confirmed?

(b) If the answer to part (a) is in the affirmative, will Government be pleased to state the reasons for overlooking the claims of the senior men?

Mr. A. A. L. Parsons: I have called for certain information from the Agent, Great Indian Peninsula Railway, and will communicate with the Honourable Member when his reply is received.

PROMOTION TO OFFICERS' GRADE ON THE GREAT INDIAN PENINSULA RAILWAY.

130. **Mr. N. C. Kelkar:** (a) Will Government be pleased to state the reasons for delaying the confirmation of the four out of the five subordinates referred to in starred question No. 11, asked by Mr. Joshi on the 1st February, 1928, regarding the number of Indians and Anglo-Indians officiating in the officers' grade in certain Departments of the Great Indian Peninsula Railway?

(b) What steps do Government propose to take so that these four men may not suffer any loss in regard to seniority and position in the cadre on account of the delay in their confirmation? If none, why not?

Mr. A. A. L. Parsons: (a) The subordinates in question have been considered, along with others, for promotion to the officers' grade in vacancies that have occurred in the last two years, but have not so far been selected for promotion.

(b) I must point out that these subordinates have no title to promotion, and that no question, therefore, arises of compensation for delay in confirmation. If any of the four subordinates are selected for promotion, the position of the men selected in the cadre of the Superior Revenue Establishment will be settled at the time.

LEAVE RULES ON THE GREAT INDIAN PENINSULA RAILWAY.

131. **Mr. N. C. Kelkar:** (a) With reference to Mr. Parsons' reply to starred question No. 784 of the 26th February, 1929, regarding rules for leave salary of subordinates officiating in officers' posts, will Government be pleased to state whether it is the intention of the Government that these acting officers should get the leave they earn as officers?

(b) Are Government aware that the leave rules applicable to officers and Indian subordinates are different on the Great Indian Peninsula Railway?

Mr. A. A. L. Parsons: (a) No.

(b) Yes.

**ADMISSION TO THE AUXILIARY FORCE OF INDIANS ON THE GREAT
INDIAN PENINSULA RAILWAY.**

132. **Mr. N. C. Kelkar:** (a) Will Government be pleased to state whether it is a fact that, in terms of the service agreement, the Anglo-Indian and European employees, both subordinates and officers, are enrolled as members of the Great Indian Peninsula Railway battalion of the Auxiliary Force, whereas this privilege is denied to the Indian employees, both subordinates and officers, of the Railway?

(b) If the answer to part (a) is in the affirmative, do Government propose to remove the racial distinction? If not, why not?

Mr. A. A. L. Parsons: (a) In the service agreement in force on the Great Indian Peninsula Railway for Anglo-Indian and European subordinate employees, there is a clause which makes membership of the Auxiliary Force, India, compulsory. There is no such clause in the agreement signed by officers or in the agreement signed by Indian subordinate employees.

(b) Government will consider whether any and, if so, what action is required.

PROMOTION TO SUPERIOR SERVICE ON RAILWAYS.

133. **Mr. N. C. Kelkar:** (a) With reference to the reply to part (c) of starred question No. 779 of the 26th February, 1929, regarding the promotion of Indian subordinates on the Great Indian Peninsula Railway, will Government be pleased to state how many men were permanently promoted each year to the Superior Service from the subordinate and Local Services of the East Indian, North Western and Eastern Bengal Railways as well as from the subordinate establishment of the Great Indian Peninsula Railway since 1925 to date?

(b) Will Government be pleased to state what procedure is followed in working up a proper share of Indian recruitment from subordinate to Superior Services, and how is the allotment of the number of vacancies made to the East Indian, North Western, Eastern Bengal and Great Indian Peninsula Railways?

Mr. A. A. L. Parsons: (a) The information asked for is given below:

Transportation (Traffic) and Commercial Departments.

Year.			Railway.	Local Service.	Subordinates.
1925-26	..	..	N. W.	1	..
1926-27	..	..	..	..	..
1927-28	..	..	E. B.	1	..
			N. W.	1	..
1928-29	..	..	E. I.	1	1
			N. W.	1	..
			E. B.	1	..
			G. I. P.	..	2
Total			..	6	3

Mechanical Engineering and Transportation (Power) Departments.

Year.	Railway.	Subordinates.
1925-26	E. I. ..	1
1926-27 .. .. .	.. ..	..
1927-28	G. I. P. ..	1
	N. W. ..	3
1928-29	E. I. ..	2
	N. W. ..	2
	(There is no local service in these Departments.)	
Total ..		9

Indian Railway Service of Engineers.

Year.	Railway.	Local Service.	Subordinates.
1925-26	N. W. ..	2	..
1926-27 .. .. .	.. ..	..	..
1927-28	N. W. ..	1	..
	E. I. ..	..	..
	E. B. ..	1	..
1928-29	N. W. ..	4	..
	E. I. ..	2	..
Total ..		10	..

(b) The number of vacancies to be filled each year in each of the Superior Services is first ascertained and with due regard to the regulations for recruitment to each of the services the share allotted for promotion from the subordinate services is then calculated. No separate allotment of vacancies is made for each railway, as promotion is made by strict selection of the most qualified candidate from all State-managed railways.

PROMOTION TO OFFICERS' GRADE ON THE GREAT INDIAN PENINSULA RAILWAY.

134. **Mr. N. O. Kelkar:** (a) Will Government be pleased to state what leave reserve of officers has been provided for the various Departments of the Great Indian Peninsula Railway, and what percentage does this reserve bear to the total number of officers employed in each Department?

(b) Is it a fact that 16 subordinates in the Transportation and 9 subordinates in the Commercial Departments of the Great Indian Peninsula Railway have been continuously acting as officers for a considerably long period?

(c) If the answer to part (b) is in the affirmative, will Government be pleased to say if the subordinates officiating for a period of five years and over will be absorbed in the additional leave reserve? If not, why not?

Mr. A. A. L. Parsons: (a) There are at present no leave reserve posts.

(b) The question of providing a leave reserve is under the consideration of Government.

(c) Their claims for promotion will be carefully considered.

LEAVE RULES ON THE GREAT INDIAN PENINSULA RAILWAY.

135. **Mr. N. O. Kelkar:** (a) Is it a fact that a subordinate acting as an officer on the Great Indian Peninsula Railway enjoys the same rights and privileges as are enjoyed by the permanent officers of the Railway?

(b) Are Government aware that the Indian officers who come under class "C" of the Leave Rules, are affected more adversely than the Anglo-Indian or Statutory Indian officers who come under class "B" of the Leave Rules?

(c) Is it a fact that the average leave pay system was introduced with the object of removing the hardships imposed on officiating officers, and if so will Government please issue a clear statement as to the position of these men when they proceed on leave?

Mr. A. A. L. Parsons: (a) In some, but not in all matters.

(b) Yes.

(c) The answer to the first part of this question is in the affirmative. The special arrangement introduced on the Great Indian Peninsula Railway gives subordinates who had acted continuously as officers for three years or longer the benefit, while on leave, of the pay drawn by them during the last 12 months of their officiating tenure.

OFFICERS OF THE GREAT INDIAN PENINSULA RAILWAY ADMITTED TO NON-ASIATIC DOMICILE.

136. **Mr. N. O. Kelkar:** (a) Will Government be pleased to state the number of officers in the Great Indian Peninsula Railway originally regarded as Statutory Indians but subsequently admitted to be of non-Asiatic domicile and what was the overseas pay drawn by such men with back effect?

(b) Is it a fact that some cases decided by the Railway Board as not coming under non-Asiatic domicile were subsequently admitted to this class?

(c) What means are employed by the Railway Board to verify the answers furnished to the questionnaire issued for proving non-Asiatic domicile?

Mr. A. A. L. Parsons: I am making inquiries from the Agent and will communicate with the Honourable Member on receipt of his reply.

ACTING ALLOWANCES OF CLERKS IN THE GREAT INDIAN PENINSULA RAILWAY OFFICES.

137. **Mr. N. C. Kelkar:** (a) Will Government be pleased to state whether it is a fact that in the Claims Branch of the Chief Traffic Manager's Office, Great Indian Peninsula Railway, clerks in the grades of Rs. 80 and Rs. 120 are denied the privilege of drawing the acting allowances while working in the places of men of higher grades, whereas this privilege is granted to the staff of the General and Rates Branches of that office?

(b) If the answer to part (a) is in the affirmative, what steps do Government propose to take in order to remove the hardship? If none, why not?

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

STATE RAILWAY FINES FUND.

138. **Mr. N. C. Kelkar:** Will Government be pleased to state what progress has been made in connection with the scheme for the better management of the State Railway Fines Fund and when they hope to introduce it?

Mr. A. A. L. Parsons: The replies from Railway Administrations have been received and a preliminary draft of the proposed rules for the establishment of a staff Benefit Fund is now under consideration of the Government.

If it is eventually decided to constitute the Fund, it is hoped to start it from the 1st April, 1931.

LEAVE RULES OF STATE RAILWAYS.

139. **Mr. N. C. Kelkar:** (a) Is it a fact that, in reply to the deputation of the All-India Railwaymen's Federation, Government stated that they hoped to introduce the new leave rules for the State Railway employees in December, 1929?

(b) Is it a fact that these rules have not yet been introduced, and if so, when are they likely to be introduced?

Mr. A. A. L. Parsons: (a) No.

(b) It is hoped that they will be issued in the course of the next few months.

PERSIAN CARPETS PURCHASED FOR OFFICERS OF THE GREAT INDIAN PENINSULA RAILWAY.

140. **Mr. N. C. Kelkar:** Is it a fact that new Persian carpets were purchased for (a) the Chief Transportation Superintendent, and (b) the Deputy Transportation Superintendents, Great Indian Peninsula Railway, during the year 1928-29? If so, will Government be pleased to state the cost of such carpets?

Mr. A. A. L. Parsons: No Persian carpets were purchased. One Anglo-Turkey and eight Mirzapur carpets were purchased for their offices at a cost of Rs. 8,650.

ADMINISTRATION OF FINE FUNDS ON THE GREAT INDIAN PENINSULA RAILWAY.

141. **Mr. N. C. Kelkar:** Will Government be pleased to state the total amount of fines collected from the Indian, Anglo-Indian and European employees of the Great Indian Peninsula Railway during the year 1928-29, and the amount spent therefrom for the welfare of the Indian, Anglo-Indian and European employees of the Railway during that year?

Mr. A. A. L. Parsons: The total amount of fines collected from employees of the Great Indian Peninsula Railway during 1928-29 was Rs. 51,898, and the disbursements from the Fine Fund during that year were as follows:

						Rs.
Hospitals	..	..	..	..	..	342
Schools	..	..	..	..	..	2,335
Recreation Clubs	..	..	..	..	..	44,781
Miscellaneous	..	..	..	..	..	24,378
				Total	..	71,836

The amount of fines collected and expenditure incurred is not recorded by communities, so I am afraid the information on this point desired by the Honourable Member is not procurable.

QUARTERS FOR CLERKS OF THE RAILWAY CLEARING ACCOUNTS OFFICE.

142. **Mr. N. C. Kelkar:** Will Government be pleased to state what progress has been made in connection with the provision of quarters for the clerks of the Railway Clearing Accounts Office and when the quarters are likely to be made available to them?

Mr. A. A. L. Parsons: I would refer the Honourable Member to the reply given on the 20th January, 1930, to the Revd. J. C. Chatterjee's question No. 67.

PAY OF INSPECTORS OF POST OFFICES AND RAILWAY MAIL SERVICE.

143. **Mr. N. C. Kelkar:** (a) Will Government be pleased to state whether it is a fact that, as a result of the recent revision (September, 1927) of pay of Inspectors of Post Offices and Railway Mail Service, those officials who have put in more than 15 years' service as Inspectors, and others who were confirmed immediately before the revision, are drawing the same pay, *vis.*, Rs. 160?

(b) When the Time-scale was introduced in 1919, were the Inspectors given one increment for every two years of service rendered as Inspectors?

(c) Are Government aware of the hardship and discontent amongst the Inspectors of Post Offices and Railway Mail Service, and are Government prepared to consider the question of advance increments on the same basis in exercise of powers under Fundamental Rule 27?

Mr. H. A. Sams: The attention of the Honourable Member is invited to the replies given to Mr. N. M. Joshi's similar unstarred questions Nos. 15 and 818 in the Legislative Assembly on 1st February 1928 and 11th March 1929 respectively.

PROMOTIONS IN THE INCOME-TAX DEPARTMENT, BOMBAY.

144. **Mr. N. O. Kelkar:** (a) What are the rules to enable the clerks of the Income-tax Department, Bombay, to rise to higher posts such as Inspectors, Examiners and Income-tax Officers?

(b) Is it a fact that many clerks who are either seniormost or experienced or well qualified were passed over and outsiders appointed whenever such high posts fell vacant? If so, why?

(c) Is it a fact that recently an Examiner with a few months service in the Income-tax Department to his credit was made an Income-tax Officer, while there were many who had passed the Income-tax Officers' examination?

(d) Is it because all those were unfit? If the answer is in the affirmative, why were they allowed to appear for the examination? Why was not permission to sit at the examination withheld as in the case of so many others?

(e) Is it a fact that the Examiner referred to in part (c) was recruited as an Examiner direct from some other Local Government Office? What are his qualifications which made him better qualified for the post than many having accountancy diplomas and working in the Income-tax Office itself? What was the nature of his work in his previous office to warrant his being given the officers' grade in a short space of time? What is his experience in accountancy?

(f) Is it a fact that knowledge of accountancy is necessary for any one to become an Examiner? Do outsiders recruited directly to such posts possess any such knowledge? If not, why were those, working in the office and possessing those qualifications, overlooked?

(g) Is it a fact that relationship and acquaintance count much in securing highly paid posts?

(h) Is it a fact that many officers are exempted from passing the prescribed Income-tax Officer's examination and subsequently confirmed? If the answer is in the affirmative, why is such a procedure adopted?

The Honourable Sir George Schuster: Parts (a) and (h). I am calling for a report, after which I will furnish a written reply to the Honourable Member.

I am also calling for a report with reference to parts (c), (d), (e) and (f), though I would suggest to the Honourable Member that, as these questions are obviously put with reference to some particular case which he has in mind, the proper course for any person who is aggrieved by any action of the Commissioner of Income-tax is to address the Central Board of Revenue.

As regards part (b), I cannot admit the implication, while as regards part (g), I wish to repudiate in the strongest possible manner the insinuation directed in this part of the question against an Indian gentleman in a high official position in whose absolute impartiality I have complete confidence. It is also obvious that it is impossible to reply to a question that relates to no specific fact.

PROFESSIONAL ACCOUNTANTS EMPLOYED BY THE INCOME-TAX DEPARTMENT, BOMBAY.

145. **Mr. N. C. Kelkar:** (a) How many public accountants are there practising in the Income-tax Department, Bombay? Are they required to get a licence just as lawyers by a payment of any prescribed fee?

(b) If the reply to the last question in part (a) is in the negative, have Government considered the question of framing rules to that end?

(c) Has any complaint been received by the Commissioner against any accountant? If the answer is in the affirmative, what action has been taken against that accountant?

The Honourable Sir George Schuster: (a) and (c). The Government have called for a report.

(b) As the Honourable Member is perhaps aware, the Government have in the Indian Income-tax (Amendment) Bill, 1929, which is now before a Select Committee, proposed an amendment of section 61 of the Indian Income-tax Act restricting the right of professional accountants to appear in income-tax proceedings. This amendment is still under consideration by the Select Committee.

THE SUPERINTENDENT OF ARCHÆOLOGICAL SURVEY, WESTERN CIRCLE.

146. **Mr. N. C. Kelkar:** (a) What is the pay of a Superintendent of the Archæological Survey and what are the maximum qualifications deemed essential for such appointment?

(b) Is it a fact that the present Superintendent of Archæology in the Western Circle is only a matriculate and has no higher qualifications?

(c) Is it a fact that, ever since his appointment to gazetted rank, he has been stationed in Poona continuously for over nine years, and that he has never applied for leave, nor has been transferred during this period?

(d) What special work has he done in the field of Archæology in India, particularly in Western India? Has he drawn any conservation notes for the various special repair works that are being carried out in the Western Circle since the year 1926?

(e) Have Government or the Director General of Archæology received any complaints against him?

(f) Does he possess expert knowledge of any ancient or modern language of the Bombay Presidency, such as Sanskrit, Maharashtri, Prakrit, old Canarese, etc.?

(g) Does he submit his tour programme to higher authorities for sanction in time and after its approval is it followed by him?

Sir Frank Noyce: (a) 1. Rs. 350—50—1,200.

2. There are no maximum qualifications for such appointments.

(b) The Honourable Member is referred to the answer given in the Assembly to Maulvi Muhammad Yakub's question No. 449 on the 12th September, 1929.

(c) Yes. He has, however, only been in charge as Superintendent for two years.

(d) 1. Conservation work.

2. No conservation notes have been received from him since 1926. The special repairs now in hand are very largely based on conservation notes drawn up before that date.

- (e) Yes.
- (f) No.
- (g) Yes.

VACANCIES IN THE ACCOUNTS DEPARTMENT OF THE CALCUTTA GENERAL POST OFFICE.

147. **Mr. N. C. Kelkar:** (a) Is it a fact that there are three vacancies in the lowest selection grade in the Accounts Department of the Calcutta General Post Office?

(b) Is it a fact that recommendations to appoint qualified accountants to these three posts were sent by the head of the Bengal and Assam Circle to the Director General of Posts and Telegraphs six months ago?

(c) Will Government be pleased to state when the orders of the Director General on the subject are likely to be issued?

(d) Do Government propose to decide the matter at an early date?

(e) Will Government be pleased to state whether these appointments are still held by officials who have not passed the Postal Accountants' examination?

Mr. H. A. Sams: I have no information on the subject. I am making inquiries from the Postmaster General and I shall send a reply to the Honourable Member on receipt of information.

COMPLAINTS AGAINST MR. G. C. CHANDRA OF THE ARCHÆOLOGICAL DEPARTMENT.

148. **Mr. N. C. Kelkar:** (a) Is it a fact that the Director General of Archæology received complaints about:

- (1) work done by one Mr. G. C. Chandra of the Archæological Department in connection with the Poona Shanwar Wada excavations and the want of technical knowledge and incapacity disclosed by him in this work;
- (2) Mr. Chandra's excessive and irregular claims for halting and travelling allowances contained in his travelling allowance bills submitted by him;
- (3) irregular use of the official funds at his disposal;
- (4) travelling allowances due to peons not being paid, where the travelling allowances were claimed and received by the Superintendent himself; and
- (5) vouchers submitted or not submitted by the Superintendent for his bills?

(b) If the answer to part (a) be in the affirmative, will Government state what inquiry has been made into these grievances, complaints and irregularities and what action has been taken thereupon?

Sir Frank Noyce: (a) and (b). Yes; anonymous complaints have been received by the Director General of Archæology. One of these contains specific allegations and is under investigation.

SHORT NOTICE QUESTIONS AND ANSWERS.

TREATMENT OF POLITICAL PRISONERS.

Mr. B. Das: (a) Has the attention of Government been drawn to a statement made by Mr. Bhagat Singh before the Lahore Magistrate, as published in the *Hindustan Times* of the 30th January, 1930, regarding a letter addressed to the Honourable the Home Member by the accused in the Lahore conspiracy case, threatening to resume hunger strike within a week in case promises given regarding special treatment to political prisoners and removal of racial distinction by the Honourable the Home Member in the Simla Session of the Assembly be not redeemed?

(b) Will Government be pleased to state what action they have taken or propose to take in pursuance of the policy enunciated by them regarding the change of Jail Rules for political prisoners?

The Honourable Sir James Orerar: (a) I have received the petition from the under-trial prisoners in the Lahore conspiracy case, referred to in the question. I must make it plain that, while a comprehensive inquiry into the present Jail Rules was undertaken by the Government of India and further enlarged in response to views expressed in this House, no assurances of the nature which the Honourable Member's question appears to suggest, were given to these prisoners by the Government of India, and that the decision regarding the changes in the Jail Rules now under consideration cannot be affected by the course of conduct they may choose to pursue.

(b) In pursuance of the inquiry above referred to, we consulted Local Governments, and thereafter held a Conference of provincial representatives on December 9th and 10th. As a result of the Conference, tentative conclusions on the more important points were reached, but a further reference to Local Governments was recommended by the Conference in regard to certain matters on which there was some divergence of view and practice. Their replies on these matters have now been received, and I am ready to confer with the party leaders at any time convenient to them, in accordance with the undertaking given by me on the 16th September last.

Mr. Lalchand Navalrai: Will Government be pleased to state when these Jail Rules are likely to be finished and when they are coming into operation?

The Honourable Sir James Orerar: I hope to have a very early opportunity of discussing the matter with the Leaders of Parties in this House and thereafter I shall take the earliest opportunity of making the necessary further communications to the Local Governments.

Mr. M. S. Aney: May I ask the Honourable Member whether any reply has been sent by the Government of India to the petition sent by Bhagat Singh and others, in which they state that the promised reforms of the jail conditions have not been yet made?

The Honourable Sir James Orerar: So far as the petition refers to questions of the treatment of these particular prisoners, the matter is for disposal by the Local Government, to whom the petition has been sent.

Mr. M. S. Aney: Am I to understand that there was no petition addressed by them to the Government of India?

The Honourable S.r James Orerar: No, Sir. I have stated that a petition was received from them.

Mr. B. Das: With reference to the reply to part (a), do I take it that the Government of India have passed no orders regarding racial discrimination in the treatment of prisoners?

The Honourable Sir James Orerar: No, Sir; no orders have yet been passed, because it was understood that, before final orders were passed, I should have an opportunity of further consultation with Leaders of Parties in this House.

DROP IN THE PRICE OF SILVER.

Sir Purshotamdas Thakurdas: (a) Has the attention of Government been drawn to the unprecedented drop in the price of silver?

(b) Is it a fact that the price of silver about 25th January last in sterling was under the lowest sterling price by about 2*d.* per ounce and more than Rs. 5 or 6 under the rupee price known in the last seventy years or more?

(c) Are Government aware that this drop in the price of silver seriously affects the savings of the masses of India and causes them grave anxiety?

(d) Do Government think of taking any steps to prevent further loss to the masses in their savings, and if so will Government be pleased to indicate what steps they intend to take?

(e) Does this depreciation of the savings of the masses of India give any anxiety to Government? If so, do Government feel that effective and substantial efforts to prevent further depreciation of the hard-earned savings of the masses are desirable?

The Honourable Sir George Schuster: (a) Yes.

(b) During the last seventy years the price of silver was lowest in November, 1902, when the London price fell to 21 $\frac{1}{8}$ pence per standard ounce and the rupee price to Rs. 56, annas 12 per 100 tolas. On 24th January, 1930, the London price was 20 $\frac{3}{8}$ pence per standard ounce and the rupee price Rs. 48, annas 8 per 100 tolas.

(c) Government are aware that the habit of using silver as a store of value in the form of ornaments or bullion is widespread, and that the drop in the price of silver has resulted in a large depreciation of these holdings. Though they have no direct evidence that grave anxiety is being caused to the masses of India, they realise that holders of silver must be greatly disturbed by the fall in the value of their holdings.

(d) Government are informed that the primary influences causing the drop in the price of silver during the last year were heavy sales by China and Indo-China, while sales by various countries of surplus silver no longer required for coinage were a contributory influence. The depreciation of the value of silver stores in India has, therefore, been due to factors outside the control of Government, except in so far as they have sold silver from the Currency Reserve. Government do not consider that it would be to the advantage of India to hold indefinitely the very large stock of silver which has now accumulated in the Currency Reserve, but they propose to continue to regulate their sales so that they will have the minimum effect on the price of silver.

(e) Government are naturally anxious that the savings of the people of India should not depreciate in value, but they doubt if efforts on their part can influence the value of a commodity which is determined mainly by influences working outside India. If the Honourable Member has any concrete proposals to make for suitable action which might be taken by Government, I shall be glad to listen to his suggestions, subject always to the obligation of Government to consider the interests of the country as a whole and not only those of holders of a particular class of property.

Pandit Madan Mohan Malaviya: Will the Honourable Member be pleased to state what is the amount of silver that has been sold by Government during the last two years?

The Honourable Sir George Schuster: I have from time to time given information to this House about the sales of Government silver. I am afraid I should require notice of this question as I have not got the figures with me.

Pandit Madan Mohan Malaviya: Can the Honourable Member give me rough figures? I do not want any exact figures.

The Honourable Sir George Schuster: I am afraid I cannot give any figures off-hand. I shall be pleased to look into the matter, but in giving that assurance I wish to make this point clear,—a point which I have made clear on many other occasions in this House,—that it is not in the interest of the public that Government should give up-to-date information of their operations. I will endeavour to give the Honourable Member the fullest information that I can, consistently with the public interest.

Pandit Madan Mohan Malaviya: Will the Honourable Member be pleased to give a rough idea of the amount of silver which has been sold? I do not want any detailed information.

The Honourable Sir George Schuster: I have already said that I am not going to give the Honourable Member any figures until I look up my own record. I will look up the records, and if the Honourable Member likes to ask another short notice question, I will give him information on the subject. I can however tell him this, that the total stocks of silver held by the Government now stand at 108 crores, and a year ago they stood at under 100 crores, so that, in spite of Government sales, the stocks of silver are still increasing.

Pandit Madan Mohan Malaviya: Is that due to purchases made by Government during the interval or to any other cause? If Government have been selling silver, how is it that the stock has increased? Is it due to purchases made by Government, or is there any other contributory cause?

The Honourable Sir George Schuster: The stock has increased owing to the very large return of silver rupees from circulation.

Pandit Madan Mohan Malaviya: Will the Honourable Member state whether silver has not been sold by Government largely to maintain the exchange at 1s. 6d.

The Honourable Sir George Schuster: That, Sir, has not been the primary object. The reason for selling silver is that it is a very uneconomical way in which to hold the currency reserves of Government.

Silver earns no interest; if it is sold and converted into sterling securities, they earn interest and that is to the advantage of the public.

Pandit Madan Mohan Malaviya: Government being aware of the large hoards of silver with the people, and also of the fact that China and other countries have been selling silver, do they not realise that they were contributing largely to the drop in the price of silver by selling their own silver at this juncture?

The Honourable Sir George Schuster: I have already stated in answer to my Honourable friend Sir Purshotamdas Thakurdas that Government sales of silver will be regulated so as to have the minimum effect on the price of silver.

Pandit Madan Mohan Malaviya: In view of the enormous loss inflicted by the fall in the price of silver upon the mass of the people, who hold their savings in silver, do not Government think that it is their duty to stop the sale of silver altogether at this juncture?

The Honourable Sir George Schuster: I am afraid I could not go so far as to say that. It is a question of weighing the advantages on one side against the disadvantages on the other. As I have already stated, it is a very uneconomic way in which to hold the currency reserves, to lock them up in stocks of silver which earn no interest. On the other hand I fully realise the effect of a fall in the price of silver on this country and on the large masses of people in the country. But, as I have explained in my original answer, it is not primarily the action of the Government of India which has brought about this fall. We are witnessing now a world movement as regards silver. Silver is an article which is produced on a very large scale as a by-product in the production of other metals. Therefore, contrary to the experience of what happens in connection with other metals, the total amount of production does not necessarily go down with the fall in prices. At the same time the use of silver as a medium of currency is steadily decreasing. As I have already explained, China and Indo-China have sold very large quantities of silver in the past year. At the same time practically every country is reducing the percentage of fineness of its silver currency. The British Government, for example, since 1920 has silver coinage of 50 per cent. fineness instead of 92 as previously. That means that the current demand for silver for currency is very much less than it was, and at the same time large stocks of silver have been released. It is thus really a combination of action in a great number of countries in the world that has brought about the present situation in the silver market. The action of the Government of India is only one small contributory cause to this general result.

Pandit Madan Mohan Malaviya: I am surprised that the Honourable Member should say it is a small contributory cause. May I ask the Honourable Member again to consider whether, in view of the knowledge that the Government possessed of the decreasing use of silver in other countries, it was not the duty of the Government of India to stay their hands and not sell their own silver and thereby add to the causes which were bringing about its depreciation?

Mr. Arthur Moore: May we not assume that the Government. . . .

Pandit Madan Mohan Malaviya: May I have an answer to my question before the Honourable Member puts his question?

The Honourable Sir George Schuster: My answer to the Honourable Member's question is this. After weighing up all considerations on both sides, the Government of India decided, in accordance really with the recommendations of the last Royal Commission on Currency, that it was in the public interest that silver holdings should be reduced. That decision was taken having regard to the public interests as a whole.

Pandit Madan Mohan Malaviya: My point, Sir, is this.

Mr. President: Mr. Arthur Moore.

Mr. Arthur Moore: May we assume that the Government will refrain, in its own interests, from excessive sales at a moment when prices are disadvantageous?

The Honourable Sir George Schuster: The question whether the price is disadvantageous or not depends on a long view of the market prospects. It is quite possible that silver may have stabilised itself now at a new level. As that may prove to be the case I certainly could not go so far as to say that the Government would refrain from selling silver at about the present level. On the other hand, taking a shorter view, it is obviously undesirable to put out large stocks for sale on the market at a time of violently fluctuating prices, when the market is exceptionally weak and disturbed. Those are the considerations which will be weighed by the Government in determining their policy as regards the sale of silver.

Sir Purshotamdas Thakurdas: Of the three countries which have been selling silver, is it a fact that India has sold the largest quantity?

The Honourable Sir George Schuster: I am afraid that is a question which I cannot answer without notice.

Sir Purshotamdas Thakurdas: Of the three countries which have been selling silver, is it a fact that the other two countries have been selling silver in order that they may get on to a gold standard?

The Honourable Sir George Schuster: That again is a question which I cannot answer without notice.

Sir Purshotamdas Thakurdas: Is it a fact that the last Royal Commission on Currency said that, if silver was sold, it should be replaced by gold assets?

The Honourable Sir George Schuster: As far as I recollect, the Currency Commission did not actually go so far as to say that. They sketched out a programme for gradual reduction of the silver holdings, and they also sketched out a programme for gradual increase in the holdings of gold and gold securities. I informed the Honourable Member some time ago, in answer to a question, of the extent to which holdings in gold and gold securities had increased since the date of the Currency Commission's Report, and I think I was able to show that, in all the circumstances, the rate of increase had not been entirely unsatisfactory. But, when the Currency Commission reported, the stocks of silver held were something like 80 crores, and I do not think that there is anything in the Report of the Currency Commission to suggest that they ever contemplated that the holding of silver would increase in the way in which it has increased during the last three years. As far as I know, the Government have followed in spirit the recommendations of the Currency Commission because the proceeds of sale of silver have always been invested in sterling securities.

Sir Purshotamdas Thakurdas: May I inquire whether the sale of silver, in the way that the Government have done it, was ever indicated by the last Royal Commission?

The Honourable Sir George Schuster: The Royal Commission certainly did not lay down any instructions as to the machinery which the Government should employ in the disposal of its silver. At the same time I cannot help thinking that they would have approved of the methods which have been employed by the Government.

Sir Purshotamdas Thakurdas: The Honourable Member asked if I have any concrete suggestion to make. May I inquire whether, in the opinion of the Honourable the Finance Member, it is any use inquiring of the main producers of silver, to the ultimate purpose of settling, as far as feasible, the course of prices,—the Government of India, in the meantime, refraining from dumping more silver on to the silver market of the world?

The Honourable Sir George Schuster: I think the Honourable Member is suggesting a combine and a restriction of production on the lines that we have seen in the case of combines made as regards rubber and other commodities. It is possible that such a combine might be brought about. But I do not think that this Government could play a very large part in settling the policy of a combine of that kind. There are also, for reasons which I have indicated, especially the fact that silver is produced very largely as a by-product in the production of other metals, special difficulties in the case of silver. If I were to express a provisional opinion on a matter which I have not yet had time to consider at length, I should say myself that the chances of bringing about a combine are not very favourable.

Sir Purshotamdas Thakurdas: Irrespective of a combine ultimately resulting from it or not, do Government think that it will be useful to collect information and find out what the principal producers of silver think, because the prices at present available to them cannot be remunerative? Do Government think that it will be useful to move in that direction at all?

The Honourable Sir George Schuster: As I have already indicated in my previous answer, I do not think that the Government of India are in a particularly strong position to take up this matter. The Government of India are possessors of a large surplus of existing stocks of silver. It is hardly likely that producers of silver would consent to limit their production in order to suit the convenience of the Government of India and to enable it to unload its existing stocks on the market.

Sir Purshotamdas Thakurdas: As trustees for the masses of India, which the Government of India claim to be, do they not think that this matter is so serious that they may at once make inquiries?

The Honourable Sir George Schuster: I should be very pleased to make inquiries and to include that among the suggestions which the Honourable Member has put or may put to me on this subject.

Mr. Vidya Sagar Pandya: I hope the Government do not contemplate the appointment of a Royal Commission.

Mr. President: Order, order.

Pandit Madan Mohan Malaviya: Will the Honourable Member tell us if he is aware that there is a widespread feeling among the people of this country that the Government, having contributed to this unprecedented drop in the price of silver, have in effect actually robbed the people of a large part of their hard-earned savings? Is that not the real feeling that exists among the people?

The Honourable Sir George Schuster: I am certainly not aware of the existence of any such feeling, nor do I understand expressions such as robbery in connection with a matter of this kind. Whatever proceeds the Government realise from sale of silver go into the public purse: there is no question of any private interest operating here in opposition to the interests of the people of the country. It is quite possible that the Government may be mistaken in their policy; every man, every human being is liable to make mistakes, but I, speaking with the greatest feeling of assurance, would give the Honourable Member this expression of opinion, that in their policy hitherto, the Government of India, in selling silver, have acted in the best interests of the public of India.

Pandit Madan Mohan Malaviya: There may be a robbery in effect by a Government as by an individual.

Mr. President: Order, order. There have been a sufficient number of supplementary questions. We have taken up twenty-five minutes for supplementary questions on this one subject.

Pandit Madan Mohan Malaviya: With your permission, Sir, I shall put only one further question. In view of the importance of the question, will the Government convene a conference of a few Members of this House to discuss the whole question of the sale of silver?

The Honourable Sir George Schuster: I shall be very glad to discuss the matter privately with the Honourable the Leader of the Opposition and my Honourable friend Sir Purshotamdas Thakurdas, who is responsible for this long discourse on silver to-day. I am not prepared to go further than that. I should be very pleased to discuss the matter with these two Honourable Members.

TELEGRAM FROM HIS EXCELLENCY THE VICEROY RE POLICE ARRANGEMENTS IN THE GALLERIES OF THE ASSEMBLY CHAMBER.

Pandit Madan Mohan Malaviya: (a) Is it a fact that His Excellency the Viceroy had telegraphed to the Honourable the Home Member to request President Patel to postpone making any statement on the question relating to police arrangements in the Visitors' Galleries of the Assembly till His Excellency's return to Delhi?

(b) If the answer to part (a) is in the affirmative, is it a fact that this message was not communicated to President Patel? If not, why not?

The Honourable Sir James Crerar: I will, with your permission, answer both parts of the question together.

I have His Excellency's permission to state to the House that on the evening of 19th January I received a confidential telegram from His Excellency, in the course of which he suggested that if the Honourable the President intended to make a statement on the subject, I should approach him

in order to suggest his postponement of any statement pending an opportunity for further discussion after His Excellency had returned. I had no reason to suppose that the President intended to make a statement when the House met as he had given me no intimation to that effect; but on receipt of His Excellency's telegram I at once telephoned to the President's house intimating that I had a very urgent matter which I wished to discuss with him personally. I was informed that he was unable to receive me and I accordingly wrote to him immediately repeating my request that I might see him at any time convenient to him before the House met. To that communication I received no reply.

Pandit Madan Mohan Malaviya: In view of the urgency of the matter, could not the Honourable the Home Member go down to the house of the President to meet him?

The Honourable Sir James Orerar: I should have been prepared to do so if the suggestion had been made to me.

Pandit Madan Mohan Malaviya: Was there a definite indication that the President would not meet the Honourable Member, or was it a matter of the Honourable Member not being able to get the President on the telephone?

The Honourable Sir James Orerar: The answer I received apparently from a domestic in the President's house was, firstly, that the President was having his dinner, and later, when I emphasised the urgency of the matter, I was informed that the President was in fact ill and in bed. I could hardly expect to convey verbally any further intimation to him in such circumstances.

Pandit Madan Mohan Malaviya: The Honourable the Home Member's statement shows that, on the first occasion a domestic servant answered, but on the second occasion he was informed that the President was ill and in bed. Were not those circumstances sufficient to enable him to understand that the message had not been communicated to the President? In view of the fact that His Excellency the Viceroy had telegraphed to the Honourable Member to communicate his message to the President, did he not think it his duty to attempt, even on the morning of the following day, to see the President?

The Honourable Sir James Orerar: After I heard that the President was in bed and recognising the urgency and importance of the matter, I immediately wrote to him a letter the purport of which is in possession of the House. To that letter, as I have already stated, I received no reply, and I think I was entitled to assume that, if the Honourable the President desired to see me, he would, having regard to the urgency of the matter which I had intimated, have so informed me.

Pandit Madan Mohan Malaviya: In view of the fact that the Honourable the President was ill, could not the Honourable the Home Member understand that it might be due to his illness that he got no reply, and when the President came to the Assembly the next morning, did the Honourable the Home Member try to see the President in the President's room before coming to the House?

The Honourable Sir James Crerar: I should have been perfectly prepared to respond to any request made by the Honourable the President in accordance with the terms of my letter.

Mr. M. A. Jinnah: In the letter to which the Honourable the Leader of the House refers, will he point out any word or words to indicate that he had received an important message from His Excellency the Viceroy and wanted to communicate that message to the President?

The Honourable Sir James Crerar: I intimated that I had a very important and urgent matter to discuss with the President, and I think I was entitled to assume that it was hardly possible that, to such a request made by the Leader of the House to the President, he should receive no reply.

Mr. M. A. Jinnah: May I know why, when the Honourable the Home Member found that he had not received a reply to his letter, he did not send a demi-official letter conveying His Excellency's message to the President?

The Honourable Sir James Crerar: I had already intimated that it was a very urgent and important matter on which I desired an interview. I considered that the communication which I desired to make to the President would most properly be made in an interview rather than in correspondence.

Mr. M. A. Jinnah: May I know why the Honourable the Home Member did not communicate the message to the President when he found that the President was not able to see him?

The Honourable Sir James Crerar: I desired to make my communication in the most satisfactory way, which was by personal discussion, and as I have already stated, I could not have expected that the President would not be able to give the interview. Having asked for an interview, I had no reason to anticipate that my request would not be complied with.

Mr. M. S. Ansy: Does the Honourable Member mean to say that the Honourable the Home Member would have seen the President only if the President would send for him, otherwise not? Is that the position?

The Honourable Sir James Crerar: No, Sir, that was not my view of the position.

Pandit Madan Mohan Malaviya: Can the Honourable the Home Member explain how, because he sent a letter to President Patel and did not receive a reply, he was justified in withholding the message from His Excellency the Viceroy altogether from the President?

Mr. M. A. Jinnah: May I know why the Honourable the Home Member when he found that a personal interview was not possible, did not communicate the message from His Excellency the Viceroy to the Honourable the President? Did not His Excellency the Viceroy say that his message should be conveyed to President Patel?

The Honourable Sir James Crerar: As I have already stated, I had no reason to anticipate that my request would not be complied with.

Colonel J. D. Crawford: May I inquire from you, Sir, whether you got a telephonic message, and why you did not reply to the Honourable the Home Member's letter?

Mr. President: I expect that Honourable Members will not want me to give any answer now. I will only say that the facts about the message elicited so far are in some respects imperfect and in other respects incorrect. I do not wish to enter into a controversy at this stage; if and when the necessity arises for me to make a statement, I will do so.

The Honourable Sir James Orerar: May I say a word, Sir? It would be of great advantage to me if you could tell me in what respect my answers were incorrect.

Mr. President: I received no telephonic communication from the Honourable the Leader of the House. Does the Honourable Member want to know anything more?

The Honourable Sir James Orerar: May I ask you, Sir, to state . . .

Mr. President: The Honourable Member cannot cross-examine the Chair. If and when the occasion arises, the President will make a statement.

The Honourable Sir James Orerar: I do not propose to address anything by way of cross-examination to the Chair. I desire merely to point out that the fact that I sent a telephonic message to your house and received an answer is perfectly correct.

Mr. M. S. Aney: Sir, is there any indication in the letter which the Honourable the Home Member addressed to the Honourable the President that he had telephoned to him once or twice and that he did not receive any reply?

The Honourable Sir James Orerar: I made no statement to that effect, but my letter was very explicit and it contained a very urgent request for an interview.

Mr. M. R. Jayakar: Will the Honourable the Home Member state why, in the letter he addressed to the President, he did not specifically state that he was in possession of a very important message from His Excellency the Viceroy, and that he wanted to see the President in that connection?

The Honourable Sir James Orerar: I have already answered that question.

Mr. Arthur Moore: May I ask the Honourable the Home Member to state how, in view of the statement he has made that this was a confidential message from His Excellency, the information came into the possession of the Honourable the Leader of the Opposition?

The Honourable Sir James Orerar: I have no information to that effect, but I shall be very glad to hear it from the Honourable and learned Pandit.

Pandit Madan Mohan Malaviya: I received this information from a very reliable person at Allahabad, and I wired my question on that information, and I am glad to find that that information has been found to be correct.

Mr. M. K. Acharya: One Supplementary Question, Sir?

RESOLUTION RE REPORT OF THE INDIAN ROAD DEVELOPMENT COMMITTEE.

Mr. President: The House will now proceed to discuss the amendment of Mr. Jayakar*

*Amendment moved by Mr. M. K. Jayakar on the 26th September, 1929, to the following Resolution moved by the Honourable Sir Bhupendra Nath Mitra on that date :

"This Assembly, after taking into consideration paragraphs 70 to 79 of the Report of the Indian Road Development Committee, recommends to the Governor General in Council that :

- (1) The increase in the import and excise duties on motor spirit from 4 to 6 annas per gallon, introduced by the Indian Finance Act for the current year, shall be maintained for a period of five years in the first instance;
- (2) The proceeds of the additional duty during the same period shall be allotted as a block grant for expenditure on road development to be credited to a separate road development account, the unexpended balances of which shall not lapse at the end of the financial year;
- (3) The annual grant shall be divided as follows :
 - (a) A certain proportion shall be retained by the Government of India as a reserve and such proportion will be 10 per cent. for the two years ending March, 1931, and the position shall be reviewed thereafter and the balance, if any, on 31st March, 1931, or any subsequent date of review, which is not required for the purposes approved in paragraph 75 of the Report, will be distributed among the provinces in the manner indicated in clause (b);
 - (b) Out of the remainder :
 - (i) An apportionment shall be made among the provinces in the ratio which the consumption of petrol in each province bears to the total consumption in India in the preceding calendar year;
 - (ii) The balance, representing the consumption of petrol in minor provinces and administrations and Indian States, shall be allotted as a lump sum to the Government of India.
- (4) If any part of the amount apportioned to a province in any financial year remains unexpended at the end of that year, it shall be carried over for expenditure in that province in the following year.
- (5) Grants shall be made to each province, up to the amount available for it in each year, for expenditure on schemes approved by the Governor General in Council with the advice of the Standing Committee for Roads. As an exception to this rule, the amount available for Burma may, for the present, be spent on any scheme of road development that is approved by the Local Government with the concurrence of the local legislature; but if at any future time the question of road connection with India becomes a live issue, the position shall be reconsidered.
- (6) A Standing Committee for Roads shall be constituted every year after the financial year 1929-30 consisting of one nominated official member of the Legislative Assembly, a second nominated official member, three members elected by the Council of State from their body, and six members elected by the Legislative Assembly from their body. The Member of the Governor General's Executive Council in charge of the Department that deals with roads shall be the Chairman of the Committee; and the members of the Committee who are members of the Legislative Assembly shall form its Finance Sub-Committee which will be presided over by the Chairman of the Committee if he is a member of the Legislative Assembly, and otherwise by the official member of the Committee who is a member of the Legislative Assembly.
- (7) The functions of the Standing Committee for Roads shall be :
 - (i) To consider the annual budget and accounts of the separate road development account of the Government of India;
 - (ii) To consider all proposals submitted by Local Governments to the Government of India, for which grants from the road development account are requested; provided that the function of the Standing Committee will be confined to determining whether the scheme is one for which an allotment from the Central Road Development Account should be made.

Mr. M. K. Acharya (South Arcot *cum* Chingleput: Non-Muhammadan Rural): Will you not allow me to put a question, Sir?

Mr. B. Das (Orissa Division: Non-Muhammadan): Last Session, Sir . .

Mr. President: Does the Honourable Member wish to say anything on the amendment? The amendment before the House is that:

"In clause (2), after the words 'during the same period' the following be inserted: 'after deducting such amounts as may be required for grants-in-aid to users of petrol for aviation purposes according to rules issued by Government, on a scale not exceeding the additional duty on petrol actually consumed for such purposes'."

Does the Honourable Member (turning to Mr. B. Das) wish to say anything on that amendment?

Mr. B. Das: I would like to discuss the main Resolution. That was the reason why you adjourned the debate last Session, Sir.

Mr. President: The question is:

"In clause (2), after the words 'during the same period' the following be inserted: 'after deducting such amounts as may be required for grants-in-aid to users of petrol for aviation purposes according to rules issued by Government, on a scale not exceeding the additional duty on petrol actually consumed for such purposes'."

The motion was adopted.

Mr. M. R. Jayakar (Bombay City: Non-Muhammadan Urban): I move, Sir, that:

"In sub-clause (a) of clause (3), for the word 'will' wherever it occurs, the word 'shall' be substituted."

Mr. President: Which amendment is the Honourable Member referring to?

Mr. M. R. Jayakar: I am referring to amendment No. 2, Sir.

The Honourable Sir Bhupendra Nath Mitra (Member for Industries and Labour): No. 1 has not been moved yet, Sir. The one which has been adopted already is the first of the amendments of which Mr. Jayakar gave notice at Simla, and as that was before the House it was not necessary for him to give any further notice of that amendment.

Mr. M. R. Jayakar: I wish to move the amendment which is now No. 2 on the Agenda.

(iii) To advise the Government of India generally on all questions relating to roads and traffic on roads and, in particular, on:

- (a) any action to be taken by the Government of India on the proceedings of periodical Road Conferences;
- (b) central research in all matters connected with roads, road construction and maintenance;
- (c) statistics and intelligence, the preparation and publication of maps, and the collection and dissemination of information relating to road development, administration and finance in India—and in other countries.

All proposals for expenditure from the annual grant or its accumulated balance, shall be submitted for approval to the Finance Sub-Committee."

Mr. President: The amendment that I put to vote was the first.

The Honourable Sir Bhupendra Nath Mitra: That was the first of which notice was given at the Simla Session and about which no further notice was required.

Mr. President: That was carried.

Mr. B. Das: May I again point out, Sir

Mr. President: I cannot allow any general discussion now.

Mr. M. R. Jayakar: Sir, I move that:

"In sub-clause (a) of clause (3), for the word 'will', wherever it occurs, the word 'shall' be substituted."

It is merely a verbal amendment, Sir.

Mr. President: I do not exactly understand the position.

The Honourable Sir Bhupendra Nath Mitra: May I explain the position, Sir? At the Simla Session, my friend Mr. Jayakar gave notice of certain amendments. The first of those amendments was this:

"In clause (2), after the words 'during the same period' the following be inserted: 'after deducting such amounts as may be required for grants-in-aid to users of petrol for aviation purposes according to rules issued by Government, on a scale not exceeding the additional duty on petrol actually consumed for such purposes.'"

Mr. President: I have put that amendment to the vote and it has been carried. It is for Mr. Jayakar now to move the second amendment which, I understand, he has moved.

Mr. M. R. Jayakar: I have already moved that amendment, Sir.

The Honourable Sir Bhupendra Nath Mitra: I am very sorry, Sir. We are apparently working on different papers.

Mr. President: The amendment which now stands as Amendment No. 1 in the name of Mr. Jayakar has been put and carried by the House. Now the Honourable Mr. Jayakar has moved his Amendment No. 2 on the paper. Does the Honourable Member in charge wish to say anything?

The Honourable Sir Bhupendra Nath Mitra: No, Sir; I accept the amendment.

Mr. President: The question is:

"In sub-clause (a) of clause (3), for the word 'will', wherever it occurs, the word 'shall' be substituted."

The motion was adopted.

Mr. M. R. Jayakar: Sir, I move that:

"In sub-clause (a) of clause (3), for the words 'among the provinces in the manner indicated in clause (b)' the words 'among the Governors' provinces and the Government of India in the manner provided for the remainder in sub-clause (b)' be substituted."

This is a mere verbal amendment, Sir.

The Honourable Sir Bhupendra Nath Mitra: I accept the amendment, Sir.

The motion was adopted.

Mr. M. R. Jayakar: Sir, I move that:

"In sub-clause (b) (i) of clause (3), for the word 'provinces' the words 'Governors' provinces' be substituted, and for the words 'each province' the words 'each such province' be substituted."

The Honourable Sir Bhupendra Nath Mitra: I accept the amendment, Sir.

The motion was adopted.

Mr. M. R. Jayakar: I move, Sir, that:

"In sub-clause (b) (ii) of clause (3), for the words 'minor provinces and administrations', the words 'provinces other than Governors' province, administered areas' be substituted."

The Honourable Sir Bhupendra Nath Mitra: I accept the amendment, Sir.

The motion was adopted.

Mr. M. R. Jayakar: I move, Sir, that:

"In clause (4), for the words 'a province', the words 'a Governor's province' be substituted."

The Honourable Sir Bhupendra Nath Mitra: I accept the amendment, Sir.

The motion was adopted.

Mr. B. Das: Sir, I beg to move that:

"In clause (5), for the words 'Grants shall be made to each province up to the amount available for it in each year, for expenditure on schemes approved by the Governor General in Council with the advice of the Standing Committee for Roads' the following be substituted:

'Grants shall be made to each province to the full extent of the amount available for it in each year for expenditure on new road works, road reconstruction or substantial road improvements and their maintenance. Such expenditure shall be at the discretion of the Local Government; but such schemes shall be submitted to the Government of India for information, who will be entitled to see that the provincial share of the two anna petrol tax is not diverted to other purposes. The control of the Government of India shall be limited to works which they assist by contributions from their reserve or otherwise, but as regards other proposals submitted by Local Governments for information, the control of the Government of India shall be confined to considering whether the scheme is one for which expenditure out of the provincial share of the Road Fund should be incurred'."

Sir, I hope, as the Honourable Member has accepted the amendments which my Honourable friend Mr. Jayakar moved, he will also accept the

amendments which I have tabled. Last Simla Session the Honourable Member gave us to understand that this was not a controversial subject, but he knew full well that the motion which he brought before the House was not acceptable to any of the Provincial Governments and also to some of the Members representing different provinces in this House. Sir, once again I find that the Honourable Member for Industries and Labour is fathering a proposition which is not a creation of his Department. Last year, at this time, he brought forward the Cinematograph Report, which was originally brought forward by the Home Department, and the Honourable Member gave a decent burial to it. This year he is going to wet-nurse a scheme which was fathered in the Council of State by the Honourable Sir Charles Innes, the former Member for Commerce. I cannot understand why the Honourable Member is taking up the discarded and unwanted children of the other Departments. It is probably because it is thought that, being an Indian, we will not be suspicious of him and will allow his motions to be passed without much criticism. If that be the idea of the Government Members, then I am sorry they have not understood us. They must understand that some of us are fully suspicious of this Committee's Report, although we on this side of the House know that our late lamented revered leader Lala Lajpat Rai and our Deputy Leader, Mr. Jayakar, gave full consideration to the subject. Some of us are still suspicious that the Government of India are trying, through the back door, to have control over the Provincial Governments and are going to strike at the very basis of provincial autonomy. When this proposition was fathered in the other House, some of us thought and rightly too, that this was a military proposition and that Government were going to centralise the roads of India, so that the Military Department might get control of them at a period of stress. My Honourable friend, Sir Bhupendra Nath Mitra, happens to be also in charge of the Irrigation Department. If he had read the economic history of India, he would know that between 1860 and 1870, there was a proposal from a great well-wisher—a great administrator—Sir Arthur Cotton, for having navigable channels and irrigation channels all over India. The Government of India never gave effect to that beneficial proposal. Instead the Honourable Member wants to bring forward a proposition for centralising the roads and controlling the roads in different provinces, thereby trying to control the action of the Ministers and the Legislative Councils, who are at present autonomous bodies, and who, in the changed circumstances that will be likely to come about in a year or two, may be completely autonomous. Now, my friend wants to put the Ministers under the control of half a dozen Members of this House and the other House, where the provinces are not going to be at all represented, nor even Members of each province that are in this House are going to be represented. Our basic suspicion is that this is a military proposition, and the Government want to control the roads in time of war or in time of revolution.

My friend Sir Bhupendra Nath Mitra told us last year that, while discussing the Report of the Indian Cinematograph Committee, I was as if addressing my constituency, and that I was in a dream. I am addressing the Members on the Government side. It is our misfortune to find that a certain idea gets hatched by the European Chambers of Commerce and Government give their blessing to it in private and public and then it is brought before the House. In this case, the idea is clear

[Mr. B. Das.]

that Government want to take over all the inter-provincial roads at a time of war or revolution, so that machine guns, tanks and so on may go on from Lahore to Calcutta and Cuttack. I am not going to quarrel with my Leader and Deputy Leader, who were parties to this Report. Of course, leaders are above those mean suspicions which back benchers often feel, and which they must ventilate on the floor of this House. The leaders never thought that Government would bring forward a proposition fathered by the Commerce Department that is really military policy and ought to have been brought before the House by Mr. Mackworth Young or the Commander-in-Chief. Now, if my Honourable friend had read the Report thoroughly, he would not have brought forward this Resolution, whereby the roads in the provinces would be controlled by the Government of India. He knew that every provincial Government was opposed to it. Nor is his Resolution complete. He ought to have brought in one or two more points that the Committee recommended. The Committee recommended that the Military Department should spend money in the construction of bridges and roads because it is they who cause most of the damage to the roads and add heavy weights to bridges. He ought to have brought out another clause for the development of provincial roads through the assistance of Railways. This is not the work of his own Department. It has been thrust on him by the predecessor of the Honourable Sir George Rainy, Sir Charles Innes, and my friend is wet-nursing it.

Sir, this idea of the distribution to provinces on the petrol consumption basis is a wrong principle. The Committee appointed a sub-committee, which was presided over by the Honourable Sir Arthur Froom. Mr. Mahmood Suhrawardy of the other House was a member of it, and the only Member of this House, who was a member, was Kumar Ganganand Sinha, and I do not think Kumar Ganganand Sinha in any way could have influenced the Honourable Sir Arthur Froom and Mr. Suhrawardy. Yet they recommended unanimously that the distribution of the money collected should be done on quite a different basis.

The Honourable Sir Bhupendra Nath Mitra: Is the Honourable Member in order in referring to that in connection with the particular amendment he has moved? If he did not accept the particular form of distribution which is provided for in this Resolution, it would have been open to him to move an amendment to that particular part of the Resolution.

Mr. B. Das: The Honourable Member did not bring forward the proposition before the House in such a way as to allow a full discussion. In fact, we never had a discussion on the subject.

Mr. President: The Honourable Member ought to restrict himself to the amendment.

Mr. B. Das: I will do so. Sir, provincial autonomy may be a farce. We, on this side of the House think so, and probably Honourable Members on the other side think the same. When the Honourable Member himself retires, and if by any chance he becomes a member of the local Legislative Council and accidentally also becomes a Minister, he himself will be the first man to oppose the very Resolution he has moved on the floor

of this House. He will not like to see the Central Government have any control over Ministers and dictate terms to them. Sir, this is a very important Resolution. The Honourable Member may think that he has more heads on his side than we have on ours, but he must be reasonable and take a broad hint from the Honourable Sir George Soluster, who always likes to discuss subjects on their merits. I want, therefore, the Honourable Member to discuss this question on its merits. I know the Honourable Member does not dabble in politics because that is not his subject, but he may have to dabble in politics after six months or a year and face his brothers in the country. Will his countrymen tolerate the idea that he should give two lakhs of rupees to a province without the Minister having any control over it? Can we tolerate the idea that the policy with regard to the construction of roads in the provinces should be dictated by the Military Department so that their tanks and motor cars may reach a particular place? I cannot support that policy, and I do hope that my Honourable friend will discuss the point I have raised on its merits and not be guided by the mere number of his supporters.

The Honourable Sir Bhupendra Nath Mitra: Sir, I submit, that my Honourable friend, Mr. B. Das, following his usual custom, has been wasting the time of the House by placing before them not facts but fictions. He began by saying that I was fathering something which had been forced on me by the Commerce Department, over which my Honourable colleague to my right presides, and by the other House. Now, Sir, any Member of this House, who has been kind enough to read the Report of the Indian Road Development Committee, 1927-28, will have seen that the Resolution passed in the other House was to the following effect:

"This Council recommends to the Governor General in Council to appoint a Committee, including Members of both Houses of the Central Legislature, to examine the desirability of developing the road system of India, the means by which such development could be most suitably financed, and to consider the formation of a Central Road Board for the purpose of advising in regard to, and co-ordinating the policy in respect of, road development in India."

That is the text of the Resolution passed by the Council of State.

Mr. B. Das: Is not that a Commerce Department Resolution?

The Honourable Sir Bhupendra Nath Mitra: I am not concerned with the fact whether it was a Commerce Department Resolution or not. The Resolution was unanimously adopted by the Council of State. In pursuance of that Resolution, a Committee was appointed which was presided over by my Honourable friend, Mr. Jayakar, the Deputy Leader of the Nationalist Party, and which included among its members the late Lala Lajpat Rai, the Leader of that party. It included also other Members of this House. That Committee submitted a unanimous report, and it fell on me, as Member in charge of the Department which deals with roads, to deal with that particular Report. My Honourable friend, Mr. Das, has said that in the last Session of this Assembly I refrained from bringing to its notice that, in certain matters embodied in this Resolution, there was a difference of opinion between the Members of this House and the Ministers in the provinces. I made that point perfectly clear, and if my Honourable friend at any time had cared to read pages 1637-1638 of the Legislative Assembly Debates for the 26th September, 1929, he would have found it stated clearly there.

Mr. B. Das: I read that debate last year.

The Honourable Sir Bhupendra Nath Mitra: I am very sorry then that, even after reading it, he has failed to realise its contents!

My Honourable friend referred thereafter to the Cinematograph Committee. Now, this again was a Committee which included Members of this House and of which another distinguished member of the Nationalist Party, my Honourable friend, Mr. Neogy, was a member. It may be that the views of my Honourable friend, Mr. Neogy, in matters relating to provincial autonomy are not the same as those of my Honourable friend, Mr. Das. Anyhow, in that particular case, no taxation had been levied with the vote of this House, and therefore it might not have been difficult for me not to take any specific action on that Committee's Report. In this particular case, taxation has already been imposed with reference to a fundamental recommendation of the Indian Road Development Committee, and therefore it was incumbent on me to take action on certain other recommendations of that Committee which dealt with the manner in which the money so raised was to be spent. My Honourable friend, I think, laid great stress on his ideas of provincial autonomy. I have, however, a recollection of having received notice of a Resolution in which my Honourable friend advocated the establishment of an All-India Service of Waterway or Drainage Engineers. It has always puzzled me as to how that proposition, which he wants to father, coincides with the ideas of provincial autonomy which he, on the present occasion, has paraded on the floor of this House.

Sir, my difficulty is that my Honourable friend does not really understand the proposition with which he is dealing. He said that this was an attempt on the part of the Central Government, assisted by the Deputy Leader of his party, who, apparently, has on this particular occasion, along with other eminent Members of this House, joined in an unholy conspiracy with Government, to rob Ministers in the provinces of some of their powers, and to exercise some control over all the roads in the provinces. That certainly is not an element of the Resolution now before the House. The amendment which my Honourable friend has moved ends up with this proposition:

"But as regards other proposals submitted by Local Governments for information, the control of the Government of India shall be confined to considering whether the scheme is one for which expenditure out of the provincial share of the Road Fund should be incurred."

That is precisely the form of control which, after the most careful consideration of the views of representatives of the provinces, we are providing for in this Resolution. I am pretty sure my Honourable friend, Mr. Das, does not really understand the difference between his proposition and the proposition embodied in the draft Resolution. The difference is purely one of degree and not one of essentials. Under the arrangement embodied in the Resolution, schemes from the provinces will be scrutinized simply with the object of ascertaining or ensuring that the scheme is one to which it would be proper to allot money from the central fund. My Honourable friend, Mr. Das, certainly does not want to get rid of that form of control; but he wants it to be done in a different way. His idea is this: Let the Provincial Governments go ahead. Let them spend the money. Let them thereafter send up statements to the Central Government for their information. When these statements come up, then the Central Government, with the help of the Committee of the Central Legislature will start

an examination as to whether the schemes are proper schemes on which money from the central fund could be spent. My Honourable friend, Mr. Das, I think is a Member of the Public Accounts Committee. He will perhaps more fully realise the point of distinction between his scheme and the scheme embodied in the draft Resolution if I use the language of audit. He wants to substitute post audit, whereas we want, in our Resolution, to have pre-audit. That is really the point of difference between my Honourable friend, Mr. Das, and the framers of the draft Resolution before the House. Now in a matter of this sort, equally with certain other matters dealt with by the audit authorities, pre-audit is likely to be more effective than post-audit; for after a Provincial Government has actually incurred expenditure on a particular scheme, if when the scheme is examined by the Central Government with the help of Members of this House, like my Honourable friend, Mr. Jayakar, they find that it is not a scheme on which money from the central fund should have been spent, what is the remedy? It will probably be a question of trying to lock the stable door after the horse has been stolen. That being the position, I submit that there is nothing substantial in the arguments which my Honourable friend, Mr. Das, in his usual style, has been placing before this House; and that the Resolution now before the House, which expresses the considered views not only of the Government of India but also of certain Members of this House, who have devoted a great deal of thought to this subject, is the best arrangement which can be devised. I am not prepared here to discuss whether that arrangement will or will not clash with ideas of provincial autonomy, which may find a shape in the future constitution of India. If it does, then will come the time for modifying the arrangements which we are now introducing. But the arrangements which we now propose to introduce do not in any way clash with the existing constitution. On the other hand they are the best that it has been possible to devise by people like my Honourable friend, Mr. Jayakar, who have given a good deal of thought to this question, to accord with the existing constitution both of the Central Government and of the Provincial Governments. For these reasons, I regret I must oppose the amendment moved by my Honourable friend Mr. Das.

Mr. M. S. Aney (Berar Representative): On a point of information, may I ask the Honourable Member how many of the Provincial Governments have concurred in the recommendations made in this Resolution?

The Honourable Sir Bhupendra Nath Mitra: I said on the 26th September last that they were not willing to submit even to this form of general control. But my point is that the specific amendment moved by my Honourable friend, Mr. Das, does not in any way affect the position.

Mr. M. B. Jayakar: Sir, as a reference has been made to me personally and to the Committee which was appointed for the purpose of going into the question of road development, I think that it is due to the House that I should state in as few words as possible what is the importance of this Resolution. The Resolution represents the views of the Committee, whose Report was unanimous. The House will also bear in mind that that Committee was representative of this House in the sense that Members from the several important parties in this House were drawn on for that Committee. It also included the distinguished Leader of the Nationalist Party, the late Lala Lajpat Rai.

[Mr. M. R. Jayakar.]

The view embodied in the Resolution and now put before the House represents a compromise between two opposite views which were advocated before the Committee. One view was that all important provincial roads ought to be centralised in the hands of a Road Board or an *ad hoc* Committee and taken out of the hands of the Provincial Governments. The other view was that the Committee should do nothing but find out a means of providing money for Provincial Governments from Central Revenue, but should recommend no change causing any interference with provincial autonomy. I can say for myself and also for the late Lala Lajpat Rai that we struggled hard in the Committee against centralising All-India Roads, and the Committee in its Report recommended minimum interference with provincial autonomy only to the extent necessary for the purpose of safeguarding the money. We recommended—and this Resolution carries out that recommendation—a *via media*, if I may say so, namely, that the control of the Government of India should be very limited, that the Government of India, in providing the money, should not go beyond the necessities of the occasion in exercising control over its application. What we recommended was this, that the control of the Government of India should be limited to only one single consideration, namely, that the schemes which come up from the provinces, asking aid for road development, should be analysed and tested on one important particular only, namely, whether it is a scheme of such a nature that the Government of India could sanction money on it from Central revenue. That is the only interference of the Government of India. But after the Government of India had once approved of the scheme, all questions relating to the spending of the money, *e.g.*, how to spend it, whether to spend it on roads or bridges or culverts, and how much on what particular roads, all these details of road development are left entirely in the hands of Provincial Governments. The provincial view was—and I may state to the House that that is the view which the amendment of my Honourable friend Mr. Das embodies—that the Government of India should convert themselves into a collecting agent, that the Government of India should collect this money as Central revenue and hand it over to Provincial Governments as an agent does to the principal without any say in the matter. In other words, the Government of India were to serve merely as a conduit pipe between the taxpayer and the Provincial Governments, and that they should have nothing to do by way of control or supervision over this money, but should simply collect and hand it over to the Provincial Governments.

In accepting this view, the difficulties which my Committee felt were two, firstly, that the two annas petrol tax was a source of Central revenue, and, secondly, that the Legislative Assembly, being the custodian of that revenue, it would be wrong to suggest any arrangement by which the Legislative Assembly would be denuded of their powers of supervision and control. We could not therefore accept the view of the provincial representatives, which sought to convert the Government of India and the Legislative Assembly into a mere conduit pipe. The compromise which we found satisfactory was first to maintain some control which this Legislative Assembly could exercise as the custodian of the Central revenues, and, secondly, that such supervision or control should be strictly limited to the necessities of the case. That view is embodied in the Resolution which is put before the House. I can quite understand the opposition of the Provincial Governments because their view was, as I stated to my

Honourable friends, that the business of the Government of India was only to collect this money and hand it over. That view obviously could not prevail. Constitutionally it was wrong. Likewise, it turned this House into a collecting agent, without control or supervision over money which belonged to them and which they had to vote away.

Therefore my submission to the House is that what the Committee has recommended and what has been embodied in the present Resolution is the right view. The control, minimum though it is, is kept with a Committee on which the Assembly is represented by six Members. It will see whether a particular scheme is of such a character as to deserve support out of the central fund. The utility of this proposal, tested by another method, is also great. We recommended in our Report the holding of yearly conferences. To these conferences the provincial Ministers would come; schemes would come from the several provinces; all these schemes would be considered from one important aspect, *viz.*, as to how they fit in with one another, from the view-point of All-India Development. For instance, a scheme comes from the Central Provinces Government; another comes from the Bombay Government the neighbouring Province. The Ministers coming from these two Provincial Governments will each put forward a scheme before that Conference, and the Conference will then examine them in the light of one important consideration, namely, how these schemes fit in with one another with the ultimate view of developing the entire country. After this stage is reached, the schemes go before the Committee with the recommendations of the Conference. Our six Members on this body and the Government of India behind them will examine these schemes, without interfering with the details of the schemes. These are left entirely in the hands of the Provincial Governments. The Committee and the Government of India behind it will only interfere so far as one consideration is involved, namely, whether that scheme satisfies one test, *i.e.*, whether it is deserving of any support from the central source of revenue. Beyond that there is no interference with the Provincial Governments at all. Therefore the lurid picture which my Honourable friend Mr. Das drew that the Committee was anxious to take away as many powers as they could from the Provincial Governments is not true to facts. Speaking for myself and the late Lala Lajpat Rai, and also for several of our friends on the Committee, we were extremely watchful that the Committee did not make one single recommendation which went beyond the necessities of the occasion and caused undue interference. Therefore, my submission to the House is that the Resolution should be adopted and the amendment opposed.

Mr. Lalchand Navalrai (Sind: Non-Muhammudan Rural): Sir, I support the amendment and I will not enter into any discussion outside the merits of this matter such as may displease the Honourable Sir Bhupendra Nath Mitra. Now, Sir, considering this matter which has been arrived at by a compromise, as was said by the Honourable Mr. Jayakar, I find that these proposals, as embodied in the Resolution, would not serve the purpose and would be dilatory. Sir, in paragraph 3 (b) (i) of the Resolution it is said that:

"An apportionment shall be made among the provinces in the ratio which the consumption of petrol in each province bears to the total consumption in India in the preceding calendar year."

[Mr. Lalchand Navalrai.]

This is all right and there can be no objection to this. But then in clause 5 it is said:

"Grants shall be made to each province, up to the amount available for it in each year, for expenditure on schemes approved by the Governor General in Council with the advice of the Standing Committee for Roads."

I am taking exception to this because it will be a dilatory process and would serve no useful purpose. In the first place it is true that the Local Governments object to this course on the principle of autonomy. That is also a very legitimate objection, but apart from it, I think that to leave the expenditure in their hands when they are restricted already, to use it for the purpose of roads and for no other, would not be objectional in any way. The process of asking them to prepare their schemes,—which would be approved of by the Ministers,—and to send over the same to the Governor General and the Finance Committee, which is appointed for consideration and interference in it, would be interference leading to very great detriment, and I am afraid the purpose for which the money is being given, namely, to improve the roads and put them in order would not be easily attained.

I find, Sir, that the latter portion of clause (5) says:

"As an exception to this rule, the amount available for Burma may, for the present, be spent on any scheme of road development that is approved by the Local Government with the concurrence of the local legislature; but if at any future time the question of road connection with India becomes a live issue, the position shall be reconsidered."

I cannot understand why the whole thing should not be done like that. Why should the power be given only to Burma to spend without sanction and not to the other provinces which are administered by Governors? I would submit that the question of delay plays an important part in the consideration of this matter, and I therefore support the amendment that has been put in by the Honourable Mr. Das. Now, already the purpose of having some control of the Government of India over the Local Government in this direction will be served since the amendment provides that information of what schemes the Local Governments prepare, and how the money will be utilised, will be given to the Government of India.

Then, Sir, it was said by my Honourable friend, Mr. Jayakar, that provision is made in this Resolution only with respect to the scheme being considered on one ground only and that is contained in paragraph (7) of the Resolution, clause (ii) which says that the functions of the Standing Committee for Roads shall be:

"To consider all proposals submitted by Local Governments to the Government of India, for which grants from the road development account are requested; provided that the function of the Standing Committee will be confined to determining whether the scheme is one for which an allotment from the Central Road Development Account should be made."

That is not only one ground which has to be considered, but it is so very comprehensive that it will include many objections and many considerations on which the scheme could be thrown out. I would therefore submit that the acceptance of the amendment would be a better way of dealing with this question.

With these words I support the amendment.

Mr. President: The question is:

"That in clause (5), for the words 'Grants shall be made to each province up to the amount available for it in each year, for expenditure on schemes approved by the Governor General in Council with the advice of the Standing Committee for Roads' the following be substituted:

'Grants shall be made to each province to the full extent of the amount available for it in each year for expenditure on new road works, road reconstruction or substantial road improvements and their maintenance. Such expenditure shall be at the discretion of the Local Government; but such schemes shall be submitted to the Government of India for information, who will be entitled to see that the provincial share of the two anna petrol tax is not diverted to other purposes. The control of the Government of India shall be limited to works which they assist by contributions from their reserve or otherwise, but as regards other proposals submitted by Local Governments for information, the control of the Government of India shall be confined to considering whether the scheme is one for which expenditure out of the provincial share of the Road Fund should be incurred.'

The motion was negatived.

Mr. M. R. Jayakar: I move, Sir, that:

"In clause (5), for the words 'each province' the words 'each Governor's province' be substituted."

The amendment is purely verbal.

The Honourable Sir Bhupendra Nath Mitra: I accept the amendment, Sir.

The motion was adopted.

Mr. President: Sir Brojendra Mitter.

(The Honourable Member was not in his seat.)

Mr. M. R. Jayakar: Sir, I move that:

"In clause (7), after the word 'Roads' the following be inserted:

'including that appointed in pursuance of the motion adopted in the Legislative Assembly on the 2nd September, 1929'."

This amendment is for the purpose of bringing into the operation of this clause the committee which had already been appointed on the 2nd September, 1929. If these words were not added, it would be excluded from the operation of this clause.

The Honourable Sir Bhupendra Nath Mitra: I accept the amendment, Sir.

The motion was adopted.

Mr. B. Das: Sir, I beg to move:

"For sub-clause (ii) of clause (7), the following be substituted:

(ii) To consider all proposals submitted by Local Governments to the Government of India in consultation with provincial representatives, and to advise the Government of India on such proposals; provided that the function of the Standing Committee as regards proposals of Local Governments for expenditure out of the provincial share of the two anna petrol tax submitted by them for information shall be confined to considering whether the scheme is one for which expenditure out of that Road Fund should be incurred'."

[Mr. B. Das.]

Sir, it is pointed out that in this matter there is a difference of opinion among the Provincial Governments. My Honourable friend, Sir Bhupendra Nath Mitra, himself has said a few minutes ago that most of the Provincial Governments differ on this point, and I cannot understand why, in spite of the Provincial Governments differing from him, he wants to pass this Resolution in the teeth of the opposition of the Provincial Governments. If that is his idea of provincial autonomy, then I differ strongly from him. Here I want to speak on behalf of my province, Bihar and Orissa. I maintain that in the Standing Committee there should always be a representative of the Government of Bihar and Orissa. The Sub-Committee recommended a method of allotment of the income from the petrol tax based on population, cultivated area and mileage of roads, and it would have given my province at least 4½ lakhs from this petrol cess. But the Committee did not approve of the Sub-Committee's recommendations and according to the Committee's recommendations for a petrol consumption basis, my province will get only 1·8 lakhs.

The Honourable Sir Bhupendra Nath Mitra: On a point of order. The Honourable Member is again going back to the same thing. This is really covered by clause (3) of this Resolution, to which no amendment has been moved.

Mr. B. Das: Sir, I am only going to explain to the House how the provincial representatives' presence in the Standing Committee will help the Provincial Governments. I will not illustrate it and go into details if my Honourable friend takes objection to it. But I want to say that the presence of provincial representatives in the Standing Committee will very much help the interests of the Provincial Governments. Last Saturday I sent a telegram to the Government of Bihar and Orissa in the Roads Department and I received the following reply:

"Road Development, Bihar opinion proposed distribution on basis of petrol consumption alone is unfair smaller backward provinces. Suggest as additional factors population, cultivated area and road mileage."

This was the recommendation of the Sub-Committee too, and I base my amendment on that. The Honourable Member may oppose it because he has got a large number of votes on his side. The Honourable Member tried his best to point out that I differed from the Honourable the Deputy Leader of my party. I do not at all differ from him. My Honourable friend, Mr. Jayakar, pointed out the difficulties in the way at the time of the discussion of this question in the Committee when the Report had to be drafted. The Honourable Members, the late lamented and revered Jala Lajpat Rai and Mr. Jayakar, probably knew that there were some back benchers who had grave doubts, and they tried to meet our point. I entirely agree with my Honourable friend, Mr. Jayakar, instead of differing from him as my Honourable friend, Sir Bhupendra Nath Mitra, puts it. My Honourable friend, Mr. Jayakar, could not see what was at the back of the mind of the Government of India as I explained in my previous speech.

Sir, the Sub-Committee recommended that the distribution of this money should be on a population basis or on the cultivated area basis or on a mileage of roads basis, and if this method is adopted, my province

would get 4½ lakhs. Cities like Calcutta, Madras or Bombay—such military areas—consume large amounts of petrol, through their military requirements. Why should that money go to prosperous towns or the provinces owning them? The military budget is for central expenditure, and why should the money derived from it go to enrich particular provinces like Bengal, Bombay or the Punjab? In Calcutta the roads are good and the Calcutta Corporation does not want a pie from the Honourable Member nor will it get it. The backward provinces, such as Bihar and Orissa, Assam, Central Provinces and Berar ought to have a large share of this money. If we take my Honourable friend, Mr. Neogy's part of the country, there are no roads there. It is full of rivers. If at any time East Bengal were to be separated from West Bengal, Mr. Neogy would not get a single pie for the development of roads according to the Honourable the Mover's Resolution. So the Sub-Committee's recommendations must be adopted. Therefore, I suggest that the provincial representatives should always be parties to consider whatever views are put forward to distribute the petrol cess. I therefore commend my amendment to the House.

The Honourable Sir Bhupendra Nath Mitra: I submit that my Honourable friend, Mr. B. Das, does not understand the amendment
 1 P.M. he is moving, because I think he dwelt at great length on the injustice done to his beloved province of Bihar and Orissa by the form of apportionment which it is intended to adopt in this Resolution. Now, Sir, the form of apportionment has been dealt with in clause (3) (b) of the Resolution, to which no amendment has been moved. Therefore, I fail to see how the precise amendment which he has just placed before the House will in any way help him in regard to the method of apportionment. As I understand it, his main point is this, that the Standing Committee will consider proposals submitted by the Local Governments in consultation with provincial representatives. Now obviously, in a Resolution passed by this House laying down the functions of the Committee to be appointed by this House, there can be no question of provision for consultation with provincial representatives. As my Honourable friend, Mr. Jayakar, has already stated, one of the recommendations of the Committee, that contained in paragraphs 87 to 89, provides for a Road Conference, where the members of the Standing Committee will meet provincial representatives and discuss with them schemes for which money will be allotted from the central fund. That, I submit, adequately meets the point of this specific amendment of my Honourable friend, Mr. B. Das. This amendment, as I have already stated, has nothing to do with the apportionment of money. Sir, I oppose the amendment.

Mr. President: The question is:

“For sub-clause (ii) of clause (7), the following be substituted:

“(ii) To consider all proposals submitted by Local Governments to the Government of India in consultation with provincial representatives, and to advise the Government of India on such proposals; provided that the function of the Standing Committee as regards proposals of Local Governments for expenditure out of the provincial share of the two anna petrol tax submitted by them for information shall be confined to considering whether the scheme is one for which expenditure out of that Road Fund should be incurred.”

The motion was negatived.

Mr. President: Sir Brojendra Mitter:

Mr. Vidya Sagar Pandya (Madras: Indian Commerce): On a point of order, Sir. On previous occasions when some of the Members on the non-official side were absent, they were not allowed to move the amendments against their names later on, and I do not see why the Honourable the Law Member should now be allowed to move his amendment out of the proper time.

Mr. President: Order, order. This is merely a formal amendment, not a controversial amendment, and I think the general sense of the House is that the amendment should be moved.

Honourable Members: Yes.

The Honourable Sir Brojendra Mitter: Sir, I move that:

"In clause (6), for the word 'will' the word 'shall' be substituted."

It is purely a drafting amendment.

The motion was adopted.

Mr. M. R. Jayakar: Sir, I move that:

"In sub-clause (ii) of clause (7), for the words 'Local Governments' the words 'Governments of Governors' provinces' be substituted."

This is merely a verbal amendment.

The motion was adopted.

Mr. M. R. Jayakar: Sir, I move that:

"In sub-clause (ii) of clause (7), after the word 'Committee' the words 'and its Finance Sub-Committee' be inserted."

The object of this amendment is to supply an omission which is purely inadvertent, and that is to bring the powers and control of the Finance Sub-Committee on to the same footing as those of the Standing Committee, so that there may not be given larger powers to the Finance Sub-Committee to interfere in Provincial Governments' decision.

The motion was adopted.

Mr. M. R. Jayakar: Sir, I move that:

"In sub-clause (ii) of clause (7), for the word 'will' the word 'shall' be substituted."

The motion was adopted.

Mr. M. R. Jayakar: Sir, I move that:

"After sub-clause (iii) (c) of clause (7), the following new sub-clause be added:

'(d) Proposals other than those relating to Indian States on which it is desired to incur expenditure out of the portions of the annual grant referred to in clauses (3) (a) and (3) (b) (ii).'"

Now, in turning to clauses (3) (a) and (3) (b) Honourable Members will find that (3) (a) refers to the reserve of 10 per cent. which remains in the hands of the Government of India, and (3) (b) relates to the balance. The object of the amendment is to put both these parts of the fund on the same footing as the bulk.

The motion was adopted.

Mr. M. E. Jayakar: Sir, I move that:

"After clause (7), for the words 'All proposals for expenditure from the annual grant or its accumulated balance shall be submitted for approval to the Finance Sub-Committee', the following new clause be substituted:

(8) All proposals for expenditure from the annual grant or its accumulated balance shall be transmitted by the Standing Committee to its Finance Sub-Committee for approval before recording its final acceptance; and the Standing Committee shall not record its acceptance to any such proposal unless it has received the approval of the Sub-Committee'."

The object of the amendment, Sir, is to give power to the Finance Sub-Committee to scrutinise and approve of the financial aspects of the proposals, and it is only when the Finance Sub-Committee has done so that they will be passed by the Standing Committee for Roads.

The motion was adopted.

Mr. B. Das: I do not wish to move my amendment*, Sir.

Mr. President: The question is:

"That the Resolution, as amended, be passed."

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Wednesday, the 5th February, 1980.

*"After clause (7), for the words 'All proposals for expenditure from the annual grant, or its accumulated balance, shall be submitted for approval to the Finance Sub-Committee' the following be substituted:

'All proposals for expenditure from the annual grant or its accumulated balance shall be submitted for approval to the Finance Sub-Committee, whose function shall be as defined in clause (7) (ii)'."
