

# LEGISLATIVE ASSEMBLY DEBATES

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FRIDAY, 16th JANUARY, 1931

Vol. I—No. 3

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## OFFICIAL REPORT



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# LEGISLATIVE ASSEMBLY.

Friday, 16th January, 1931.

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The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. R. K. Shanmukham Chetty in the Chair.

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## MEMBERS SWORN :

Rai Bahadur Pandit Triloki Nath Bhargava, M. L. A. (Fyzabad Division: Non-Muhammadan Rural); Kumar Gupteshwar Prasad Singh, M. L. A. (Gaya cum Monghyr: Non-Muhammadan); Mr. James Hezlett, C.I.E., M. L. A. (Assam: Nominated Official).

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## ELECTION OF THE STANDING FINANCE COMMITTEE.

**Mr. Chairman:** The House will now proceed to elect Members not exceeding fourteen in number to the Standing Finance Committee. There were originally 32 candidates who were nominated, but the following have since withdrawn :

Mr. B. Sitaramaraju,

Mr. M. Maswood, and

Haji Chaudhury Muhammad Ismail Khan.

The ballot papers will now be supplied to Honourable Members in the order in which I call them.

(The ballot was then taken.)

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## ELECTION OF THE STANDING FINANCE COMMITTEE FOR RAILWAYS.

**Mr. Chairman:** The House will now proceed to elect 11 Members to the Standing Finance Committee for Railways. Out of 37 candidates originally nominated, the following have since withdrawn their candidature :

Mr. C. S. Ranga Iyer,

Kunwar Raghbir Singh,

Mr. M. Maswood,

Mr. Muhammad Muazzam Sahib Bahadur,

Kunwar Hajee Ismail Ali Khan, and

Mr. A. Das.

The ballot papers will now be supplied to Honourable Members in the order in which I call them.

(The ballot was then taken.)

## ELECTION OF MEMBERS TO THE GOVERNING BODY OF THE IMPERIAL COUNCIL OF AGRICULTURAL RESEARCH.

**The Honourable Khan Bahadur Mian Sir Fazl-i-Husain** (Member for Education, Health and Lands): Sir, I beg to move:

“That this Assembly do proceed to elect in such manner as the Chairman may direct, two Members to sit on the Governing Body of the Imperial Council of Agricultural Research.”

**Sir Hari Singh Gour** (Central Provinces Hindi Divisions: Non-Muhammadan): Sir, I want to ask a question on a point of information. I should like the Honourable Member to enlighten the House as to how many members there would be altogether in the Governing Body of the Imperial Council of Agricultural Research and what are its objects and functions. I should be glad if the Honourable Member would take the House into his confidence and tell us more about this, *i.e.*, how many members there would be altogether, how they would be elected and what would be the relation of the members elected by the Legislative Assembly *vis-a-vis* the rest of the members.

**The Honourable Khan Bahadur Mian Sir Fazl-i-Husain**: Sir, I have no doubt the information which the Honourable Member seeks could be obtained by referring to certain papers, pamphlets and books that are bound to be in the Library of this House.

**Mr. B. Das** (Orissa Division: Non-Muhammadan): There are twenty thousand books in the Library.

**The Honourable Khan Bahadur Mian Sir Fazl-i-Husain**: Yes, there are. That is a very fair number, Sir. (Laughter.) But so far as these two Members are concerned, I can tell the House that their number is not in any way large as compared with the number of other members. Probably they are not more than perhaps 15 per cent. of the total number. As to whether they will make themselves felt, I have not the slightest doubt that representing this House, their views and opinions will carry the largest possible weight with the other members of the Council. Further, perhaps the House would also like to know that the Council of Agricultural Research is largely recruited from amongst technical officers who have particular knowledge of the subject with which they have to deal, representing not the general point of view but the special point of view of the Department. There are also a number of officers belonging to the Agricultural Department including Veterinary and Co-operation; and thus a body is brought into being which combines technical and expert knowledge with a sprinkling of what one might call general knowledge, or the knowledge which the man in the street possesses or what the constituents of the Honourable Members of this House possess.

If there is any other point on which the Honourable Member or some other Member seeks information which I am at present able to give, I shall be delighted to give it as well.

**Sir Hari Singh Gour**: Sir, the question which I put to the Honourable Member was this. When he made this motion, as an introductory speech he should have pointed out when and for what purpose this Imperial Council of Agricultural Research was to be established, what were to be its functions, how many members there would be, and what would be the proportion of Members of this House in that Council. I am perfectly certain that the information is contained in a very large number of books

which are to be found in the Library, but if I understand it aright, this Council was recommended by the Royal Commission on Agriculture and the Government of India, I believe, issued a Resolution on that subject. But what I am not quite clear about, and I am quite sure many Members on the Opposition Benches are not quite clear about, is this. We want to know as to how many Members of the Legislative Assembly, and possibly also of the Council of State would be added to the Imperial Council of Agricultural Research and what would be their proportion and what would be their functions. That is the point on which I wish the Honourable Member to enlighten this House before we accede to this motion.

**The Honourable Mian Sir Fazl-i-Husain:** May I point out, Sir, to the Honourable Member that I cannot conceive he could have been ignorant of the fact that the Council of Agricultural Research has been functioning now for nearly a year ("Hear, hear" from the European Benches) and that this House voted large funds for the expenditure to be incurred by that Council? A new Member coming perhaps from a remote province might have lacked that knowledge, but I cannot suppose anything else but his deep absorption in more exciting matters could have kept this information from the Honourable Member. The Agricultural Research Council is well known to most Members of this House. There is the Advisory Body which has been meeting here now for four days running. Yesterday we held a special meeting of the Council in order to amend certain rules of that Body. So I really do not know whether the Honourable Member simply wishes to find out how much I do not know, for I really cannot think he does not know about an institution on which representatives of this House have already served, or really seeks information. I am seeking new election because this is a new Assembly. If even after this explanation, the Honourable Members feel that, on account of the House being new, it is necessary to give some information to the Members relating to the Indian Council of Agricultural Research, I shall be delighted to circulate a note on this subject to Honourable Members telling them what the constitution of the Council is and what work it does, but I cannot really feel there is any need to give any more information to the House to enable the Members to elect these two representatives to serve on that Committee.

**Mr. B. Das:** Sir, the Honourable and gallant knight from Nagpur wanted to know if the knight from the Punjab was well informed on the subject which he brought before the House, and it is no use my Honourable friend, Sir Fazl-i-Husain, saying that my friend, Sir Hari Singh Gour, is ignorant of the purpose of the Government Resolution. It seems my friend, Sir Fazl-i-Husain, has not got before him on the desk the Government Resolution that gave him the power to come before this House and ask for two Members to be appointed to this Council of Agricultural Research. The Honourable Sir Fazl-i-Husain said that the Advisory Committee of the Agricultural Council was sitting. We are not concerned with that; neither has the Honourable Member taken the opportunity before this to inform us that such a committee was sitting, and if Members of this House were interested in the agricultural development of the country, they could attend the sittings of that Advisory Body. But what I gather from the discussion that has gone on so far is that the Honourable Member for Education, Health and Agriculture did not have before him, and is not himself posted on the constitution of the Council for which he wants two Members to be elected by this House. My friend, Sir Hari Singh

[Mr. B. Das.]

Gour, himself voted last year when two Members were elected to this Council, but he wants that Sir Fazl-i-Husain should explain to the Members, new and old, the functions of that Committee. It seems that the Honourable Sir Fazl-i-Husain, not being himself well informed about the constitution of that Committee, refers my friend to the huge big Library that we have on the other side of the Chamber; he could not refer to the particular Resolution, because he himself has not got it before him, nor has he himself read it, if I understand him aright.

**\*Dewan Bahadur T. Rangachariar** (South Arcot *cum* Chingleput: Non-Muhammadian Rural): Sir, it appears to me that the questions put by my friend, Sir Hari Singh Gour, were quite relevant and legitimate to the Resolution we are considering (*Cries of "Hear, hear"* from the Nationalist Benches), and if the Honourable Member is not in possession of the information he may tell us frankly "I want notice of this and I shall collect the information". I do think we are entitled to know really something about the points raised by my friend, Sir Hari Singh Gour; and in order to put this in order, I formally move that the consideration of this motion be adjourned to Monday next.

**Mr. Arthur Moore** (Bengal: European): I suggest, Sir, that the opposition is in danger of creating a most dangerous precedent which they may regret afterwards. As the Honourable Member has pointed out, the Council . . . .

**\*Mr. C. S. Ranga Iyer** (Rohilkund and Kumaon Divisions: Non-Muhammadian Rural): On a point of order, Sir. Dewan Bahadur Rangachariar just now formally moved that this motion be considered on Monday next and I would put it to the Chair (*Cries of "Louder please"*) as well as to the House whether it may not be relevant first to take that motion for adjournment into consideration.

**Mr. Chairman:** What is the point of order?

**Mr. C. S. Ranga Iyer:** The point of order is that the discussion should be on the motion for adjournment of the question.

**Mr. Chairman:** The Honourable Member knows perfectly well that when the Chair calls another Member to follow the motion made by Mr. Rangachariar, the discussion will be on the amended motion.

**Mr. C. S. Ranga Iyer:** Sir, I thought that the Chair would invite the House by putting that motion before it that the House should consider it. I thank you, Sir, for your suggestion.

**Mr. Arthur Moore:** I am endeavouring to speak upon Dewan Bahadur Rangachariar's motion, which I think may create a very unfortunate precedent. As the Honourable Member has pointed out, the Council of Agricultural Research is or ought to be a perfectly well known institution, and I think that it is a very grave reflection on ourselves if we do not know about it; and if on an ordinary motion to fill two vacancies we have got to spend our time in listening to a dissertation from the Government

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\*Speech not revised by the Honourable Member.

Benches upon the objects and origin and constitution and functions of this Council. The same thing will obviously have to be done in the case of all the committees that we have to elect at the beginning of a new session; we will waste half our time while the Government give us lectures . . . .

**Sir Hari Singh Gour:** They are all committees of the House, Sir; this is not a committee of the House.

**Mr. Arthur Moore:** It makes no difference.

**Sir Hari Singh Gour:** It makes all the difference.

**Mr. Arthur Moore:** What difference does it make? This is a committee upon which the House is entitled to have representatives; we have elected them before; we are asked to re-elect them. My friend here sat upon it, and we have now got to find two new Members; I think it is a very serious reflection upon the use to which we put our time that we cannot carry through that business this morning and have to ask for further notice in order that the Government may come to us and give us a dissertation upon the objects of the Council of Agricultural Research.

**Mr. C. S. Ranga Iyer:** Sir, I am very much astonished that the Honourable Member who represents the European Association of Calcutta . . . .

**Mr. Arthur Moore:** I don't.

**Mr. C. S. Ranga Iyer:** I am very much astonished that the previous speaker should have suggested that we are wasting the time of the House and that we should be acting in indecent haste. Sir, this is a very important matter, and I do think that it would be a very good thing in the interests of the new Members that the matter should be adjourned so that we might have ample time for the consideration of the subject. The very fact that the official Member in charge today felt it necessary to give what the European Member described as a dissertation makes it very clear that the matter requires consideration. . . .

**Mr. Arthur Moore:** I did not say that he had given a dissertation; I said he was asked to give a dissertation.

**Mr. C. S. Ranga Iyer:** Well, Sir, that that was a dissertation is the opinion on this side of the House, and my friend, Mr. B. Das, in his very lucid speech, made it quite clear, and my friend, Dewan Bahadur Rangachariar, also made it still more clear; and I am quite sure that the Honourable gentleman is not such a dunce as not to understand whether it was a dissertation or not. In any case, it is the desire on this side of the House that the matter should stand adjourned so that there may be no indecent haste about this election, as there appears to be on the part of Government, to bring in controversial measures. This is not a very controversial measure, but at the same time it is much better that there should be some more information at the disposal of new Members who are here before you proceed with this matter.

**Dr. Ziauddin Ahmad** (United Provinces Southern Divisions: Muhammadan Rural): Sir, my friend Sir Hari Singh Gour knows that ignorance of law is no excuse. In this case all the information he is asking for has been published in the Government Gazette and every Member of this House gets a copy of it. . . .

**Sir Hari Singh Gour:** Is that law? Is everything published in the Government Gazette law?

**Dr. Ziauddin Ahmad:** I am just coming to it. This information is published in the Government Gazette which every one of us is expected to read. If we did not care to read it, it is not the fault of Sir Fazl-i-Husain; it is our own fault. As regards the question whether the Members know something about this matter or not, I might say that, just before we met, half a dozen Members here came to me and asked me whether I could give my first vote for this Committee to them. So it appears that a good many people already know what this Committee is, and that is why they were demanding the first vote from other Members. Sir, this Committee has been in existence for some time, and any one who is interested in Agriculture practically knows how the whole Department is now working.

**Sir Hari Singh Gour:** You tell us something about the constitution; you give us an idea of the constitution.

**Dr. Ziauddin Ahmad:** My friend Sir Hari Singh Gour wishes to examine me. I have no doubt that I appeared in my life in more than 200 examinations, and I have outlived them.

**Sir Hari Singh Gour:** You have survived all that ordeal. (Laughter.)

**Dr. Ziauddin Ahmad:** Yes, leaving bitterness, Sir, I think that in a matter of this kind it is very desirable that there should be no postponement. We have been electing Members for the Medical Research Institute Committee and for various other similar Committees, and I think this is the first time that a question has been raised that the constitution, powers and functions of the Committee should first be defined and examined by the House before electing Members. I think this is a very dangerous procedure and will lead to unnecessary waste of time.

**Khan Bahadur Haji Wajihuddin** (Cities of the United Provinces: Muhammadan Urban): May I know, Sir, the names of the Members who have served on this Committee during the last three or four years?

**Sir Lancelot Graham** (Secretary, Legislative Department): Sir, on a small point of order. As regards my Honourable friend's motion for adjournment, in the first place my submission is that this question lies with you, as to whether you will put the motion to the House or not.

My second point is this, that my friend opposite, in proposing this, said we should not proceed today with the consideration of this business and he definitely proposed that the business should be taken on Monday next. May I remind the Honourable Member, Sir, that under Standing Order 7, Monday next is a day allotted for Government business, and it rests with the Governor General in Council to decide what business he will put on the paper on that day. Therefore, Sir, if you decide to put this motion to the House, I would suggest to the Honourable Member who wishes to move the motion that he should withdraw that portion of his motion which relates to putting the business down on a definite day.

**Dewan Bahadur T. Rangachariar:** Sir, I am obliged to the Honourable Member opposite. I understood the Government would have no objection to put this business down for Monday if the House moved for the adjournment of this debate; I thought the Government would have no objection to put it down for Monday next. However, I am afraid I was perhaps a little out of order in fixing Monday as a definite day for taking up this business. I am quite prepared to omit the word "Monday" if you agree, Sir.

**Mr. Chairman:** When a definite motion for the consideration of this House has been made, it is perfectly in order for any Member to move as an amendment that the consideration of that motion do stand adjourned, and so long as such an amended motion is before the House, the Chair is bound to put that motion first.

The original motion was:

"That this Assembly do proceed to elect, in such manner as the Chairman may direct, two Members to sit on the Governing Body of the Imperial Council of Agricultural Research."

Since which an amendment has been moved:

"That the consideration of this motion do stand adjourned."

The question I have now to put is that the consideration of this motion do stand adjourned.

The Assembly divided:

AYES—49.

Abdul Matin Chaudhury, Mr.  
Aggarwal, Lala Jagan Nath.  
Bagla, Lala Rameshwar Prasad.  
Bhargava, Rai Bahadur Pandit T. N.  
Bhuput Singh, Mr.  
Biswas, Mr. C. C.  
Chandi Mal Gola, Bhagat.  
Das, Mr. A.  
Das, Mr. B.  
Dudhoria, Mr. Nabakumar Sing.  
Dutt, Mr. Amar Nath.  
Gour, Sir Hari Singh.  
Gunjal, Mr. N. R.  
Harbans Singh Brar, Sirdar.  
Hari Das, Rai Sahib Pandit.  
Hari Raj Swarup, Lala.  
Hoon, Mr. A.  
Isra, Chaudhri.  
Jha, Pandit Ram Krishna.  
Jog, Mr. S. G.  
Lahiri Chaudhury, Mr. D. K.  
Misra, Mr. B. N.  
Mujumdar, Sardar G. N.  
Pandian, Mr. B. Rajaram.  
Pandit, Rao Bahadur S. R.

Puri, Mr. B. R.  
Puri, Mr. Goswami M. R.  
Raghubir Singh, Kunwar.  
Rajah, Raja Sir Vasudeva.  
Ranga Iyer, Mr. C. S.  
Rangachariar, Dewan Bahadur T.  
Rastogi, Mr. Badri Lal.  
Reddi, Mr. P. G.  
Reddi, Mr. T. N. Ramakrishna.  
Roy, Kumar G. R.  
Sant Singh, Sardar.  
Sarda, Rai Sahib Harbilas.  
Sen, Mr. S. C.  
Sen, Pandit S. N.  
Shahani, Mr. S. C.  
Singh, Kumar Gupteshwar Prasad.  
Singh, Mr. Gaya Prasad.  
Sitaramaraju, Mr. B.  
Sohan Singh, Sirdar.  
Suhrawardy, Dr. A.  
Sukhraj Rai, Rai Bahadur.  
Thampan, Mr. K. P.  
Uppi Saheb Bahadur, Mr.  
Yakub, Maulvi Muhammad.



## NOES—65.

Abdoola Haroon, Seth Haji.  
 Abdur Rahim, Sir  
 Ahmed, Mr. K.  
 Alexander, Mr. W.  
 Allah Baksh Khan Tiwana, Khan  
     Bahadur Malik.  
 Anklesaria, Mr. N. N.  
 Anwar-ul-Azim, Mr. Muhammad.  
 Ayyangar, Mr. V. B.  
 Azhar Ali, Mr. Muhammad.  
 Bajpai, Mr. R. S.  
 Banerji, Mr. Rajnarayan.  
 Baum, Mr. E. F.  
 Boag, Mr. G. T.  
 Chatterjee, The Revd. J. C.  
 Crerar, The Honourable Sir James.  
 Dalal, Dr. R. D.  
 Deo. Thakur Mahendra Nath Shah.  
 Fazal Haq Piracha, Shaikh.  
 Fazl-i-Husain, The Honourable Khan  
     Bahadur Mian Sir.  
 French, Mr. J. C.  
 Graham, Sir Lancelot.  
 Gwynne, Mr. O. W.  
 Hamilton, Mr. K. B. L.  
 Heathcote, Mr. L. V.  
 Hezlett, Mr. J.  
 Howell, Mr. E. B.  
 Ibrahim Ali Khan, Lt. Nawab  
     Muhammad.  
 Ishwarsingji, Nawab Naharsingji.  
 Ismail Ali Khan, Kunwar Hajee.  
 Ismail Khan, Haji Chaudhury  
     Muhammad.  
 Jawahar Singh, Sardar Bahadur  
     Sardar.  
 Khurshed Ahmad Khan, Mr.

Krishnamachariar, Raja Bahadur G.  
 Macmillan, Mr. A. M.  
 Maswood, Mr. M.  
 Montgomery, Mr. H.  
 Moore, Mr. Arthur.  
 Morgan, Mr. G.  
 Muazzam Sahib Bahadur, Mr.  
     Muhammad.  
 Mukherjee, Rai Bahadur S. C.  
 Murtuza Saheb Bahadur, Maulvi  
     Sayyid.  
 Parsons, Mr. A. A. L.  
 Rafiuddin Ahmad, Khan Bahadur  
     Maulvi.  
 Rahimtoola, Sir Ibrahim.  
 Rainy, The Honourable Sir George.  
 Rajah, Rao Bahadur M. C.  
 Row, Mr. K. Sanjiva.  
 Roy, Mr. K. C.  
 Sadiq Hasan, Shaikh.  
 Sahi, Mr. Ram Prashad Narayan.  
 Sams, Mr. H. A.  
 Sarma, Mr. R. S.  
 Schuster, The Honourable Sir George.  
 Scott, Mr. J. Ramsay.  
 Shafee Daoodi, Maulvi Muhammad.  
 Shah Nawaz, Mian Muhammad.  
 Studd, Mr. E.  
 Sykes, Mr. E. F.  
 Talib Mehdi Khan, Nawab Major  
     Malik.  
 Tin Tüt, Mr.  
 Wajihuddin, Khan Bahadur Haji.  
 Walayatullah, Khan Bahadur H. M.  
 Yamin Khan, Mr. Muhammad.  
 Young, Mr. G. M.  
 Ziauddin Ahmad, Dr.

The motion was negatived.

**Mr. Chairman:** The question I have to put now is:

“That this Assembly do proceed to elect, in such manner as the Chairman may direct, two Members to sit on the Governing Body of the Imperial Council of Agricultural Research.”

**Dewan Bahadur T. Rangachariar:** We were till now discussing the adjournment of the motion. The original motion is now before the House for discussion and I want to say a few words.

**Mr. Chairman:** If it is the desire of the House that there should be a discussion on the original motion, I certainly have no objection.

**Dewan Bahadur T. Rangachariar:** As this simple request for information has been denied to us, we propose to take no part in the division on the original motion.

**Mr. Chairman:** The question is:

“That this Assembly do proceed to elect, in such manner as the Chairman may direct, two Members to sit on the Governing Body of the Imperial Council of Agricultural Research.”

The motion was adopted.

**Mr. Chairman:** I may inform Honourable Members that the date for receiving nominations as well as the date on which the election of Members to the Governing Body of the Imperial Council of Agricultural Research will take place will be announced later on. The election will be conducted in accordance with the principle of proportional representation by means of the single transferable vote.

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#### THE INDIAN PORTS (AMENDMENT) BILL.

**The Honourable Sir George Rainy** (Member for Commerce and Railways): Sir, I move for leave to introduce a Bill further to amend the Indian Ports Act, 1908, for a certain purpose.

This is a very short Bill, Sir, and its object is not so much to change the law as to clear up a small point of interpretation.

The motion was adopted.

**The Honourable Sir George Rainy:** Sir, I introduce the Bill.

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The Assembly then adjourned till Eleven of the Clock on Saturday, the 17th January, 1931.