

21st January 1930

THE

LEGISLATIVE ASSEMBLY DEBATES

(Official Report)

Volume I, 1930

(20th January to 24th February, 1930)

SIXTH SESSION

OF THE

THIRD LEGISLATIVE ASSEMBLY, 1930

~~Chamber designated~~ 18-X-73



DELHI
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1930

Legislative Assembly.

President :

THE HONOURABLE MR V. J. PATEL.

Deputy President :

MAULVI MUHAMMAD YAKUB, M.L.A.

Panel of Chairmen :

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

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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, 21st January, 1930.

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

MEMBERS SWORN.

Mr. William Alexander, M. L. A. (Madras: European); and Mr. G. W. Chambers, M. L. A. (Associated Chamber of Commerce: Nominated Non-Official).

QUESTIONS AND ANSWERS.

COMMISSIONER OF MEDICAL QUALIFICATIONS IN INDIA.

25. ***Dr. B. S. Moonje** (on behalf of Mr. Gaya Prasad Singh): (a) Is it a fact that, in consequence of a letter addressed by Sir Donald Macalister, Chairman of the General Medical Council, to the Secretary of State for India, on the 12th June last, Colonel Needham was temporarily appointed Commissioner of Medical Qualifications in India, and that he was expected to assume charge on the 1st November, 1929?

(b) Is it intended to bring up again this question before the Legislative Assembly at the instance of the General Medical Council in England?

Sir Frank Noyce: (a) The General Medical Council of Great Britain, in its letter of the 12th June, 1929, emphasised the necessity for the appointment of a whole-time Commissioner of Medical Qualifications and Standards. Government decided to offer the post to Bt.-Col. R. A. Needham, but the offer was subsequently withdrawn. According to the original arrangements, Bt.-Col. Needham would have sailed for India on the 1st November, 1929.

(b) The question of the measures which should be adopted to ensure the continued recognition of Indian medical degrees by the General Medical Council is still under consideration of Government.

Dr. B. S. Moonje: Was any compensation paid for cancelling the appointment?

Sir Frank Noyce: No, Sir.

CONDITION OF INDIANS REPATRIATED FROM SOUTH AFRICA.

26. ***Dr. B. S. Moonje** (on behalf of Mr. Gaya Prasad Singh): (a) Will Government be pleased to say how many Indians have been repatriated from South Africa since the scheme has been in force; and what provisions have been made by the Government, and what facilities have been provided for the repatriated Indians after their arrival in this country from South Africa?

(b) Has the attention of the Government been drawn to the *Leader*, dated the 20th October, 1929, (page 7) in which a letter is published over the signature of P. B. Naidu, Allahabad, a repatriate from South Africa, in which he complains about the distressing condition of the repatriates from South Africa on their arrival in India, and the failure of the Government to make any provisions for them in this country?

Sir Frank Noyce: (a) The total number of Indians who have so far returned to India from South Africa under the scheme of assisted emigration is 7,376. As regards the second part of the question, the attention of the Honourable Member is invited to parts (a) and (b) of the reply given on the 11th September, 1929, to Mr. Rafi Ahmad Kidwai's question No. 399.

(b) Yes. Mr. Naidu is not an "assisted emigrant" and returned to India long before the Cape Town Agreement was concluded. Strictly speaking, therefore, he is not one of those for whose assistance the special staff in Madras has been appointed. But the Government of India take a broad view of their responsibilities in the matter, and are doing what they can to secure employment for Mr. Naidu. Government have no reason to believe that the hardship complained of by Mr. Naidu is common among those who have come back from South Africa under the scheme of assisted emigration.

GRIEVANCES OF INDIANS IN FIJI.

27. ***Dr. B. S. Moonje** (on behalf of Mr. Gaya Prasad Singh): (a) Is it a fact that in Fiji the number of Indians is more than 60,000 while that of the Europeans is about 4,000 only, but that in the Legislative Council of Fiji, according to the present constitution, the Indians elect three, and the Europeans six members, through separate electorates? Why is the representation of the Indians so small?

(b) Is it a fact that the motion of the Indian members recommending the provision of a common electoral roll was rejected by the votes of the European members in the Legislative Council, and that the Indian members resigned in protest?

(c) Are Government aware that a Royal Commission, which was recently appointed to inquire into the grievances of the Indians in Fiji, have recorded that "Indians have been deprived of representation on the Municipal Councils since 1915, and have no facility for participating in Municipal affairs to look after their requirements and interests"; that the Municipal Council of Suva "is not carrying out its obligations to Indian rate-payers"; that "most of the roads in Indian areas are in a disgraceful condition, lighting arrangements in such areas are bad, and measures of discrimination have been adopted on racial grounds in the matters of public baths and library"; and that the Levuka Municipal Council "collects education rate from Indian taxpayers, although Indian children are not admitted to the public school at Levuka"?

(d) Are Government prepared to make a statement indicating in brief detail when and what steps they have so far taken to remove the grievances of the Indians in Fiji, and with what result?

Sir Frank Noyce: (a) The attention of the Honourable Member is invited to the answer given by Mr. G. S. Bajpai on the 4th September 1928 to his unstarred question No. 22.

(b) The motion was supported only by the Indian Members of the Legislative Council who withdrew after its rejection and subsequently resigned.

(c) The statements quoted by the Honourable Member occur in the Minority Report of the Indian Members of the Municipal Franchise Committee set up by the Colonial Government and not by a Royal Commission.

(d) Papers relating to the Indian position in Fiji were published in the Government of India, Department of Education, Health and Lands, Resolution No. 24, dated 12th January, 1927. Since then the Municipal question, referred to in part (c) of the Honourable Member's interpellation, and the franchise question, referred to in part (b), have again come into prominence and are at present the subject of correspondence with His Majesty's Secretary of State for India. I regret that it is not possible for me to disclose the contents of this correspondence, which is confidential. I can, however, assure the House that the representations of the Government of India on such questions will always be framed with due regard to the legitimate views and wishes of the Indian communities concerned.

Dr. B. S. Moonje: The number of Indians is more than 60,000 and the number of Europeans is about 4,000. May I know what was the principle on which this representation of three for the Indians and six for the Europeans was based?

Sir Frank Noyce: As already stated I would refer the Honourable Member to the answer given by Mr. Bajpai to a similar question on the 4th of September.

Pandit Hirday Nath Kunzru: Have Government received the Report of the Municipal Franchise Committee?

Sir Frank Noyce: Yes.

Pandit Hirday Nath Kunzru: Will a copy of it be placed in the Library?

Sir Frank Noyce: I will see if that can be done.

Dr. B. S. Moonje: Who asked for the separate electorates? Was it the Europeans or the Indians or the Bureaucracy who asked for separate electorates?

Sir Frank Noyce: I am sorry I could not quite follow the Honourable Member's question.

Dr. B. S. Moonje: Who asked for separate electorates in Fiji?

Sir Frank Noyce: I should like to ask for notice of that question.

INTERESTS OF INDIANS IN CEYLON.

28. ***Dr. B. S. Moonje** (on behalf of Mr. Gaya Prasad Singh): (a) Is it a fact that 40 to 50 per cent. of the Indians in Ceylon were permanent residents, and entitled to franchise, if otherwise qualified?

(b) Will Government be pleased to state how far the recommendations of the Donoughmore Report have been dealt with, in so far as they affect the rights and interests of the Indians in Ceylon?

Sir Frank Noyce: (a) Government have no information beyond what is given in chapter V, part II of the Report of the Special Commission on the Constitution of Ceylon.

(b) The recommendations of the Governor and the orders passed thereon are contained in the Ceylon Sessional Paper XXXIV—1929, a copy of which has been placed in the Library of the House. The matter is now the subject of correspondence between the Government of India and His Majesty's Secretary of State for India.

Pandit Hirday Nath Kunzru: Is it a fact that the orders recently passed by the Colonial Secretary will place the Indians, that is the emigrant Indians in Ceylon at a disadvantage?

Sir Frank Noyce: I think the Honourable Member is asking for an expression of opinion?

Pandit Hirday Nath Kunzru: I am not asking for an expression of opinion at all. May I know whether the recommendations made by the Ceylon Reforms Commission were more liberal than the orders passed by the Secretary of State for the Colonies?

Sir Frank Noyce: That is so; but I think the Honourable Member is as capable of drawing that inference as I am.

Pandit Hirday Nath Kunzru: May I know whether under the orders passed by the Secretary of State for the Colonies the number of Indian electors will be the same as under the recommendations of the Ceylon Commission?

Sir Frank Noyce: I cannot say off-hand.

Pandit Hirday Nath Kunzru: Has the Honourable Member read the despatch of the Secretary of State for the Colonies to the Government of Ceylon?

Sir Frank Noyce: Yes, Sir.

Pandit Hirday Nath Kunzru: Is it not a feature of that Report?

Mr. Arthur Moore: May I ask, Sir, if the Honourable Member is aware of it, why should he ask a question?

Pandit Hirday Nath Kunzru: It is for the President to regulate the proceedings of the House. I did not know that there was more than one President.

Is it a fact that, under the orders of the Secretary of State for the Colonies, the number of Indian electors would be less than it would have been had the recommendation of the Ceylon Commission been accepted?

Sir Frank Noyce: That is so.

Pandit Hirday Nath Kunzru: Have the Government of India brought that matter to the notice of His Majesty's Government?

Sir Frank Noyce: I have informed the Honourable Member that the matter is under correspondence between the Government of India and His Majesty's Secretary of State for India. I may also add for the information of the Honourable Member that the Government of India propose to refer the matter to the Standing Emigration Committee and obtain their advice.

THE EAST AFRICAN QUESTION.

29. ***Dr. B. S. Moonje** (on behalf of Mr. Gaya Prasad Singh): (a) Has the attention of the Government been drawn to the following passage in their despatch of 1920 on the East African question?

"We desire to reiterate our opinion that there should be a common electoral roll, and a common franchise on a reasonable property basis, plus an educational test without racial discrimination, for all British subjects. We believe that this is the true solution of the East African problem".

(b) Have the Government, in their recent despatch of September last to the India Office, emphasised the above points and are they prepared to publish the despatch? If not, why not?

Sir Frank Noyce: (a) Yes.

(b) The Government of India still hold the views quoted by the Honourable Member. As regards the Honourable Member's request for publication of the despatch, Government regret their inability to consider the matter until the decision of His Majesty's Government on the East African question has been announced. Until then the correspondence must be treated as confidential.

†30*—38*.

RECOMMENDATIONS OF THE ROYAL COMMISSION ON AGRICULTURE.

39. ***Mr. C. Duraiswamy Aiyangar:** (a) Will Government be pleased to state how many of the recommendations of the Royal Commission on Agriculture will be given effect to in this and the ensuing years?

(b) Which are the recommendations that will be given effect to?

(c) Do Government propose to recruit from outside India in carrying out the proposals of the Royal Commission?

Sir Frank Noyce: (a) and (b). Statements showing the action taken by the Government of India and by Local Governments and Administrations on the recommendations of the Royal Commission are under preparation and will be placed in the Members' Library as soon as they are complete.

(c) Yes.

†40*—42*.

REBATES FOR CO-OPERATIVE SOCIETIES.

43. ***Mr. C. Duraiswamy Aiyangar:** (a) Is it a fact that rebates to the extent of 75 per cent. are granted to the co-operative banks and societies in the Bombay Presidency on the money order and insurance charges paid by them?

(b) Is a similar concession shown to similar societies and banks in the other Presidencies? If not, do Government propose to order rebates even in the case of other provinces?

Sir Frank Noyce: (a) In Bombay the Local Government refund to Co-operative Societies three quarters of the commission on postal money orders when these are employed for remittances between Societies.

(b) A similar concession has been granted in some other provinces. As the cost of the concession falls on provincial revenues, the Government of India do not propose to issue orders on the subject.

†44*—61*.

MEMBERS OF THE HISTORICAL RECORDS COMMISSION.

62. ***Mr. M. S. Aney:** (a) Will Government be pleased to give the total number and names of the members of the Historical Records Commission?

(b) How is the selection of these members made?

(c) Are bodies carrying on historical research work in the country, such as Itihas Sanshodhak Mandal of Poona consulted?

†For these questions and their answers, see Proceedings of the 20th January, 1930.

(d) What are the facilities, such as travelling allowances, etc., given to the members of the Commission?

(e) Is any discrimination being made in regard to these facilities between ordinary members and co-opted members?

(f) If the answer to part (e) is in the affirmative, will Government be pleased to state whether they propose to take steps immediately to extend the same facilities to co-opted members as are being given to the ordinary members?

Sir Frank Noyce: (a) A list of the members of the Indian Historical Records Commission is placed on the table.

(b) They are appointed by the Government of India.

(c) The reply is in the negative. I may, however, state for the Honourable Member's information that two like members of the Itihās Sanshodhak Mandal of Poona (*viz.*, Sir Jadunath Sarkar and Mr. G. S. Sardesai) are members of the Commission.

(d) Members of the Commission who are Government servants draw travelling and daily allowances, when they attend the annual meeting of the Commission, at the rates admissible to them under the rules for journeys on Government business. Non-official members are granted these allowances at the rates admissible to first grade Government servants.

(e) For the annual meeting of the Commission it is usual to co-opt members from the province or State in which the meeting is held. Other members are co-opted at the request of Local Governments, Indian States and Universities, which presumably meet their travelling expenses. A few corresponding members and other persons interested in historical research, who desire to attend the meeting of the Commission at their own expense, are also appointed as co-opted members.

(f) Government do not consider that the present rules are inequitable.

Permanent Members of the Indian Historical Records Commission.

1. The Secretary to the Government of India, Department of Education, Health and Lands. *Ex-officio* President.
2. The Keeper of the Records of the Government of India. *Ex-officio* Secretary.
3. The Keeper of the Records, Bengal. *Ex-officio* Member.
4. The Curator, Madras Record Office. *Ex-officio* Member.
5. Sir Jadunath Sarkar, Kt., C.I.E., Calcutta. Member.
6. Mr. H. G. Rawlinson, M.A., I.E.S., Poona. Member.
7. Mr. H. L. O. Garrett, M.A., I.E.S., Lahore. Member.
8. Mr. G. S. Sardesai, B.A., of Bombay. Member.
9. Dr. Shafaat Ahmad Khan, M.A., D. Litt., Allahabad. Member.

RULES FOR THE APPOINTMENT OF THE HISTORICAL RECORDS COMMISSION.

63. ***Mr. M. S. Aney:** Will Government be pleased to lay on the table any circulars or rules which they might have framed for the appointment of the Historical Records Commission and regulation of the procedure, etc.?

Sir Frank Noyce: A copy of the Government of India Resolution No. 77, dated the 21st March, 1919, announcing the establishment of the Indian Historical Records Commission has been placed in the Library of the House.

SUPPLY TO RESEARCH INSTITUTIONS OF RECORDS OF THE HISTORICAL RECORDS COMMISSION.

64. *Mr. M. S. Aney: (a) Will Government be pleased to furnish a list of the historical research institutions in this country to which the copies of the reports of the Historical Records Commission are supplied free of cost?

(b) If there be no such list maintained for the supply of copies free of cost, will Government be pleased to state whether they propose to consider the suggestion favourably in the near future?

Str Frank Noyce: (a) A list of the institutions in India to which copies of the proceedings of the eleventh session of the Commission (last published) were supplied free of cost is placed on the table. The Indian Universities are also on the free distribution list.

(b) Does not arise.

List of institutions to which the proceedings of the eleventh session of the Indian Historical Records Commission were supplied free of cost.

1. Bharat Itihas Sansodhak Mandal, Poona.
2. Servants of India Society, Poona.
3. Gauthami Library, Rajahmundry.
4. Asiatic Society of Bengal, Calcutta.
5. Bangiya Sahitya Parishad, Calcutta.
6. The Muslim Institution, Calcutta.
7. The Imperial Library, Calcutta.

†65*—67*.

CONGESTION OF DELHI CITY.

68. *The Revd. J. O. Chatterjee: (a) Are Government aware that the old city of Delhi is greatly congested and that public health is endangered by the existence of a large number of iron foundries and factories within the city area?

(b) Are Government prepared to allot land outside the city for the removal of these foundries and factories?

Str Frank Noyce: (a) Certain parts of the old city are greatly congested. There are several factories and iron foundries within the city limits, but they are under the supervision of the Municipal Health Officer. I would invite the Honourable Member's attention to section 121 of the Punjab Municipal Act, 1911, which is applicable to the Delhi Province. This section requires *inter alia* that a licence shall be obtained from the Municipal Committee before a place can be used as a manufactory, engine-house or place of business from which offensive or unwholesome smells, noises or smoke arise.

(b) If the Delhi Municipal Committee at any time decides to refuse such licences, and if application is made to Government for the location of the factories elsewhere, the matter will receive due consideration.

The Revd. J. O. Chatterjee: Are Government satisfied that the Delhi Municipality have used their discretion rightly in the matter of allowing factories and engine-houses to be erected in the admittedly congested parts of the old city?

Str Frank Noyce: I have no information on the subject.

The Revd. J. O. Chatterjee: Will the Honourable Member make inquiries into the matter as it concerns a matter of vital importance to the public health of the city?

Str Frank Noyce: Yes, Sir.

†For these questions and their answers, see Proceedings of the 20th January, 1930.

BUS SERVICE BETWEEN NEW AND OLD DELHI.

69. ***The Revd. J. O. Chatterjee:** (a) Are Government aware that no regular bus or tram service exists between the old and the new cities of Delhi, or between the old city and its suburbs?

(b) Have Government taken any steps to provide suitable means of communication between these parts and if not, do they propose to take up the matter at an early date?

Sir Frank Noyce: (a) Yes.

(b) The question of providing transport facilities between Old and New Delhi was considered in 1926, when the railway authorities proposed to run a motor bus service from the Delhi Main Station to New Delhi. The proposal, however, involved the grant of a monopoly to the railway which the Local Government was not prepared to allow. A similar scheme put forward by the Delhi Electric Tramways and Lighting Company, Limited, was also negatived as the Company could not agree to the routes proposed. The next scheme emanated from the Gwalior and Northern India Transport Co., Delhi. This involved a Government subsidy and was eventually rejected by the New Capital Committee.

A scheme framed by Messrs. Govan Bros. was submitted to the Delhi Municipal Committee in 1929, but the Committee were not prepared to give the monopoly asked for.

The matter is primarily one for private enterprise, and Government are not prepared to provide a bus service themselves.

The Revd. J. O. Chatterjee: Do Government recognise that considerable hardship is caused to the general public by the absence of adequate communications between the two cities?

Sir Frank Noyce: That may be so, but their view is that the remedy for that hardship is that given in my reply.

The Revd. J. O. Chatterjee: Do I understand that in case the local bodies are not able or willing to do their duty, Government refuse to take any steps to provide these conveniences for the public?

Sir Frank Noyce: As I have said, Government regard this matter as one for private enterprise, which I understand is not entirely lacking in this matter. I believe there are a certain number of private buses which ply between Old and New Delhi, at any rate.

The Revd. J. O. Chatterjee: Are Government prepared to make an inquiry into the subject in order to facilitate the provision of this convenience between the two cities?

Sir Frank Noyce: No, Sir. I cannot give an undertaking to that effect.

†70*—74*.

GOVERNMENT POLICY RE MEDICAL COLLEGES IN INDIA.

75. ***Mr. Ram Narayan Singh:** (a) Are Government aware of the fact that the attitude of the British General Medical Council towards the Universities and the Medical Colleges in India has caused great resentment all over this country?

(b) Will Government be pleased to state their own policy in connection with the subject referred to in part (a)?

†For these questions and their answers, see Proceedings of the 20th January, 1930.

Sir Frank Noyce: (a) Government are fully cognisant of public opinion on this question.

(b) The action which should be taken to ensure continued recognition of Indian medical degrees by the General Medical Council is at present under their consideration.

†76*—80*.

MEDICAL DEGREES IN BRITISH COLONIES.

81. *Dr. B. S. Moonje: (a) Will Government please state whether the medical degrees of the British colonies such as Canada, Australia and South Africa are recognised as registrable by the General Medical Council in England?

(b) If the reply to part (a) is in the affirmative, is any British officer or are any officers of the Indian Medical Service or are any other officers appointed by the General Medical Council of England as Commissioner of Medical Qualifications for examining the system of medical education of those countries for certifying it as fit for recognition?

(c) If the answer to part (b) is in the affirmative, who pays for them?

Sir Frank Noyce: (a) The medical degrees granted by certain Universities and medical colleges in Canada, Australia and South Africa are recognised as registrable in Great Britain by the General Medical Council.

(b) No. These countries have their own Statutory Medical Councils.

(c) Does not arise.

†82*—90*.

MEMORIAL FROM INCOME-TAX OFFICERS IN THE BOMBAY PRESIDENCY.

91. *Mr. Lalchand Navarai: (a) Will Government be pleased to state when orders will be passed on the memorial submitted by the Income-tax officers of the Bombay Presidency regarding annual increments?

(b) Do Government intend to give retrospective effect to the promotion of these officers, at least from the time when their memorial was received by Government?

The Honourable Sir George Schuster: (a) The position at present is that this proposal has been before the Standing Finance Committee who have recommended that it might justifiably be postponed. The proposal, together with a number of other similar proposals, is still under consideration by Government.

(b) Is at present a hypothetical question and may not arise. I can inform the Honourable Member however that it is an almost invariable rule that retrospective effect should not be given to such revisions.

Mr. Lalchand Navarai: Is it a fact that the pay of the Secretary of the Central Board of Revenue has been increased from Rs. 1,700 to Rs. 2,500?

The Honourable Sir George Schuster: I do not see how that question arises out of the Honourable Member's question to which I gave an answer.

†For these questions and their answers, see Proceedings of the 20th January, 1930.

Mr. Lalchand Navalrai: It arises this way, that if that increase of pay has been sanctioned to the Secretary, there is absolutely no reason for postponing this increment in the case of subordinates.

The Honourable Sir George Schuster: I am afraid I must adhere to my own opinion that that question does not arise out of the question to which I gave an answer.

Mr. Lalchand Navalrai: I would submit that this arises in the way in which I have explained.

Mr. President: It does not arise.

APPOINTMENTS IN THE CUSTOMS DEPARTMENT, KARACHI.

92. ***Mr. Lalchand Navalrai:** (a) Will Government be pleased to state if they have received a scheme from the Collector of Customs, Karachi, regarding an increase in the number of appraisers, examiners and clerks and as to increment of their salaries?

(b) If the reply to part (a) is in affirmative, will Government be pleased to state if the scheme has been submitted to the Standing Finance Committee? If not, why not?

(c) From what date will the scheme come into operation, after it is passed?

The Honourable Sir George Schuster: (a) Yes, but no increase in pay was recommended by the Collector of Customs in respect of existing posts.

(b) Yes, the case was submitted to the Standing Finance Committee and that body has recommended that the proposals should be held over for the present.

(c) Does not arise.

APPOINTMENTS IN THE INCOME-TAX DEPARTMENT IN SIND.

93. ***Mr. Lalchand Navalrai:** (a) Is it a fact that non-qualified men who are not eligible for Government service have been recruited in the Income-tax Department in Sind in contravention of Memorandum No. P.-186/25 of the 5th February, 1926?

(b) If the reply to part (a) is in the affirmative, will Government be pleased to state reasons?

The Honourable Sir George Schuster: The Government of India have called for a report, the result of which will be communicated to the Honourable Member in due course.

THE NEW PENSION RULES.

94. ***Mr. Lalchand Navalrai:** Will Government be pleased to state how much more time they will take in passing the new pension rules?

The Honourable Sir George Schuster: As regards the Provincial and Subordinate Services under the Provincial Governments, I would refer the Honourable Member to my reply to unstarred question No. 89 by K. B.

Sarfaraz Hussain Khan, published on page 81 of the Legislative Assembly Debates for the 2nd September 1929. The pension rules for the other Services are still under preparation. I must hesitate to promise any definite date for their completion. I can only give the Honourable Member the assurance that they are being proceeded with as rapidly as possible consistently with the claims of other work and without engaging special additional staff.

LEAVE PAY OF PEONS IN THE INCOME-TAX AND CUSTOMS DEPARTMENTS AT KARACHI.

95. *Mr. Lalchand Navalrai: (a) Will Government be pleased to state if it is a fact that the peons in the Income-tax and Customs Departments at Karachi, when proceeding on privilege leave, do not get their full pay, if their substitute is appointed, whereas clerks and other officers get full pay while on privilege leave?

(b) Do Government contemplate passing orders that peons should get full pay while on privilege leave, even if their substitutes are appointed?

The Honourable Sir George Schuster: (a) The Government of India have issued general orders under Fundamental Rule 2 continuing the restrictions formerly imposed by Articles 147 (iii) and 321 (a) of the Civil Service Regulations on the grant of leave to inferior servants. The result is that the absentee allowance of the substantive incumbent must not exceed what remains from his pay, after provision is made for the efficient discharge of his duties during his absence, except when, in the resulting acting arrangements, an inferior servant who has no substantive appointment is given more than half the pay of the appointment in which he acts, in which case the excess over half-pay granted to him may, at the discretion of the authority sanctioning the leave, be disregarded altogether in calculating the sum available for the leave allowance of the absentee, and the acting allowance paid in consequence of his absence.

(b) I would refer the Honourable Member to the first paragraph of the answer which I gave on 2nd September last to unstarred question No. 51, put by Khan Bahadur Sarfaraz Hussain Khan.

CHARGES FOR DISINFECTANTS AND FILE BOARDS IN SECOND CLASS HEAD POST OFFICES.

96. *Mr. Anwar-ul-Azim: Will Government be pleased to state whether the feniles and flat files used in second class head offices are sanctioned from the allotment of fluctuating charges placed at the disposal of the Superintendents of Post Offices? If so, why are orders issued to some of the Superintendents of Post Offices to meet such charges out of the contingent allowance sanctioned for head offices?

Mr. H. A. Sams: It is presumed that the Honourable Member's question relates to the purchase of disinfectants and file boards by Head Postmasters from the allowances sanctioned for each second class head post office for the provision of stationery (twine and sealing wax, etc.), needed for the conduct of work in their offices. No orders have been issued by the Director General in the terms described by the Honourable Member. On the contrary, in prescribing a formula for calculating the contingent

allowances for all post offices (including head post offices) it has been expressly laid down that the cost of such items as polish, brooms, etc., of like nature to disinfectants should be specially sanctioned by Postmasters General or Superintendents. If the Honourable Member can acquaint me with the names of the postal divisions in which the orders to which he refers have been issued, I shall correct any misunderstanding which has arisen.

APPOINTMENT OF INSPECTORS OF POST OFFICES.

97. ***Mr. Anwar-ul-Azim:** Will Government be pleased to state whether it is a fact that the posts of the Engineering Supervisors of Telegraphs were formerly filled up exclusively by the telegraphists, and that now-a-days 50 per cent. of the posts are filled up by outsiders? If so, why cannot such procedure be introduced for the posts of the Inspectors of Post Offices?

The Honourable Sir Bhupendra Nath Mitra: Yes. It is a fact that 50 per cent. of the posts of Engineering Supervisors are filled up by direct outside recruitment as a sufficient number of qualified candidates are not available departmentally.

Direct recruitment for the cadre of the Inspectors of Post Offices is not considered necessary, as a sufficient number of officials with the requisite educational qualifications and practical knowledge of Post Office work are available from men already in the service.

APPOINTMENT OF MUSLIM CLERKS IN OFFICES OF SUPERINTENDENTS OF POST OFFICES.

98. ***Mr. Anwar-ul-Azim:** Are Government aware of the fact that Muslim clerks are never employed in offices of the Superintendents of Post Offices, and that, if employed, they act for very short periods? If so, why? How many clerks are there in the Office of the Superintendent, Post Office, Chittagong and how many of them are Muslims?

The Honourable Sir Bhupendra Nath Mitra: Muslim clerks are employed in offices of Superintendents of Post Offices.

The second part of the question does not therefore arise.

In the office of the Superintendent of Post Offices, Chittagong there are four clerks, of whom at present none is a Muslim. There was lately a Muslim clerk in that office for a period of over a year and eight months, but he has recently been transferred to a post office as a signaller.

INCREASED WORK CAUSED BY MAINTAINING SERVICE ROLLS FOR POST OFFICE RUNNERS.

99. ***Mr. Anwar-ul-Azim:** Are Government aware of the fact that orders have been issued to maintain service rolls for the runners and that the runners should get regular leave as is granted to other menials of the Postal Department, and that this has caused a heavy increase of work in the Accounts Branch of the head offices? If so, what action, if any,

has been taken by Government to increase the staff to meet the situation? If not, why not?

Mr. H. A. Sams: The answer to the first part of the question is in the affirmative. As regards the second part, Government have no information whether the new procedure has resulted in any heavy increase of work in the Accounts Branch of Head Offices, but, if it has, it is within the competence of Heads of Circles to entertain such additional staff as may be necessary to cope with it.

REPRESENTATION OF MINORITY COMMUNITIES IN THE POSTS AND TELEGRAPHS DEPARTMENT.

100. ***Mr. Anwar-ul-Asim:** Will Government be pleased to state whether it is a fact that the orders issued from time to time regarding the ill-representation of minority communities in the Posts and Telegraphs Department are not properly attended to? If so, do Government propose to introduce a chapter in the annual report of the Department regarding the minority communities in the Department? If not, why not?

The Honourable Sir Bhupendra Nath Mitra: The attention of the Honourable Member is invited to the reply given to part (a) of his question No. 128, in the last Session of the Legislative Assembly. Government do not propose to introduce in the Annual Report of the Director General a chapter regarding minority communities, but the Director General will introduce a statement showing the distribution of new recruits by communities.

ADVERTISEMENTS FOR THE POST OF DEPUTY SECRETARY IN THE LEGISLATIVE ASSEMBLY DEPARTMENT.

101. ***Mr. Anwar-ul-Asim:** Will Government be pleased to state in how many Bengal newspapers the post of the Deputy Secretary in the Legislative Assembly Department was advertised, and for how long?

The Honourable Sir James Orerar: The advertisement relating to the post of Deputy Secretary in the Legislative Assembly Department was, according to the standing practice of the Public Service Commission, published in one issue of the following newspapers in Bengal:—

1. *The Statesman,*
2. *The Anglo-Indian Review,* and
3. *The Young men of India,* Associated Press.

It was also published in the *Calcutta Gazette.*

CONVEYANCE OF THE POST FROM CHITTAGONG TO COX'S BAZAR.

102. ***Mr. Anwar-ul-Asim:** Will Government be pleased to state what is the distance of Cox's Bazar from Chittagong town and how long it takes now for the post to travel from Chittagong to that place?

Mr. H. A. Sams: The distance between Cox's Bazar and Chittagong is 84 miles. The mails take 3¼ hours to traverse that distance. The question of speeding up the mail is receiving my attention.

EXTENSION OF THE DOHAZARI CHITTAGONG LINE OF THE ASSAM BENGAL RAILWAY.

103. ***Mr. Anwar-ul-Azim:** Will Government be pleased to state whether the Dohazari-Chittagong line of the Assam Bengal Railway will be extended beyond Dohajari? If so, up to what place? Are Government aware that Sholasahar Station on the Chittagong Nazirhat Railway is at an awkward and uninhabited part of Panchalaish Thana, and that that is giving an impetus to the motor trade at the expense of the Railway? Is it a fact that Sholasahar Station is four miles from court and that mostly the people of the north side get down there to come to court?

Mr. A. A. L. Parsons: No extension of the Dohazari-Chittagong line beyond Dohazari is at present contemplated. Government are not aware that Sholasahar Station is awkwardly situated, but I am drawing the attention of the Agent, Assam Bengal Railway to this portion of the Honourable Member's question. Sholasahar Station is about three miles from the centre of Chittagong, but trains from Dohazari will run into Chittagong and not terminate at Sholasahar.

NUMBER OF MUSLIM LAWYERS EMPLOYED BY THE ASSAM BENGAL RAILWAY.

104. ***Mr. Anwar-ul-Azim:** Will Government be pleased to state how many railway pleaders are employed by the Assam Bengal Railway and at what annual cost? How many Muslims are employed by this Railway system as lawyers?

Mr. A. A. L. Parsons: One pleader, who is a Hindu, is retained by the Assam Bengal Railway Administration on a retaining fee of Rs. 100 per mensem, besides which he receives fees for cases conducted on behalf of the Administration.

In addition, for the conduct of cases at out stations, local pleaders are engaged as found necessary, and paid fees for the work done by them.

ROAD BOARDS IN THE PROVINCES.

105. ***Mr. Anwar-ul-Azim:** Will Government be pleased to state how many provinces in India have got Road Boards, and what are their relations with the Central Road Committee?

The Honourable Sir Bhupendra Nath Mitra: So far as the Government of India are aware, seven provinces have Road Boards. The Boards have no relations with the Central Standing Committee for Roads.

THE ASSAM BENGAL RAILWAY.

106. ***Mr. Anwar-ul-Azim:** Will Government be pleased to state whether it is a fact that they are abandoning their idea of making the Assam Bengal Railway a State Railway? If so, why?

Mr. A. A. L. Parsons: The question of taking over the Assam Bengal Railway on the expiry of the working contract with the Assam Bengal Railway Company on the 31st December 1981 is under consideration and no decision has yet been arrived at.

NAVIGABILITY OF THE PORT OF CHITTAGONG.

107. ***Mr. Anwar-ul-Asim:** Will Government be pleased to state whether it is a fact that the port of Chittagong is not fit for navigation for 24 hours, and if so, why? Is that compatible with its status as a major port?

The Honourable Sir George Rainy: The Government of India understand, on inquiry from the Port Commissioners, that the Port of Chittagong is fit for navigation throughout the day. The latter part of the question does not arise.

SITE SELECTED FOR QUARTERS FOR EMPLOYEES OF THE GOVERNMENT OF INDIA PRESS IN NEW DELHI.

108. ***Mr. E. F. Sykes:** (a) Do Government recollect replying to part (g) of my starred question No. 927 of 6th March, 1928, *vis.*, "are Government prepared to consider the question of locating the press in the Industrial area, or in some site other than that at present selected?" and that the answer was in the negative?

(b) Are Government aware that nevertheless the press quarters have already been erected on the extension of Parliament Street beyond Barakhamba?

(c) Was this done with the approval of the Government of India?

(d) If so, will Government please explain the very sudden change in their determination not even to consider another site?

The Honourable Sir Bhupendra Nath Mitra: (a), (b) and (c). Yes.

(d) The attention of the Honourable Member is drawn to the reply given by me in this House on the 3rd April, 1929, to part (a) of Mr. S. C. Mitra's unstarred question No. 459.

COST OF OPERATION ON VARIOUS RAILWAYS.

109. ***Mr. E. F. Sykes:** (a) Has the attention of Government been called to the figures given below and abstracted from the Administration Report of the Railway Department for the year 1927-28, Vol. II?

(b) Will Government give explanations of the extreme variations exhibited therein, more especially with regard to the following comparisons?

- (i) The North Western Railway with a passenger density slightly less than that of the Bengal and North Western Railway and a lead slightly greater, spends 2.61 times as much per passenger mile as the Bengal and North Western Railway.
- (ii) The East Indian Railway with a passenger density more than twice that of the Rohilkhand and Kumaon Railway and a passenger lead nearly twice as great nevertheless spends ten per cent. more on carrying a passenger a mile.

- (iii) The goods density of the East Indian Railway is 5.28 times that of the Bengal and North Western Railway, its haul 1.85 times as long, its wagon loading double, and yet its cost of haulage per ton-mile is only six per cent. less.
- (iv) The goods density of the North Western Railway is three times that of the Rohilkhand and Kumaon Railway the haul a good deal over twice as much, and yet the cost of haulage per ton-mile is only two per cent. less.

PASSENGER.

(Percentages calculated from B. N. W. = 100.)

Administration.	E. I.	N. W.	B. N. W.	R. K.	Class I Rys.
Charges—					
Pies per passenger mile	3.15	3.42	2.41	2.91	3.44
Per cent.	131	142	100	121	143
Costs—					
Pies per passenger mile	1.64	2.46	0.95	1.50	N. A.
Per cent.	173	261	100	158	N. A.
Density—					
Passengers per running track mile per annum.	737,697	533,336	666,584	325,433	530,961
Per cent.	111	80	100	48	79
Lead—					
Miles	49.3	42.1	36.8	26.2	34.1
Per cent.	135	115	100	71	93
Loading—					
Passenger miles per hundred seat miles.	N. A.	N. A.	N. A.	N. A.	N. A.

GOODS.

(Percentages calculated from B. N. W.=100.)

Administration.	E. I.	N. W.	B. N. W.	R. K.	Class I. Rys.
Charges—					
Pies per ton mile	4·01	6·24	7·12	7·32	6·00
Per cent.	57	89	100	103	84
Costs—					
Pies per ton mile	2·50	4·12	2·66	4·24	N. A.
Per cent.	94	155	100	158	N. A.
Density—					
Tons per running track miles per annum.	1,252,365	456,413	240,964	151,283	549,035
Per cent.	523	188	100	62	228
Haul—					
Miles	272·3	210·3	147·6	91·7	192
Per cent.	185	143	100	62	130
Loading—					
Tons per wagon	14·4	11·4	7·07	9·42	{ B. G. 13·0 M. G. 6·59

Mr. A. A. L. Parsons: Sir, as my reply is long and technical, I will, if the Honourable Member has no objection, lay it on the table.

(a) Yes, except that figures of 'costs-pies per passenger mile' are not to be found in the Administration Report referred to.

(b) The comparisons made are vitiated owing to the figures of cost per passenger mile as given by the Honourable Member not being correct. Apart from the fact that it is impracticable to allocate definitely to passenger traffic the cost of the numerous operations which are joint for all traffic, the allocation of cost as between "coaching" and "goods" services made by railways for statistical purposes is in proportion to the gross ton miles in each case; an arrangement which is purely empirical and, therefore, may not coincide with the actual facts. But even if a comparison were possible,

there would be variations as between the railways referred to for the following reasons:

- (i) the North Western and East Indian Railways are broad gauge, whereas the Bengal and North Western and Rohilkund and Kumaon Railways are metre gauge. Their density figures to be comparable must, therefore, be expressed as a percentage of their respective capacity. Moreover, about one fourth of the total mileage of the North Western Railway consists of strategic lines where the cost of operation is higher than on the rest of the system.
- (ii) the Bengal and North Western Railway passes through flat country having only 1·6 per cent. of its line with a grade steeper than 1 in 300. Similar figures for other lines are:—

Rohilkund and Kumaon	9·1
North Western	22·3
East Indian	12·5

Consequently, less tractive effort is necessary to haul trains over the Bengal and North Western and Rohilkund and Kumaon Railways than over the North Western and East Indian Railways.

- (iii) The Bengal and North Western and Rohilkund and Kumaon Railways operate over areas where the standard of wages is low as compared with the areas traversed by the North Western and East Indian Railways.
- (iv) The cost of fuel on the Bengal and North Western and Rohilkund and Kumaon Railways is considerably lower than on the North Western Railway owing to the relatively short distance from the coalfields.
- (v) The Bengal and North Western and Rohilkund and Kumaon Railways' systems do not include important through routes as do the North Western and East Indian Railways'. Their trains are consequently comparatively slower and so large an expenditure on the upkeep of track, station equipment, etc., as on the North Western and East Indian Railways is not called for.
- (vi) The adoption of more modern practices in railway working in regard to the interlocking of points and signals, the provision of vacuum brakes on goods trains, high level platforms, etc., on the North Western and East Indian Railways necessitate greater expenditure.

INDIAN TRADE COMMISSIONERS.

110. *Mr. B. Das: (a) Will Government be pleased to state at what stage the correspondence with the High Commissioner for opening Trade Commissionerships at New York, Milan and Hamburg stands at present?

(b) Have Government reached conclusions in the matter and will the establishment of these Indian Consulates materialise in the near future?

The Honourable Sir George Rainy: (a) A detailed scheme for the appointment of Indian Trade Commissioners at Hamburg, Milan and New York has been prepared in consultation with the High Commissioner for India.

(b) It is expected that a final decision in the matter will be reached shortly, but I am not yet in a position to say if and when the appointments will actually be made.

Mr. B. Das: Is it a fact that Government have gone beyond the recommendations of the Council of State and also the Advisory Committees to the Department of Commerce and are going to appoint men of the Indian Civil Service into these posts of Trade Commissioners?

The Honourable Sir George Rainy: I must ask for notice of that question because it contains several points that I cannot answer off-hand. For instance, the question referred to a recommendation of the Council of State and that is not in my mind at the moment.

Mr. B. Das: Is it the intention of Government to appoint men in Indian commercial pursuits as Trade Commissioners in these places?

The Honourable Sir George Rainy: The intention of Government with regard to these appointments, acting on the advice of the High Commissioner and the Trade Commissioner in London, is that, in the first instance, the officers selected for these appointments, if they are made, should be officers already in Government service.

Mr. B. Das: Do I take it that the High Commissioner in London has advised that they should be men recruited from the Indian Civil Service?

The Honourable Sir George Rainy: Yes, Sir; that is the advice we have received from the High Commissioner.

INDIAN TRADE COMMISSIONERS.

111. ***Mr. B. Das:** (a) Will Government be pleased to state if they have come to any decision regarding the establishment of Trade Commissioners in Asiatic countries including European Turkey and also Africa?

(b) What was the recommendation of the Meek Committee on this matter?

(c) What steps have Government taken since the publication of that report to expedite the opening of trade relations with those countries?

(d) Did Government consult the various Chambers of Commerce, and if so what are their views?

The Honourable Sir George Rainy: (a) A detailed scheme for the appointment of Indian Trade Commissioners in Europe and in the Near East and Africa has been prepared, and it is expected that a final decision in the matter will be reached shortly.

(b) The Trade Mission's recommendation was that Indian Trade Commissioners should be appointed at Durban, Mombasa and Alexandria.

(c) This part of the question is covered by my reply to part (a) r

(d) No, Sir, but they have received several representations from commercial and industrial Associations strongly supporting the Trade Mission's recommendation.

TELEGRAPHIC ABBREVIATIONS.

112. ***Mr. B. Das:** (a) Will Government be pleased to state whether abbreviations like "M. L. A." and "M. L. C." cannot be taken as one word in telegraphic transmission?

(b) Is "M. P." taken as one word for telegraphic communication by the British Post Office?

Mr. H. A. Sams: Presumably the information required is about the use of these abbreviations in the address of a telegram.

(a) The reply is in the negative.

(b) No.

THE CONTRACT WITH THE IMPERIAL BANK OF INDIA.

113. ***Mr. B. Das:** (a) With reference to the reply of the Honourable Sir Basil Blackett to question No. 992 of 24th February, 1925, regarding the future contract with the Imperial Bank of India, will Government be pleased to state if the reply that no departure from the arrangements provided for in the Imperial Bank of India Act can be made unless the Act is amended still holds good?

(b) Have the Government of India been approached by the Governors of the Imperial Bank for the renewal of this contract, and if so have they reached any conclusions regarding amendment of the contract?

(c) Is it a fact that the agreement of the Government with the Imperial Bank of India will terminate in 1931?

(d) Will Government be pleased to state if they intend to renew the agreement and contract with the Imperial Bank thereafter, and if so for what period?

(e) Do the Government of India propose to introduce a Bill to amend the Imperial Bank of India Act, 1921, and if so for what period would the existing arrangement remain in force?

The Honourable Sir George Schuster: (a) Yes.

(b), (c) and (d). Under clause 16 of the agreement between the Imperial Bank and Government, the agreement may be determined on the 27th January, 1931, or at any time thereafter by either of the parties giving notice of a desire to terminate it, and if such notice is given, the agreement will cease to operate twelve months after the giving of the notice. In the absence of such a notice by either party, the agreement automatically remains in force. The earliest date at which the Imperial Bank could give twelve months' notice of the termination of the agreement would be the 27th January, 1930. No such notice has yet been received from the Bank. Similarly, the Government of India could give twelve months' notice of the termination of the agreement on the 27th of January, 1930, or on any subsequent date. They have considered whether such notice should be given, but have decided not to do so for the present. There are many reasons why it is difficult to take a final decision at the present stage, pending the Report of the Banking Inquiry Committee, and the Report of the Statutory Commission. The position therefore is that, after January 27th of this year, the agreement will remain in force subject to termination at any time by either party on twelve months' notice.

(e) Government at present have no intention of introducing a Bill to amend the Imperial Bank of India Act, 1921.

APPOINTMENT OF AN INDIAN AS MANAGING GOVERNOR OF THE IMPERIAL BANK OF INDIA.

114. ***Mr. B. Das:** (a) With reference to question No. 475 of the 30th January, 1925, of Mr. K. C. Neogy, regarding the appointment of an Indian Managing Governor and with reference to the reply of the Honourable Sir Basil Blackett to parts (c) and (d) thereof that, "the intention of the Government is to appoint the persons best qualified irrespective of race after considering the recommendations of the Central Board, which, I may mention, contains several Indians. The question of a duly qualified Indian has not hitherto arisen" will Government be pleased to state how many vacancies of Managing Governors have occurred since the above reply was made?

(b) Was the name of any duly qualified Indian recommended by the Central Board when these vacancies arose?

(c) Have Government taken any steps to train any Indian bankers with a view to their eventually becoming Managing Governors of the Imperial Bank?

(d) Do Government propose to fill up the next vacancy of the Managing Governor of the Imperial Bank by an Indian?

The Honourable Sir George Schuster: (a) Two.

(b) No.

(c) It is not part of the functions of Government to train bankers, but the Imperial Bank have taken special steps to provide opportunities for the training of Indians, which is a step in the direction desired by the Honourable Member.

(d) As there is no immediate prospect of a vacancy, the Government cannot be said to have any proposal before them on this subject. The policy of Government has always been, as stated in the first part of the question, to appoint as Managing Governors the persons best qualified, irrespective of race, after considering the nominations of the Central Board.

Mr. B. Das: Is the Honourable Member aware that since 1927 when the Indian Currency Commission's Report was published, the Imperial Bank have not taken steps to enroll an annual quota of Indian probationers and officers?

The Honourable Sir George Schuster: I shall be very pleased to give the Honourable Member full particulars of what has been done by the Imperial Bank in order to encourage the recruitment of Indians to the staff of the Bank. The figures on the subject showing the increase in the proportion of Indians in the supervising staff of the Bank are very convincing. I have not got them at hand as I did not expect the question to arise out of this question, but I shall be very pleased to furnish them to the Honourable Member after the sitting.

Mr. B. Das: I am grateful to the Honourable Member.

**INDIAN MEMBERS IN THE CENTRAL BOARD OF THE IMPERIAL
BANK OF INDIA.**

115. ***Mr. B. Das:** (a) Will Government be pleased to state the names of Indian members in the Central Board of the Imperial Bank of India and the specific qualifications for which each Indian Governor was nominated by the Government or by other interests?

(b) With reference to part (b) of the previous question, did any of the Indian members of the Central Board make any recommendations regarding the appointment of an Indian Managing Governor at the time of vacancies or did any of them record any protest regarding non-appointment of an Indian?

(c) In case any definite protest was recorded, will Government be pleased to place on the table a copy of the same?

(d) Will Government be pleased to lay on the table a copy of the rules governing the selection of the members of the Central Board, indicating the powers and privileges they exercise?

The Honourable Sir George Schuster: (a) With effect from 27th January, 1930, the Indian Members of the Central Board nominated by Government are as follows:

Honourable Sir Dinshaw Wacha, Kt.

Honourable Sir Maneckji Dadabhoy, K.C.I.E.

Sir Rajendranath Mookerjee, K.C.I.E., K.C.V.O.

Honourable Raja Sir Annamalai Chettiar, Kt.

Government do not consider it desirable to attempt to specify the qualifications of these gentlemen who, on account of their intimate connection with and long experience of commerce, industry or finance, are obviously representative of these interests in the Provinces in which they reside.

The other Indian members are Sir Purshotamdas Thakurdas and Mr. S. V. Ramaswamy Mudaliar who are the representatives of the Bombay and Madras Local Boards respectively. The selection of these gentlemen is a matter for the Local Boards, and while it is not for me to express an opinion as to their qualifications, I would suggest that they must be sufficiently well known to the Honourable Member.

(b) No recommendation or protest was received by the Government of India.

(c) Does not arise.

(d) The Honourable Member is referred to the Imperial Bank of India Act and the bye-laws framed under the Act.

Mr. Vidya Sagar Pandya: May I inquire from the Honourable Member how many times each member has sat on the Board, and for how many years at a time and in all and whether they can be removed except by an act of God? (Laughter).

**LETTER FROM THE SECRETARIES OF ZAMINDARI RYOTS SANGAM,
ANDHRADESH AND GANJAM DISTRICT.**

116. ***Mr. B. P. Naidu:** (a) Will Government be pleased to state whether they are aware of the fact that an open letter was addressed to the Private Secretary to H. E. the Viceroy to be placed before him, on

the 11th or 12th December, 1929, by Messrs. B. Mandeswara Sarma and Narayana Panda, Secretaries of Zamindari Ryots Sangam, Andhradesh and also of Ganjam District?

(b) If so, will Government be pleased to place the letter on the table?

(c) Has any inquiry been made on the questions raised in the letter?

(d) Did the Government of India have any correspondence with the Government of Madras on the question?

(e) If so, will Government be pleased to lay the correspondence on the table?

(f) What action is proposed to be taken in the matter?

Sir Frank Noyce: (a) Government have no information.

(b)—(f). Do not arise.

MANAGEMENT OF PROPRIETORY ESTATES BY OFFICERS OF THE INDIAN CIVIL SERVICE.

117. ***Mr. B. P. Naidu:** Will Government be pleased to state:

(a) Whether they are aware of the fact that officers of the Indian Civil Service are deputed on foreign service to manage proprietary estates either under zamindars or in zamindari under the Court of Wards in the Presidency of Madras?

(b) Whether they have considered the desirability of lending such officers, who very soon go as Collectors of Districts with prospects of getting into the highest offices under the State?

(c) Whether they are aware of the fact that the zamindari ryots have protested against this policy?

(d) Whether they would consider the inadvisability of such loan services being allowed to private persons and estates?

The Honourable Sir James Orerar: The condition of employment of I. C. S. as of other Government officers on foreign service is that the duties to be performed must be such as should, for public reasons, be rendered by a Government servant. The question whether in a particular case the condition is fulfilled is for the Local Government to decide, and the Government of India do not propose to interfere with its discretion.

BIRTH AND MARRIAGE REGISTERS.

118. ***Mr. B. Das:** (a) Will Government be pleased to state if they have consulted the Provincial Governments regarding up-to-date birth and marriage registers to suit the conditions imposed by the Sarda Act?

(b) Have Government come to any decision regarding the uniformity of these registers all over India?

(c) Is it not a fact that the village chowkidar at present registers births and deaths in every British Indian village?

(d) Is it not also a fact that in almost every case the village chowkidar happens to be illiterate?

(e) Do Government propose to utilise the services of village chowkidars for birth, death and marriage registers, or do they propose to introduce any elaborate machinery for register of births and marriages?

(f) Do Government anticipate any extra expenditure over the maintenance of proper birth and marriage registers? If so, what will be the additional expenses *per annum* to be incurred by (i) the Government of India and (ii) Provincial Governments?

The Honourable Sir James Orerar: (a) and (b). The Local Governments have been consulted on the recommendations of the Age of Consent Committee. Their views are awaited before a final decision is arrived at.

(c), (d) and (e). These matters relate to a provincial transferred subject, and are not primarily the concern of the Governor General in Council.

(f) It is possible that extra expenditure may be involved but Government are not able to state even approximately what it will be, if any.

DELIVERY OF LETTERS FROM THE BALDEO POST OFFICE.

119. * **Mr. Mukhtar Singh:** (a) Is it a fact that within the circle of Baldeo Post Office, Muttra District, the post is distributed only once a week?

(b) Is it a fact that before the year 1926 when the Baldeo Post Office was opened, the post used to be distributed twice a week? If the answer be in the affirmative, will Government be pleased to state the reasons for making this change in the distribution of the post?

(c) Will Government be pleased to state whether the amount of work in this circle has increased or decreased during the period Baldeo Post Office has been opened?

Mr. H. A. Sams: (a) and (b). I have no information on the subject. Inquiries have been made from the local postal authorities and, as soon as a reply is received, the facts will be communicated to the Honourable Member.

(c) I have no precise information, but it may be assumed that the amount of work in the United Provinces Circle as a whole has increased since 1926.

DELIVERY OF LETTERS FROM THE JUGSENA POST OFFICE.

120. * **Mr. Mukhtar Singh:** (a) Is it a fact that village Angai in Muttra District used to get its post daily till the time the post office at Jugsena was opened?

(b) Is it a fact that now the people of village Angai get their post only once a week? If the answer be in the affirmative, will Government be pleased to state why the people of this village have been deprived of this facility?

Mr. H. A. Sams: (a) and (b). I have no information in the subject. Inquiries have been instituted and the result will be communicated to the Honourable Member in due course.

POST OFFICES DISTRIBUTING LETTERS WEEKLY.

121. * **Mr. Mukhtar Singh:** Will Government be pleased to state:

(a) the number of post offices in whose circle the post is distributed, only once a week;

- (b) whether these post offices are distributing their post only once a week since the time of their opening or the system has been introduced later; and
- (c) if it has been introduced later, the reasons why the system has been changed?

Mr. H. A. Sams: I regret that I cannot answer the question as it would entail an elaborate inquiry and analysis throughout India and Burma. I may, however, assure the Honourable Member that the number of offices from which there is only one delivery weekly is very small, and that the tendency is in general towards an increase in the frequency of deliveries as indicated for example by the increase in the past five years of the number of village postmen from 8,461 to 9,008.

ABOLITION OF SERVANTS' COMPARTMENTS ON STATE RAILWAYS.

122. ***Colonel J. D. Crawford:** Will Government please state whether the Railway Board have taken any decision on the question of the abolition of servants' compartments in their coaching stock?

Mr. A. A. L. Parsons: Government have informed railways that servants' compartments may be provided in designs for non-corridor upper class stock.

DELAY IN DELIVERY OF AIR MAIL AFTER ARRIVAL IN KARACHI.

123. ***Mr. C. S. Ranga Iyer:** (a) Has the attention of Government been drawn to the following editorial observation of the *Sunday Observer* (London) of December 8th, 1929?

"Muddling the Air-Mail—

In India, too, there is a manifest case for reform of postal methods, for the time saved by the air-mail is being squandered after it has been landed. Tests carried out by Imperial Airways show that the delays which admittedly occur in the delivery of the air-mail arise after the arrival of the mail-plane at Karachi. The matter should be thoroughly examined."

(b) Will Government be pleased to state:

- (i) if it is not a fact that "the time saved by the air mail is being squandered after it has been landed"?
- (ii) if it is not a fact that delays occur in the delivery of the air mail after the arrival of the mail-plane at Karachi?

(c) Will Government be pleased to state if they propose (i) to appoint a non-official *cum* Expert Committee to examine the matter or (ii) to examine it in some other way?

(d) If the answer to part (c) (i) is in the negative, will Government be pleased to state why?

(e) If the answer to part (c) (ii) is in the negative, will Government explain the reasons, and if the answer to the same be in the affirmative, will Government be pleased to state the method they propose to adopt to bring the subject under thorough inquiry?

The Honourable Sir Bhupendra Nath Mitra: (a) No; but the Honourable Member's quotation from it has been read.

(b) (i) No. I may draw the attention of the Honourable questioner to the reply to Mr. Price's question No. 148, dated the 2nd September, 1929, and to the answer given to Mr. Gaya Prasad's question No. 145, dated 4th September, 1929.

(b) (ii) No evidences of any delays in the deliveries of the air mail have reached Government beyond those referred to in the reply to Mr. Gaya Prasad Singh.

(c) The answer to both parts of the question is in the negative.

(d) and (e). Government are satisfied, after due inquiry, that at the present moment no change in the method of handling the air mails for onward despatch after they are landed at Karachi is actually called for.

AIR MAIL SERVICE IN INDIA.

124. *Mr. O. S. Ranga Iyer: (a) Are Government aware of the progress made in aviation in Europe?

(b) Do Government propose to consider the question of an inter-provincial air-mail service throughout India? If not, why not? If yes, when?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes.

(b) Government are proceeding with the organisation of the main air route across India as rapidly as funds will permit. Government hope that it will, later on and as funds can be made available, be possible to organise subsidiary services linking up with it.

AIR MAIL SERVICE IN INDIA.

125. *Sir Darcy Lindsay: With reference to the statement recently made in Bombay by the Honourable Member for Industries and Labour at the meeting of the Associated Chambers of Commerce, are Government again prepared to examine the position, with a view to providing for an air mail service (not necessarily with accommodation for passengers) between Karachi, Bombay and Madras and Karachi, Delhi, Calcutta and Rangoon or any of these services at a more early date than the end of 1930-31 and 1931-32?

The Honourable Sir Bhupendra Nath Mitra: A weekly air service between Karachi and Delhi was inaugurated on the 30th December, 1929. Proposals for the extension of this service to Calcutta and Rangoon have been approved by the Standing Finance Committee, and subject to the provision of funds, Government hope to operate the extension to Calcutta towards the end of the year 1930, and to Rangoon shortly after, provided the necessary ground organisation is complete. It may, however, be necessary temporarily to discontinue the service to Rangoon, during the monsoon of 1931.

Any further extension towards Bombay and Southern India can only be put into operation as and when funds permit, but the importance of these services has not been lost sight of.

Sir Darcy Lindsay: Will Government examine the position as to the possibility of a counter-service between Allahabad and Karachi via Jhansi and diverting the present service from Karachi to Delhi to Karachi-Bombay?

The Honourable Sir Bhupendra Nath Mitra: I shall be quite ready to have the matter considered, but I should like to warn my Honourable friend that it is bound to involve expensive ground organisation.

CONVEYANCE OF PASSENGERS ARRIVING AT KARACHI BY THE AIR MAIL.

126. ***Sir Darcy Lindsay:** Is there any obligation upon Government implied or otherwise to convey passengers by air service who may have arrived at Karachi by air mail?

The Honourable Sir Bhupendra Nath Mitra: There is no actual obligation, but Government have announced that the Indian State Air Service between Karachi and Delhi will carry passengers and a schedule of fares has been published. It is obviously desirable to encourage through traffic, and with this object in view Government are in communication with Imperial Airways Limited regarding the issue of through tickets between places on the London-Karachi route and places on the Karachi-Delhi route. At present accommodation required for through passengers is reserved by telegram and rebooking is carried out at Karachi.

COST OF SMALL AND LARGE AEROPLANES FROM KARACHI TO DELHI AND CALCUTTA.

127. ***Sir Darcy Lindsay:** What is the approximate difference in cost between a 10/12 passenger and mail plane and a smaller plane suitable for conveyance of mails only, and the respective maintenance and running cost of either over a given mileage say Karachi to Delhi and thence to Calcutta?

The Honourable Sir Bhupendra Nath Mitra: Government understand that it would be possible to purchase an aeroplane suitable for carrying up to 800—1,000 lbs. of mail matter for approximately a fourth of the cost of a larger plane capable of carrying 10—12 passengers and mails and that the maintenance and running costs of such an aeroplane over a given mileage, say Karachi—Delhi, would be approximately three-fourths of those of the larger aeroplane.

EXTENSION OF AIR SERVICE TO CALCUTTA.

128. ***Sir Darcy Lindsay:** (a) Were Imperial Airways asked to quote for extending to Calcutta the chartered service now arranged for Delhi only?

(b) Were Imperial Airways asked to quote for a mail service only?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes.

(b) No.

ESTABLISHMENT OF AN AIR MAIL SERVICE BY THE POSTAL DEPARTMENT.

129. ***Sir Darcy Lindsay:** (a) Has any air service company been formed in India, and have they made definite proposals for the conveyance of mails by air route? If so, will Government be pleased to state the terms proposed?

(b) Are Government again prepared to examine the position as to whether it would be practicable for the Postal Department with or without the assistance of the Royal Air Force to establish its own air mail service

and maintain the same on a special grant or until such time as private enterprise can offer efficient services (mail and passenger) on reasonable terms and conditions?

The Honourable Sir Bhupendra Nath Mitra: (a) Three companies have been registered in India with the object of engaging in commercial air transport. Of these, one company submitted to Government definite proposals for the carriage of air mails. After careful consideration of the proposals put forward, Government decided that the financial resources of the company were not such as to justify the placing of a contract.

(b) As the Honourable Member is no doubt aware, proposals for the establishment of a Government air mail service in extension of the existing service between Karachi and Delhi have recently been approved by the Standing Finance Committee.

AIR SERVICE BETWEEN INDIA AND EUROPE.

130. **Sir Darcy Lindsay:** Do the Government of India intend to make every endeavour to co-operate with the British Government in the efforts that are being made to establish a reliable air service between India and Europe?

The Honourable Sir Bhupendra Nath Mitra: Although the Government of India have made no financial contribution to the air service between India and Europe, which was established in April of last year, they have co-operated with the British Government to the extent of supplying terminal facilities at Karachi, together with wireless and meteorological services. They are most anxious to see the service firmly established.

TIME OF AIR JOURNEY FROM CALCUTTA TO CROYDON.

131. ***Sir Darcy Lindsay:** Is it a fact that the air journey from Calcutta to Karachi has recently been completed by a non-stop flight in under 16 hours and with halts from Karachi to Croydon in about 8½ days?

The Honourable Sir Bhupendra Nath Mitra: The journey by air from Calcutta to Karachi was recently accomplished by a non-stop flight in 15½ hours. Government have no information as to the further progress of this flight.

POSTAGE ON AIR MAIL LETTERS TO GREAT BRITAIN.

132. ***Sir Darcy Lindsay:** Will Government explain why the postage charge for ½ oz. air mail letters from India to Great Britain is nine pence (8 annas) as against 6½ pence for the outward journey? How much of either postage is retained by the Indian Post Office?

The Honourable Sir Bhupendra Nath Mitra: It is presumed that the Honourable Member's question relates to the postage and air mail fees paid on correspondence travelling by air between Karachi and Croydon and *vice versa* only and not to the inclusive rates charged over the Indian State Air Service from Delhi. The charge of eight annas on westbound traffic conveyed to London is made up of postage at the rate of 2 annas an ounce or part of that weight and of an air mail fee of 6 annas per half ounce or part of that weight. The entire postage rate is retained by the Indian Post Office under the terms of the Universal Postal Convention.

Of the air fee, a sum of nearly 5 annas per half ounce is paid to the British Post Office in accordance with the Hague air mail regulations, for the conveyance of the air mails by Imperial Airways as the service maintained by them is under the control of the British Administration. The balance of slightly over one anna per half ounce is retained by the Indian Post Office and goes towards the extra expenditure incurred in connection with the handling of the westbound air mail. The charge of 6½d. in the reverse direction on letters originating in Great Britain is made up of an air fee of 5d. and a postage rate of 1½d. This air fee and postage are both retained by the British Post Office in accordance with the International Regulations already referred to. The Indian Administration could not afford to reduce its postage rate to the equivalent of the British rate. There is no element of reciprocity in these matters and the Postal Union allows each country to fix its rates of foreign postage on financial grounds. The air fee adopted is levied to cover the expense of the service, and only experience will show whether the margin allowed can with safety be reduced.

Sir Darcy Lindsay: Can the Honourable Member explain why the extra one anna for, as he puts it, handling the air mail is necessary when he is already charging two annas for the Indian postage?

The Honourable Sir Bhupendra Nath Mitra: The reason is this, Sir. Additional expenditure will have to be incurred for handling the air mail. To give a specific case, for example, it may involve an extra evening delivery at Delhi for the purpose of delivering air mails.

Colonel J. D. Crawford: May I ask the Honourable Member how it came about that the British Post Office fixed the rate for air mail from England to India only up to Karachi and did not at that time include an additional charge for delivery throughout India?

The Honourable Sir Bhupendra Nath Mitra: It is not possible for me to answer that question, Sir, as I do not know the precise reason why the British Post Office took that particular action.

Colonel J. D. Crawford: When the Government of India were consulted, did they consider this question of delivery throughout India?

The Honourable Sir Bhupendra Nath Mitra: I should prefer to have notice of that question, but to the best of my recollection, the Government of India were not consulted at that stage.

Colonel J. D. Crawford: What is going to be the result to Indian revenues of allowing this to escape? Will not letters then be posted only to Karachi, and nobody pay the additional fee for delivery throughout India by air mail?

The Honourable Sir Bhupendra Nath Mitra: I think I have already explained, Sir, that whatever air mail fee is charged by the British Post Office for letters posted in England is retained by the British Post Office.

Colonel J. D. Crawford: But the Indian revenues will get nothing out of delivery in India. People will not use the air mail throughout India. They will simply use the air mail for Karachi and you will not get the air mail in India used?

The Honourable Sir Bhupendra Nath Mitra: That may be Sir, but we cannot possibly force people who do not want to use the air mail service from Karachi onwards to use that service.

Colonel J. D. Crawford: Am I to understand that there is some misunderstanding, some blunder, in this matter between England and India?

The Honourable Sir Bhupendra Nath Mitra: There has been no blunder at all. The Government in neither country can force the users of the air mail service to take any particular course of action.

Sir Darcy Lindsay: Are we to understand then that the air mail service that has now been inaugurated between Karachi and Delhi is for the use of outward letters only, and not also for the air mail that comes from Europe?

The Honourable Sir Bhupendra Nath Mitra: There is nothing, Sir, in any of the answers that I have given which can lead to that impression. The point is this: If an individual, say, in London, wants that his letters should be conveyed by air mail only up to Karachi and thereafter by the ordinary mail, say, to Delhi or Calcutta, neither the British Post Office nor the Indian Post Office can compel him to take any other course.

Sir Darcy Lindsay: That I entirely understand, Sir, but my point is how he can be put in the position of having his mail conveyed from Karachi by the air mail service throughout India?

The Honourable Sir Bhupendra Nath Mitra: Well, Sir, if he pays the air mail fee, right up to Delhi, he will have his letters conveyed by air mail to Delhi.

Sir Darcy Lindsay: Is it known throughout Europe that, by an extra charge, the sender will have his letter conveyed by air mail throughout India?

The Honourable Sir Bhupendra Nath Mitra: I believe, Sir, that is now known.

TIME SAVED BY INAUGURATION OF THE AIR MAIL SERVICE TO DELHI.

133. ***Sir Darcy Lindsay:** (a) Have arrangements been made to make it known in Europe that an Indian State Air Mail Service has now been inaugurated between Karachi and Delhi, giving the time that will be saved in delivery at important centres and the extra postage charge?

(b) With the inauguration of this Service what will be the saving in time of transit between say Calcutta and Karachi and *vice versa*, giving approximately time and days of train arrival and departure?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes.

(b) With the establishment of the Service, the transit time occupied between Karachi and Calcutta and *vice versa* has been reduced by 10 hours 21 minutes in the eastbound direction and by 14 hours in the westbound direction. The journey from Karachi by the combined use of aeroplane and rail can be accomplished in 50 hours 50 minutes against a train journey throughout of 61 hours 11 minutes and in the reverse direction, the use of aeroplane and railway reduces the journey to one of 45 hours 24 minutes against 59 hours 24 minutes by rail throughout. Departure from Karachi by air at 5 P.M. makes possible an arrival at Calcutta on the third day at 10 minutes to 8 P.M. Departure from Calcutta by rail at 6 minutes past 8 P.M. to Delhi and thence by air to Karachi provides for an arrival at 6-30 P.M. on the afternoon of the third day. The corresponding time of departure from Calcutta by rail throughout is 6 minutes past 8 P.M. and an arrival

at Karachi at 7-30 A.M. on the fourth day, while in the reverse direction the departure is timed for 5 minutes past 10 P.M. and an arrival on the fourth day at 16 minutes past 11 A.M. The time given is Indian standard time.

Sir Darcy Lindsay: Does the Honourable Member consider that any advantage is gained by arrival in Calcutta at 8 P.M. as against arrival by train at 7 o'clock the next morning?

The Honourable Sir Bhupendra Nath Mitra: I admit that there is no appreciable advantage, and for that reason we are trying to alter the time to 5 P.M. which will permit of an evening delivery the same day.

Sir Darcy Lindsay: Does the Honourable Member think that that will appreciably serve commercial correspondence after the offices are closed?

The Honourable Sir Bhupendra Nath Mitra: Well, Sir, that is the most we can do. It is not possible for me to say whether it will meet the requirements of commercial correspondence, though I know that in some cases even business people are particularly anxious to get the evening delivery in preference to a delivery the next morning.

DELAY OF TRAINS CONNECTING WITH THE OUTWARD AIR SERVICE FROM KARACHI.

134. ***Sir Darcy Lindsay:** What has been the recent experience of trains not running to time to connect with the outward air service from Karachi?

Mr. H. A. Sams: There have been no failures of the trains to connect with the westbound aeroplane from Karachi.

DEVELOPMENT OF AIR SERVICES IN INDIA.

135. ***Sir Darcy Lindsay:** (a) With a view to the development of air services other than purely military, have Government considered the expediency of forming a Civil Branch of the Royal Air Force by recruitment in India for services such as air survey, carriage of mails and war on insect life (locusts and mosquito)?

(b) Have Government considered the possibility of recruitment in India for the Royal Air Force with a system of training for cadet officers holding temporary (five year) commissions similar to the arrangement at the training depots of the Royal Air Force located in Egypt?

(c) Will Government be pleased to state the location of the training depots in India?

Mr. G. M. Young: (a) The answer to the first part of the question is in the negative. The Royal Air Force is a fighting service, and it would not be practicable or desirable for it to undertake remunerative work connected with civil aviation.

(b) and (c). There is no training establishment of the Royal Air Force in India. A certain number of British cadets are selected for short service commissions in India, but when so selected they have to be sent to England for training.

**RATE OF INTEREST PAYABLE ON STATE RAILWAY PROVIDENT FUND
BALANCES.**

136. *Colonel J. D. Crawford: (a) Is it a fact that the rate of interest payable by Government on State Railway Provident Fund balances was reduced from 5½ to 4½ per cent. from 1st April, 1927?

(b) If so, will Government please say, whether in view of the higher rates they are now paying on loans recently issued, they have under consideration an increase in the rates of interest payable on balances in State Railway Provident Funds, corresponding to that which now prevails?

The Honourable Sir George Schuster: (a) The rate of interest payable by Government on balances in the State Railway Provident Fund was reduced from 5½ to 4½ per cent. with effect from the 1st April 1927.

(b) The matter is under consideration and I hope to be able to give a definite reply very shortly.

GRIEVANCES OF THIRD CLASS RAILWAY PASSENGERS.

137. *Mr. Sarabhai Nemchand Hajl: (a) Is it a fact that the Railway Board invited the opinion of the Great Indian Peninsula Railway Administration on the subject of ameliorating the grievances of the third class passengers?

(b) Is it true that the Chief Traffic Manager of the Railway before dealing with the subject had invited Mr. Jivaraj G. Nensey and Khan Bahadur P. E. Ghamat, Honorary Joint Secretaries of the Passengers' and Traffic Relief Association, Bombay, to offer suggestions in the matter?

(c) Will Government be pleased to state whether those recommendations have been received by them, and if so, what action the Railway Board desire to take and when?

(d) Have the Railway Board likewise called for suggestions from other Railway Administrations, and Local Advisory Committees thereof? If the answer be in the affirmative, will Government be pleased to name them, and state how far their recommendations will be accepted by Government?

(e) Will Government be pleased to state whether the views of the Passengers' Associations in Bombay, Belgaum, Calcutta and Madras were called for by the Railway Board? If not, will Government state the reason why?

Mr. A. A. L. Parsons: I would refer the Honourable Member to the reply given by Mr. Rau to an almost identical starred question No. 1061, put by Mr. Ghanshyam Das Birla on the 18th March 1929.

OVERCROWDING OF THIRD CLASS PASSENGERS.

138. *Mr. Lalchand Navalrai: (a) Has the attention of Government been drawn to the contribution by Miss Mirabai (Miss Slade) published in November or December, 1929 in *Young India* and reproduced in the *Sind Observer*, dated the 20th December, 1929, as to her personal experience with regard to the unbearable overcrowding of third class passengers between Allahabad and Dacca and the note of Mahatma Gandhi thereon?

(b) Is it a fact that extreme inconvenience of overcrowding is caused to third class passengers on all the State Railways on account of care not being taken to provide additional carriages in time?

(c) Is it proposed to create special travelling officers to take a census of third class passengers in running trains and arrange for their accommodation by getting additional carriages attached wherever overcrowding occurs?

(d) Is it a fact that State Railways recently created the posts of inquiry clerks as a tentative measure at a few stations to afford convenience to third class passengers?

(e) Are Government aware that they stay at the gate and only guide the passengers to particular platforms and take no part in arranging their seats or removing overcrowding in trains?

(f) What steps do Government propose to take to uproot this nuisance of overcrowding in trains?

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

(b) The inconvenience of overcrowding in third class carriages has been reduced during recent years by the provision of additional trains and more passenger coaches. During the five years ending 31st March, 1929, the third class seating capacity of the passenger carriages on all railways has increased by 14 per cent. and the mileage of passenger trains by 29 per cent., while the number of third class passengers carried has increased by 8 per cent. only.

(c) Railways have been taking a periodical census of third class passengers in running trains, and of the actual seating accommodation, to enable an opinion to be arrived at as to what extra carriages may be required.

(d) Yes.

(e) The primary duty of an inquiry clerk is to give information to passengers who arrive at a station to undertake a journey. This matter was discussed with the Central Advisory Council for Railways in September 1929, and the consensus of opinion was that the best place for an inquiry clerk was in the third class waiting hall. The actual placing of passengers in their carriages and the prevention of overcrowding is attended to by station masters and their assistants, platform inspectors, guards and travelling ticket inspectors.

(f) My reply to part (b) of the Honourable Member's question indicates that the overcrowding in trains is decreasing and not growing. The question of the provision of more trains and more coaches where necessary is a matter that receives the constant attention of Railway Administrations.

Mr. Lalchand Navalrai: Will the Honourable Member please explain to what extent the inconvenience referred to in this particular case is being reduced all round?

Mr. A. A. L. Parsons: I think it is clear from my reply that a great deal has been done. But it is impossible for any Railway Administration, either in this country or anywhere in the world, on all occasions to prevent overcrowding. I cannot say exactly how it occurred in this particular case, though I can well understand that the train might be overcrowded, if Mr. Gandhi was travelling by it.

Mr. K. C. Neogy: With reference to the personal aspects of Miss Mirabai's complaint, is it a fact that the Honourable Member has advised her to revert to her European name and her European mode of dress and travel in third class compartments reserved for Europeans?

Mr. M. S. Aney: Has the Honourable Member no reply to give?

The Honourable Sir George Rainy: I am afraid, if the Honourable Member's question was addressed to me, I did not catch it.

Mr. K. O. Neogy: It was addressed to the Honourable Member who answered it on behalf of the Government.

Mr. A. A. L. Parsons: I caught the question, but it struck me that it was more argumentative than asking for information.

Mr. Lalchand Navalrai: Will the Honourable Member be pleased to say if Government are prepared to remove this distinction between Indian and Anglo-Indian in the third class compartments also?

Mr. A. A. L. Parsons: To the best of my recollection, some instructions have been issued to that effect, which the Honourable Member, who put to me the previous supplementary question, is either not aware of or believes have not been followed.

REFUSAL OF RAILWAY CONCESSIONS FOR THE KUMBH MELA.

139. ***Mr. Lalchand Navalrai:** (a) Are Government aware that the great Kumbh Mela at Allahabad takes place on the 14th January, 1930 or thereabouts?

(b) Is it a fact that the Railway Board was asked, in view of the great profit railways make on such occasions, to extend the time of the Christmas concession tickets to a few days more in order to enable passengers to return under concession tickets?

(c) Is it a fact that the Railway Board expressed inability to interfere and referred the matter to the Agents of the respective State Railways who declined to accede to the wishes of the public?

(d) If the answer to part (c) be in the affirmative, will Government be pleased to state if the Agents of the Railways concerned consulted their Advisory Committees?

(e) Will Government be pleased to state the reasons for which the Agents of the State Railways refused to extend the concession?

(f) Is it a fact that the State Railways have made a considerable profit owing to this Kumbh Mela having taken place?

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

(b) Letters were received by the Railway Board asking that the period of availability of the Christmas concession tickets should be extended so as to include the Kumbh Mela at Allahabad.

(c) The Railway Board replied that such letters had been forwarded for disposal to the Agents of the railways concerned who were the competent authorities to deal the matter.

(d) No.

(e) The Railway Administrations were of opinion that an extension of the Christmas concession would not lead to sufficient additional passengers travelling to compensate for the lower fare charges recovered.

(f) I am unable to say whether this will be so or not.

Pandit Hirday Nath Kunzru: Has any concession been made with regard to return tickets issued for the Kumbh Mela?

Mr. A. A. L. Parsons: I am afraid I must ask for notice. It is quite possible of course that some railways have given concessions with regard to the Mela; but they would not be the Christmas concessions to which the Honourable Member who put the original question referred.

INCOME-TAX RETURNS IN SIND.

140. ***Mr. Lalchand Navalrai:** 1. Will Government be pleased to state whether they have under contemplation the amendment of section 80, read with section 48 of the Indian Income-tax Act in order to enable aggrieved parties to file appeals against the Income-tax Officer's refusal to grant refunds?

2. Will Government be pleased to state the following particulars showing for each of the Income-tax charges in Sind for the years 1927-28 and 1928-29:

- (a) Number of cases in which the returns were sent blank by assesseees, with a forwarding letter supplying information about income but not actually filling the returns owing to want of proper assistance;
- (b) Number of cases in which notices under section 23 (2) of the Act were issued in reference to such returns which were considered as valid;
- (c) Number of cases in which notices under section 22 (4) were issued in consequence of the returns being treated as invalid; and
- (d) Number of cases in which assessment orders under section 23 (4) were passed without issuing notices under section 23 (2) or 22 (4)?

3. Do Government propose to issue instructions to Income-tax Officers to render assistance to the assesseees in filling up the returns properly?

The Honourable Sir George Schuster: With your permission, Sir, I will answer questions 140 to 146 and 148 to 151 together.

The Government of India have called for a report, the result of which will be communicated to the Honourable Member in due course.

Mr. Lalchand Navalrai: That saves supplementary questions.

INCOME-TAX NOTICES IN SIND.

†141. ***Mr. Lalchand Navalrai:** Will Government be pleased to supply a statement showing separately for each of the charges of Income-tax Officers in Sind for each of the two years 1927-28 and 1928-29 the following information:

- (a) Number of cases in which notices under section 23 (2) were issued;

†For answer to this question, see answer to question No. 140.

- (b) Number of cases in which, after such notices were issued, evidence and accounts were produced and yet assessment orders were passed under section 23 (4) instead of section 23 (3); and
- (c) Number of cases in which action was taken by the Assistant Commissioner or Commissioner on inspection of the records, and the Income-tax officers were directed to issue proper notices of demand allowing the right of appeal?

ORDERS AND APPEALS UNDER THE INCOME-TAX ACT IN SIND.

†142. *Mr. Lalchand Navalrai: Will Government be pleased to give the following information showing for each of the different charges of Income-tax Officers in Sind for each of the years 1927-28 and 1928-29:

- (a) Number of cases in which orders under section 23 (4) were passed and appeals preferred under section 30;
- (b) Number of cases in which appeals were thrown out simply because the assessment order purported to be passed under section 23 (4) without going into the merits of the case whether or not the order really fell under section 22 (3) or section 23 (4)?

INCOME-TAX NOTICES IN MOFUSSIL AREAS IN SIND.

†143. *Mr. Lalchand Navalrai: Will Government be pleased to state if it is a fact that in several cases notices under section 22 (2) of the Indian Income-tax Act, are issued in English to Income-tax assesseees residing in mofussil areas in Sind, although forms of notice and return have been translated and printed in Sindhi and are available for issue?

BUSINESS ACCOUNTS IN MOFUSSIL AREAS IN SIND.

†144. *Mr. Lalchand Navalrai: (a) Will Government be pleased to state if they are aware that in mofussil areas in Sind it is customary to maintain accounts for two or three or more years according to the local usage, sometimes for the entire period of partnership at a stretch without being squared up every year?

(b) If the reply to part (a) be in the affirmative, will Government be pleased to state how such accounts are dealt with for Income-tax purposes and what instructions, if any, have been issued in regard to the acceptance of such accounts covering a period of more than twelve months?

PETITIONS FROM SIND SUBMITTED TO THE COMMISSIONER OF INCOME-TAX, BOMBAY PRESIDENCY.

†145. *Mr. Lalchand Navalrai: Will Government be pleased to state the number of cases reviewed by the Commissioner of Income-tax,

†For answer to this question, see answer to question No. 140.

Bombay Presidency, in each of the charges of Income-tax offices in Sind, in consequence of the petitions submitted to him and also those in which no such petitions had been sent and the number of cases in which he had cancelled or upheld the assessment or the appellate orders?

PROCEEDINGS FOR SUPPLEMENTARY ASSESSMENT IN SIND.

†146. *Mr. Lalchand Navalrai: Will Government be pleased to lay on the table a statement showing for each of the years 1927-28 and 1928-29, the number of cases in which proceedings were instituted for the supplementary assessment of escaped income under section 34 of the Indian Income-tax Act, 1922, in each of the seven charges of Income-tax Officers in Sind and in how many cases these proceedings were filed simply because the result of the supplementary proceedings were unfavourable to Government in that refund would have been made if orders were passed under section 23 (3) of the Act in such cases?

RULES FOR THE REGISTRATION OF FIRMS.

147. *Mr. Lalchand Navalrai: Will Government be pleased to state whether they have received any representation in regard to the alteration of the rules relative to the registration of firms framed by the Central Board of Revenue under section 59 of the Act on the ground that after the amendment of section 26 of the Act by Act III of 1928, these would no longer be consistent with the spirit of the law? Do Government propose to issue an amended set of rules immediately?

The Honourable Sir George Schuster: The Government have not received any such representation. The rule has already been amended so as to bring it into conformity with amended section 26 of the Indian Income-tax Act by the Central Board of Revenue Notification No. 15, dated 24th August, 1929.

ACTION TAKEN UNDER SECTION 34 OF THE INCOME-TAX ACT.

†148. *Mr. Lalchand Navalrai: (a) Will Government be pleased to state if it is a fact that in the Karachi Income-tax Office, cases have occurred of action being taken under section 34 instead of section 35 of the Income-tax Act, because of the bar of limitation to take action under the latter section?

(b) If the reply to part (a) be in the affirmative, will Government be pleased to state if they propose issuing instructions in this behalf or amending section 34 of the Act limiting the period to the same extent as in section 35?

(c) If the reply be in the negative, will Government be pleased to give their reasons?

†For answer to this question, see answer to question No. 140.

MUHAMMADAN INSPECTORS OF INCOME-TAX IN SIND.

†149. ***Mr. Lalchand Navalrai:** (a) Will Government be pleased to state the number of Hindu and Muhammadan Inspectors of Income-tax in Sind?

(b) What are their qualifications respectively?

(c) Is it a fact that one of the Muhammadan Inspectors who has been employed studied only the Subordinate Accounts Service course for two years?

(d) What is the number of Hindu assesseees in Sind as compared to Muhammadan assesseees?

APPOINTMENT OF A MUHAMMADAN AS EXAMINER OF INCOME-TAX IN SIND.

†150. ***Mr. Lalchand Navalrai:** Will Government be pleased to state whether recently a Muhammadan matriculated clerk was made an examiner of Income-tax in Sind, superseding several Hindu clerks senior to him, including a graduate? If so, why?

APPOINTMENT OF MUHAMMADANS IN THE INCOME-TAX DEPARTMENT IN SIND.

†151. ***Mr. Lalchand Navalrai:** (a) Is it a fact that three Muhammadans, who have passed no examination qualifying for Government service, have been taken recently in temporary posts in the Income-tax Department in Sind although there were a number of other qualified applicants? If so, who appointed them?

(b) If the answer to the second question in part (a) be that the Assistant Commissioner did it, what action has the Income-tax Commissioner taken in the matter?

PROTECTION FOR GLASS MANUFACTURE.

152. ***Mr. S. O. Mitra:** (a) Will Government be pleased to state when they received representations from the Indian Glass Manufacturers Association for protection?

(b) What action have Government taken so far?

(c) Do Government intend to make an immediate reference to the Tariff Board?

The Honourable Sir George Rainy: (a) Government received two representations, one in 1926 and the other in 1927.

(b) and (c). In reply to the first representation, Government stated that they were not satisfied that there was a *prima facie* case for reference to the Tariff Board. On receipt of the second representation, which asked for protection to globeware, the applicants were asked to furnish information on certain specified points. This information was received in August, 1929. A fresh application was received subsequently for protection for sheet glass, necessitating further inquiry, replies to which have been received very recently. The applications are under consideration together.

†For answer to this question, see answer to question No. 140.

STATEMENT BY MR. PRESIDENT OF HIS POSITION IN RELATION TO THE BOYCOTT OF THE LEGISLATURES.

Mr. President: I think I owe it to the House and also to my constituency and the country that I should make a statement explaining my own position as President in reference to the recent Resolution of the Indian National Congress advocating the boycott of Legislatures. The well established principle which governs the conduct of the Speaker in the House of Commons in such matters has been described thus:

"The man who occupies the high office of Speaker is outside and above all party conflict. Like the Sovereign, the Speaker as such, has no politics. It is true that he is returned to the House of Commons originally as a political partisan. It is true also that it is as a party nominee he is first appointed to the Chair, for the Speakership remains one of the principal prizes of political life. But as he is being ceremoniously conducted by his proposer and seconder from his place on the benches to the Chair he severs the ties that bind him to his party. He doffs his vivid party colours, he they buff or blue, crimson or yellow, and wears instead the white flower of a neutral political life;"

(Laughter from an Honourable Member on the Official Benches.)

"and once in the Chair in spite of the jeers of the Honourable Member, he is regarded as the choice of the whole House, from which his authority is derived and in whose name it is exercised. It is said that, after his appointment, he never enters a political club."

In pursuance of a Resolution of the Indian National Congress, the Swaraj Party, which was then a distinct party within the Congress, set up candidates at the General Elections for Legislatures in 1923. I was elected to this House on the ticket of the Party and accordingly took my seat in January, 1924. In August, 1925 the Swaraj Party in the Assembly selected me as their nominee for the office of the President of the Assembly. On my election to the Chair and following the centuries-old principle of the House of Commons described above, I made the following declaration from the Chair to which I was called:

"From this moment I cease to be a party man. I belong to no party. I belong to all parties. I belong to all of you and I hope and trust, my Honourable friend, the Leader of the Swaraj Party, will take immediate steps to absolve me from all the obligations of a Swarajist Member of this House, if, indeed, it has not been done by implication in consequence of my election to this Chair."

In March, 1926, the Swaraj Party decided to walk out in a body from the Assembly, and some Members expected me to participate in the walk-out on the ground that, having been returned to the Assembly on the Swaraj Party ticket, I was bound by the mandate of the Party. At the risk of being misunderstood, I declined to join the Party in their action, and for the first time established a convention that the President of the Assembly, like the Speaker of the House of Commons, is above all party politics and therefore not bound to accept the mandate of the party to which he belonged before he was elevated to the Chair.

The end of 1926 saw the General Elections again. Some endeavour was made on that occasion to set up a Congress candidate in my constituency and I was also asked whether I would be willing to accept the Congress Party ticket. I thought that, as I had made up my mind to serve the Assembly again as its President if I was

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elected, the safer course for me was to stand as an independent candidate in order to guard against any future misunderstandings. I accordingly did so and was returned unopposed. When the election of the President took place, the Leader of the Congress Party, among others, proposed me to the Chair and I was unanimously re-elected. I then made the following declaration on the occasion:

“From the brief experience that I had as the occupant of this Chair I have found, as I stated when I was addressing you last, that any one who aspires to fill this great office with any hope of success must lay aside all that is personal, all that is of party, all that savours of political predilection, and learn to subordinate everything to the great interests of the House as a whole. Not that it is possible for any one to divest himself so completely of the influence of his political associations and the teachings of a lifetime. He may have his political opinions, he may retain them; he may have his prejudices; but in his general decisions and in his treatment of individual Members no trace of them should find any place. I do not know whether I have in the past lived up to that ideal, nor can I say whether it would be possible for me to live up to that ideal in the future. All I can promise is that I shall ever endeavour to the best of my capacity to regulate my conduct in the Chair on the lines which I have just indicated.”

Since the Resolution of the Lahore Congress, many friends are anxious to know how I propose to act on this occasion. I am making this statement to-day to set at rest all speculation on the question and to reaffirm and emphasise the principle that the President is above all parties and he would be unworthy of the confidence reposed in him if he were to allow his conduct to be influenced by any party in or outside this House. I venture to think that this principle must and will hold good under any form of Government. In these circumstances, I feel I would be nullifying and indeed destroying all the work it is claimed I have done during the last four years and more, were I to tender my resignation in obedience to the mandate of the Congress.

It has been suggested to me that the absence of the Congress Party in this House would materially handicap me in the discharge of my duties to the best interests of the country. I am afraid I am unable to agree with this view, for I have no reason to think that other parties in the House, as also those who would replace Congressmen, would not accord the same support to me as I have been fortunate enough to receive from the House as a whole during my term of office. In any case the moment I find that the holding of this office under altered conditions is inconsistent with the maintenance of that absolute independence and impartiality,—the two essential attributes upon which at once the influence of the President and the confidence reposed in him are founded,—that moment you will not find me in this Chair.

Whilst, therefore, I am quite clear that it would be wrong, and indeed dangerous, for any President to act on the mandate of any political party in or outside this House, I am equally emphatic that circumstanced as India is, a situation might arise when, in the larger interests of the country, the President of the Assembly might feel called upon to tender his resignation with a view to return to a position of greater freedom. Such a situation had, I thought, arisen when His Majesty's Government announced the personnel of the Simon Commission and the overwhelming

majority of my countrymen decided to boycott the Commission. I was then seriously contemplating resignation with a view to actively participate in the boycott agitation. I was, however, advised that I would be serving the cause of the country better by my retention of the office than otherwise. I accepted the advice and issued a statement to the Press accordingly. That statement I to-day lay on the table for the information of Honourable Members. Irrespective of the general situation in the country, I had on several occasions in the past contemplated resignation because of my fundamental differences with the Government of India on matters of great moment. I was on each occasion advised that, so long as I retained the confidence of the House as a whole, I should continue to serve them, leaving the party dissatisfied to table a vote of no confidence. To be frank, I should not have continued so long in this Chair had it not been for His Excellency Lord Irwin, who on more than one occasion by his timely intervention had averted a crisis in the past.

I have given my most anxious consideration to the situation in the country to-day arising out of the Viceregal announcement and the Resolution of the Lahore Congress, and I have come to the conclusion that, in the interest of the cause itself, apart from other considerations, it is necessary that I should continue to occupy this Chair at this juncture. I have always maintained and still maintain, the change in the Congress creed in favour of complete Independence notwithstanding, that the relations between Great Britain and India can only be finally adjusted on the basis of India's right to Dominion Status being acknowledged without any reservation, and the method of giving effect to that decision being examined in some joint and equal conference between the plenipotentiaries of the two countries, and that the greater the delay in finding a solution of the problem on these lines, the lesser the chances for favourable atmosphere for the purpose and its general acceptance in this country. I have missed no opportunity during the last four years that I have been in this Chair, to press this view as strongly as I can upon the attention of the authorities concerned. I am aware that the Viceregal announcement does not go so far, but viewing the situation as a whole, I am bound to admit that it represents a genuine and honest attempt of a sincere Viceroy anxious to find a way for peace in the most difficult circumstances. The Congress no doubt remains dissatisfied at the announcement, and it will be a grave mistake to underrate the strength behind the Congress. I endeavoured in my own way to bring about rapprochement. I confess I have failed, but perhaps it is not still impossible, by mutual give and take, to evolve a formula acceptable to all parties. I only hope that it is not already too late.

In these circumstances, and holding the views I do, I have decided to continue to serve the House and the country as best as I can from this Chair for the present.

Statement issued to the Press by Mr. President after the Announcement of the Personnel of the Simon Commission.

A little over two years ago I accepted the post of President of the Assembly because I believed that I could thereby serve my country better. I thought then, and I still think, that it was not right for myself, or for any other patriotic Indian similarly situated, to reject this method of serving India. At the same time, it is

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evident that any occupant of my present post necessarily labours under a certain disability. There may be circumstances, as is the case today, by which strong political feelings are aroused, and in regard to which the President of the Assembly may hold pronounced views. If he were a private individual, he would naturally give full utterance to these views; but whatever may be the personal opinions of any President of the Assembly, the fact remains that he fills a quasi-judicial position and, while he occupies the Presidential Chair, he is bound in his official capacity to remember that he represents not one section but all sections of the body whose principal officer he is, and to act as the guide and director not only of all those who are his natural political associates, but of all sections of the House. My political opinions are well known, and they have not at all varied since I assumed the office of President of the Assembly. There will, therefore, be no doubt whatever of the opinion which I would publicly desire to express upon the question of the forthcoming Statutory Commission if I were not debarred from speaking freely by the reserve imposed upon me by my office. As a matter of fact, I have not hesitated to express that opinion privately to the authorities concerned in most unmistakable language, and repeatedly made it clear to them what sort of reception a purely Parliamentary Commission would have in India. Indeed, I and my friends of the Congress have consistently maintained that the question of the relations between Great Britain and India can only be finally adjusted on the basis of India's right to Dominion Status being acknowledged without any reservation, and the method of giving effect to this decision being examined in some joint and equal conference between the plenipotentiaries of the two countries. I am also aware that the general scheme of procedure sanctioned by the British Parliament, in so far as it ignores that claim, and also by reason of the exclusion of Indians from the Statutory Commission of Inquiry, stands condemned in the eyes of politically minded India. At the same time, while as President of the Assembly I have taken note of the views entertained by the originators and supporters of that scheme, that under it the constitutional position of the Central Legislature is more definitely recognised by His Majesty's Government than has previously been the case, and that this precedent, if ultimately established, may have far-reaching results, I cannot persuade myself to believe that this is in any sense any real advance towards the recognition of the position India is fighting for.

In these circumstances, I have anxiously considered whether I should vacate my office and return to a position of greater freedom and of a responsibility less restricted. I am convinced that I cannot enjoy that freedom and take my legitimate place side by side with my friends of the Congress in the agitation now going on in the country over this question unless I tender my resignation. After consulting friends, to whose opinions I attach the greatest weight, I have come to the conclusion that, for the present, no useful purpose would be served by my so acting. I have, therefore, decided to wait and watch future developments in the hope that they might bring into being a combination of circumstances making it possible for the British Government to recognise the justice of the claim made by the Congress and satisfactorily settle India's problem to the lasting benefit of India and Britain alike.

In the meantime, I feel I should be guilty of desertion of India's cause were I to throw aside the opportunity which my present office affords to me of proving that an Indian is not incapable of discharging the duty of one of the most responsible posts under the present constitution in circumstances however difficult, and of serving the Legislative Assembly as best as I can at this crisis of India's fortunes.

STATEMENT LAID ON THE TABLE.

REPORT ON THE CREW SYSTEM OF TICKET CHECKING AND COLLECTING.

The Honourable Sir George Rainy (Member for Commerce and Railways): Sir, I lay on the table a copy of the Report on the Crew System of Ticket Checking and Collecting, 1926—29, by the Chief Operating Superintendent, East Indian Railway, September 1929, with reference to the replies given to questions Nos. 1105 to 1111, 1871 to 1878, 1880, 1881, 1389 to 1391 and 1898, asked by Maulvi Mohamud Yakub and Mr. Amar Nath Dutt on the 18th March and 2nd April, 1929, respectively.

Report on the Crew System of Ticket Checking and Collecting 1926-29 by the Chief Operating Superintendent, East Indian Railway, September 1929.

1. *Terms of Reference.*—During the March-April 1929 Session of the Legislative Assembly a series of questions in connection with the working of the Crew System were asked, and the Railway Board in their letters Nos. (a) 109-T., dated 16th March, 1929, (b) 109-T.-1, dated 8th April, 1929 and (c) 109-T.-5, dated 20th May, 1929, called for a full and detailed report on the Crew System together with answers to these questions; it was further stated that this report would be laid on the table before the House, and accordingly the following has been prepared.

2. *Railway, Functions of.*—A Railway is primarily intended for the carriage of Passengers, Animals and Goods and is therefore a gigantic business organisation, operated for the convenience and benefit of the general public. To succeed in any business undertaking no matter how small or large, stringent measures have to be adopted to guard against possible financial loss, Railways have also had to devise suitable safeguards.

3. *Fraud, Nature of.*—(a) The general public who are a Railway's customers, are in the main honest, but there are certain sections of them who are not, which necessitate Railways adopting counter-measures to cope with the activities of the latter.

(b) The commonest form of Fraud perpetrated on Railways is that of Passengers Travelling Without Ticket and this evil is not confined to this Railway only, but it is to be found on all Railway Systems in India.

(c) The problem of combating this evil has for many years now been engaging the attention of the different Railway Administrations, who from time to time have adopted various measures; these have led and do lead, to the detection of a considerable number of such Ticketless Passengers but they do not in any way prevent Fraudulent Travelling.

3. *Fraudulent Travelling.*—(d) It may be of interest to detail what comprises Fraudulent Travelling, and the following are some of the principal items:

- (i) Adults Travelling Without Tickets.
- (ii) Adults Travelling on Child's Tickets.
- (iii) Children over 3 without Tickets.
- (iv) Travelling on ticket of Expired Date.
- (v) Over-riding.
- (vi) Travelling in Higher Class.
- (vii) Unbooked Luggage.

(e) *Extent of.*—The extent to which this evil exists on this Railway can be gauged from the following figures:

Period.	Total No. of Passengers carried and Earnings including Traffic from Foreign Railways.		Average fare per passenger.	Total No. of Passengers detected and Excess Fares exclusive of penalty and excess luggage realised.	
	Number.	Amount.		Number *Approximate.	Amount.
1924-25 . . .	75,760,000	Rs. 6,43,14,000	0.86	715,487	Rs. 6,15,319
1925-26 . . .	71,705,700	6,03,89,000		Records not available.	
1926-27 . . .	71,989,300	5,79,95,000	0.81	753,998	6,10,738
1927-28 . . .	76,365,000	6,18,05,000	0.81	515,658	4,17,688
1928-29 . . .	71,576,400	5,72,67,000	0.80	385,810	3,08,648

*Actual figures not available, these numbers have been arrived at by dividing the total amount of Excess Fares realised per year by the average fare per passenger obtained in that year.

(f) It will be observed that in 1927-28 and again in 1928-29 there is a progressive decrease in the Number of Passengers detected and in the amount of Excess Fares realised.

4. *Existing Law.*—The Law does not recognise Travelling Without a Ticket as a penal offence, for in Sections 112 and 113 of the Railway Act it is treated as Non-Cognisable and the Penalties prescribed are so mild that they do not act as a deterrent.

5. *Indian Railway Conference Association—Views of.*—Railway Administrations finding this evil widespread and being unable to devise effective means of prevention, came to the conclusion that the only remedy lay in amending these two sections of the Railway Act by making this offence Cognisable, and with this object in view the matter was referred to the Indian Railway Conference Association as far back as 1911.

(a) In 1911 the Conference resolved :

“ This Conference do not think it desirable to ask for Legislation on this question, and must leave it to individual Railways to prevent entry into their Trains of persons not having Tickets.”

(b) In 1922 however, the Conference passed the following resolution :

“ That in view of the increase of numbers of Passengers travelling Without Tickets and of the loss to Railways and to the Government caused thereby, this Conference recommends to the consideration of the Railway Board the advisability of revising the Railway Act in order to provide better security for Railways in recovering fares and penalties for travelling Without Tickets.”

(c) The Railway Board, however, replied that it was not desirable to require an amendment of the Indian Railway Act until all other possibilities had been tried, and, they were of the opinion that the evil complained of should be met by improving the checking and collection of tickets.

(d) In 1924 the Conference again discussed the matter when it was decided that commencing from January 1925 all Railways in India should maintain certain statistics in connection with the total number of persons found travelling without tickets, of the numbers prosecuted under the different sections, and of the results of such prosecutions.

(e) In the Conference of 1926, it was decided to continue recording the above figures and in addition for each Railway to submit a note on the actual methods adopted to combat this evil of fraudulent travelling; also, a further request was made to the Railway Board to re-consider their previous decision.

(f) The Railway Board do not appear to have replied, but in view of their previous reply it is evident the Board do not contemplate approaching the Government of India to revise the existing Law, hence each Railway continues to concentrate on this problem of effectively checking Fraudulent Travelling.

6. *Existing Method.*—*App. 1.*—(a) Mr. W. H. Scott, a Senior Officer of the Accounts Department, in his printed Report on the “ Experimental Introduction of the Crew system on this Railway ” has very ably and forcibly summarised the existing methods adopted by Railways for dealing with this problem, their defects and the advantages of the Crew system over the former, and extracts from paras. 3 to 7 and 14 to 16 from part 1 of his report are attached as App. 1.

(b) On this Railway Ticket Collectors were employed at the larger Stations and also Travelling Ticket Examiners; their functions being for the former to check and collect Tickets at stations where posted and for the latter to travel in Trains and recover fares from those detected without tickets.

7. *Main Issue.*—(a) Any System to be successful, must in the main (i) Substantially reduce, if not eliminate entirely, Fraudulent Travelling, and (ii) Proportionately increase the Railways Revenue.

(b) *Crew System, Introduction of.*—That this had not been achieved is clear from the foregoing remarks, and a new scheme called the Crew System of Ticket Checking and Collecting was introduced as an experimental measure for 6 months on the Howrah-Asansol section including the Bandel-Naihati and Tarakeswar Branch, and operations commenced from 1st August 1926.

(c) This portion of the line was chosen for the experiment as it carries very heavy suburban traffic, and the Passenger earnings are approximately equal to about 1/5 of the entire Passenger earnings of this Railway.

(d) With the introduction of this System the existing staff of Ticket Collectors and Travelling Ticket Examiners were withdrawn and absorbed in the Crew.

8. *Fundamental Principles*.—The fundamental principles of the Crew System are :

- (i) To prevent any person who has not a proper ticket from entraining.
- (ii) To prevent over-riding.
- (iii) To see that all Luggage is booked.
- (iv) To collect Tickets from passengers at or before destination.

9. *Method of Working*.—(a) In actual working this system provides for a certain number of men or in other words a "Crew" to travel with each train throughout its run; each Crew consists of a man in charge designated "Crew-in-Charge" and sufficient number of Crewmen to enable one man being allotted to each 3rd Class and Inter Class Carriage.

(b) *Duties*.—The duties of each member of the Crew are to enforce the principles mentioned in paragraph 8 above.

(c) *Crews-in-Charge*.—The Crew-in-Charge attends to Upper Class Carriages, and in addition supervises generally the working of the Crewmen; further he alone is empowered to recover Excess Fares from passengers detected for any irregularity.

(d) *Crewmen*.—Crewmen attend to III Class and Inter Class Carriages and are prohibited from recovering Excess Fares; Passengers detected by them must be taken before the Crew-in-Charge.

10. *Practical Application*.—(a) It will be observed from the above brief description of the new procedure that it differs from the old in that its main feature is that of Prevention in contrast to that of Detection which belongs to the existing method.

(b) From the outset, however, it must be admitted that the first two items of the fundamental principles quoted above cannot at present be worked to in their entirety, as the existing conditions of working make this impracticable; there are two great obstacles, firstly the type of carriages in use which are Non-Corridor and are further divided into 4 entirely separate compartments, thus preventing the Crewman from moving from one compartment to another in the same carriage while the train is running between stations, and secondly the want of adequate fencing or other form of barrier, at a large number of stations, so as to prevent unauthorised ingress or egress to and from Station Platforms.

(c) In spite, however, of these handicaps it is claimed that the Crew System does tend towards the curtailment of Fraudulent Travelling and to a corresponding increase in Railway Revenue.

11. *Experimental Stage*.—*App. 2*.—(a) As previously stated the experiment of the Crew System was started on a portion of the Howrah Division from 1st August 1926, and after 5 months the results obtained have been detailed in Mr. Scott's Report.

(b) *Extensions*.—From these definite results which fully justified the experiment, the Railway Board in their letter No. 109-T., dated 30th March 1927, sanctioned the extension of the system to the whole of the Howrah Division including a small portion of the Asansol Division for one year from 1st April 1927, and to its introduction on the Lucknow Division from 1st May 1927 to 31st March 1928.

(c) On the Howrah Division the entire extension took place from 10th June 1927 and on the Lucknow Division the system was completely introduced from 5th June 1927; the executive control of the organisation was also at the same time vested in the respective Divisional Superintendents.

(d) The results continuing to be satisfactory the Crew System was further extended as under :

- (i) Lucknow-Shahjahanpur Section on the Moradabad Division sanctioned by the Railway Board in their letter No. 57675, dated 13th December 1927; operations commenced from 1st May 1928.
- (ii) Asansol-Moghalsera Section excluding Branches sanctioned by the Railway Board in their letter No. 6307-E., dated 15th May 1928, for one year from 1st April 1928. This brought practically the whole of the Asansol and Dinapore Divisions under the scheme; the Crew commenced working from 1st July 1928 and by 16th August 1928 was in full operation.

(e) The Railway Board in their letter No. 6307-E., dated 16th October 1928, sanctioned the extension of the Crew System to the whole of this Railway, temporarily till 31st March 1930, but no further extensions have yet taken place, as it was decided that before this was done the scheme should be re-organised with regard to the number of staff actually required, and accordingly a Revised Scheme is being submitted separately.

12. Results of Working :

(a) *Howrah Division*—Appendices 2 and 3.—Partial introduction from 1st August 1926. Complete extension from 10th June 1927 :

- (i) Similar results for the period 1st January 1927 to 31st May 1927 prior to the complete extension compared with those for the same period of 5 months in 1926 before the System was introduced are also given in Appendix '2'; these again are on a par with those obtained during the first 5 months of the experiment.
- (ii) A further comparison is made in Appendix '3' of the results obtained from June to December 1927, after the complete extension with a corresponding period in 1926 and 1925; the increases are satisfactory.
- (iii) A final comparison is also detailed in Appendix '3' showing the results of a complete year's working from January to December 1928, with the two preceding years 1927 and 1926; here the increases are remarkable.

(b) *Lucknow Division*—Appendix 4.—Complete introduction from 5th June 1927 :

- (i) In Appendix 4 the results obtained after 6 months trial from July to December 1927, compared with the figures for a similar period in 1926 and 1925 are given; on this Division also there is a marked increase.
- (ii) A final comparison of a complete year's working from January to December 1928 with the two preceding years 1927 and 1926 are also detailed in Appendix 4; here again as for the Howrah Division, the increases are surprising.

(c) *Dinapore Division*—Appendix 5.—Complete introduction from 16th August 1928.

The results obtained after 5 months of working from August to December 1928 as compared with similar periods in 1927 and 1926 are given in Appendix 5; here also there is a very appreciable increase.

13. *Comments*.—On 2 Divisions, Howrah and Lucknow, the Crew System has been in complete operation for over a year, and the results obtained after a full year's working can therefore be compared with figures of the preceding years with a greater degree of confidence than is possible for shorter periods. These figures for Howrah and Lucknow Divisions as detailed in Appendices 3 and 4 show increases as follows :

(a) Under "Total number of Passengers booked from Stations on a Division to all Stations on the East Indian Railway with Earnings" :

Division.	Increase in Passengers.		Increase in Earnings.	
	1927 over 1926.	1928 over 1927.	1927 over 1926.	1928 over 1927.
Howrah	831,079	1,046,769	Rs. 7,79,187	Rs. 7,87,810
Lucknow	1,099,320	932,507	4,72,274	4,45,883

(b) Under "Total number of Passengers booked from Stations locally on a Division to all other Stations on the same Division with Earnings" :

Division.	Increase in Passengers.		Increase in Earnings.	
	1927 over 1926.	1928 over 1927.	1927 over 1926.	1928 over 1927.
Howrah	731,290	689,032	Rs. 4,00,888	Rs. 5,62,833
Lucknow	466,786	328,715	3,56,160	3,20,541

(c) Under "Luggage Earnings":

Division.	Increase in Earnings.	
	1927 over 1926.	1928 over 1927.
Howrah	Rs. 50,550	Rs. 26,515
Lucknow	15,377	Less by 3,943

(d) Under "Excess Fares Earnings":

Division.	Increase in Earnings.	
	1927 over 1926.	1928 over 1927.
Howrah	Rs. 30,828	Less by 15,471
Lucknow	11,506	„ „ 6,109

14. *Non-Crew Divisions—Appendix 6.*—Similar figures for 9 months—April to December—1926, 1927 and 1928 are detailed in Appendix 6 for the Allahabad and Moradabad Divisions where the Crew System has either not yet been introduced or extended; taking the first two headings only the figures are:

(a) Under "Total number of Passengers booked from Stations on a Division to all Stations on the East Indian Railway with Earnings":

Division.	Increase in Passengers.		Increase in Earnings.	
	1927 over 1926.	1928 over 1927.	1927 over 1926.	1928 over 1927.
Allahabad	336,612	Less by 478,145	Rs. 3,77,501	Rs. Less by 1,93,505
Moradabad	515,865	„ „ 345,491	5,41,816	„ „ 2,43,120

(b) Under "Total number of Passengers booked from all Stations on a Division to all other Stations on the same Division with Earnings":

Division.	Increase in Passengers.		Increase in Earnings.	
	1927 over 1926.	1928 over 1927.	1927 over 1926.	1928 over 1927.
Allahabad	242,287	Less by 384,330	Rs. 2,46,397	Rs. Less by 1,31,779
Moradabad	436,145	„ „ 242,954	5,08,195	„ „ 2,00,378

15. *Comparison of Results.*—(a) Thus from these figures, paras. 13 (a) and (b) and 14 (a) and (b) it is seen that on each of the two Crew Divisions (Howrah and Lucknow) there has not only been an increase in Passengers and Earnings in 1927 over 1926, but also in 1928 when compared with 1927, but the position is different on the two Non-Crew Divisions (Allahabad and Moradabad) when though an increase both in Passengers and Earnings occurred in 1927 over 1926, there was a decrease under each head in 1928 when compared with 1927.

(b) When, however, comparing the results of these 3 years 1926, 1927 and 1928 it must be remembered that in :

- (i) 1926.—Inter and III class long distance fares were reduced from 1st January which would tend to stimulate travel but the whole year was marked by a general decline in Passenger traffic.
- (ii) 1927.—From 1st February there was a general reduction in Fares of all Classes and added to this stimulus was the great Kumbh Mela at Hardwar to which thousands of Pilgrims travelled ; the year was therefore propitious.
- (iii) 1928.—Nothing unusual occurred but as in 1926 the year again witnessed a general decline in Passenger Traffic.

(c) The increases in 1927 over 1926 can therefore be accounted for by the stimulation of traffic brought about by these reductions in fares and to the increased bookings for the Kumbh Mela, but the continued increases in 1928 over 1927 occurring on the Howrah and Lucknow Divisions in contrast to the decreases found on the Allahabad and Moradabad Divisions, without the influence of any subsidiary factor, must in the main be attributed to the activities of the Crew.

(d) A more equitable comparison therefore lies between the figures for 1928 and 1926, and on this basis percentage increases and decreases have been calculated.

16. (a) *Booking to Foreign Lines—Appendix 7.*—The Chief Accounts Officer was unable to furnish readily figures similar to those mentioned in para. 13 (a) but shewing the total bookings separately by Divisions to Foreign Railways and the Home Line proportion of such Earnings ; the total Passenger traffic, however, from this Railway as a whole to Foreign Railways for the years 1926-1927, 1927-1928 and 1928-1929, are detailed in App. 7, but these figures naturally cannot be utilized for comparison by Divisions. Comparative figures as used in this Report are confined to Local Traffic only.

17. *Percentage Increases and Decreases.*—The percentage increases or decreases for the number of passengers carried and the earnings during August to December 1926 as compared with the period August to December 1925, and for 1928 as compared with 1926 are tabulated below :

(a) " Total number of Passengers booked from Stations on a Division to all Stations on the East Indian Railway with Earnings " :

Division.	PASSENGERS.		EARNINGS.	
	Increase or decrease August to December 1926 compared with August to December 1925.	Increase or decrease in 1928 compared with 1926.	Increase or decrease August to December 1926 compared with August to December 1925.	Increase or decrease 1928 compared with 1926.
			Rs.	Rs.
Howrah	1.5 per cent.	12 per cent.	—1.7 per cent.	13 per cent.
Lucknow		21 ..	..	11 ..
Allahabad		—2 ..	..	3 ..
Moradabad . . . .	..	2 ..	..	7 ..

(b) "Total number of Passengers booked from Stations on a Division to all Stations on the same Division with Earnings":

Division.	PASSENGERS.		EARNINGS.	
	Increase or decrease August to December 1926 compared with August to December 1925.	Increase or decrease in 1928 compared with 1926.	Increase or decrease August to December 1926 compared with August to December 1925.	Increase or decrease 1928 compared with 1926.
Howrah	3 per cent.	10.7 per cent.	1.4 per cent.	21 per cent.
Lucknow . . . . .	..	8.8 ..	..	11.6 ..
Allahabad . . . . .	..	-3.5 ..	..	3.2 ..
Moradabad . . . . .	..	3.1 ..	..	0.7 ..

(c) If to the Earnings recorded under heading (b) above are added the increases or decreases resulting from "Unbooked Luggage" and "Excess Fares" the Percentage increase in Earnings become:

Division.	EARNINGS.	
	Increase or decrease August to December 1926, compared with August to December 1925.	Increase or decrease 1928 compared with 1926.
Howrah	1.7 per cent.	20.1 per cent.
Lucknow . . . . .	..	11.3 ..
Allahabad . . . . .	..	3.7 ..
Moradabad . . . . .	..	10.5 ..

(d) *Average Percentages.*—Of these two main headings the latter (Total Number of Passengers booked from Stations on a Division to all other Stations on the same Division) is relatively the more important, for as it embraces all passenger Traffic within a Division, it is more directly connected with Crew working; as such a comparison between the average percentage increases obtained from the actual results of 1928 over 1926 on the two Crew Divisions (Howrah and Lucknow) with those on the two Non-Crew Divisions (Allahabad and Moradabad) is of interest; the figures are:

Division.	Average Percentage Increase or Decrease.	
	Passengers.	Earnings.
Crew	9.7	15.7
Non-Crew	-0.2	7.1

(e) These average Percentage Increases which are far greater on the two Divisions where the Crew System is in operation than for the two Divisions where the system has not yet been introduced, clearly indicate, as also mentioned in para. 15 (c), the benefits derived from this System.

18. *Financial Results.*—(a) Continuing from the same figures quoted in paragraph 17 (b & c) above, the net increases in Earnings on the Howrah and Lucknow Divisions in 1928 over 1926 were :

Division.	Earnings.	Luggage.	Excess Fares.	Gross Total.
	Rs.	Rs.	Rs.	Rs.
Howrah	9,63,721	77,065	15,357	} 16,49,675 OF 16,50,000
Lucknow	5,76,701	11,434	5,397	

(b) From January to December 1928 the inclusive cost of the Crew staff employed on the Howrah and Lucknow Divisions was :

Howrah	4,83,522	} Total cost Rs. 7,73,468.
Lucknow	2,89,946	

(c) *Cost of former staff.*—Prior to introduction of the Crew the former annual sanctioned cost of Ticket Collectors and Travelling Ticket Inspectors for the Howrah and Lucknow Divisions was :

Howrah	2,56,524	} Total cost Rs. 3,69,957.
Lucknow	1,13,433	

(d) *Additional cost.*—The additional cost of the Crew staff on these two Divisions is therefore (b-c) or Rs. 4,03,511 per annum.

(e) *Cost of Uniforms, etc.*—Under either system (old or new) cost of Uniforms, House Rent Allowances, etc., would have to be added but as the Crew Staff outnumber their predecessors an estimate of 10 per cent. increase has been taken on the additional cost to cover all such expenditure; the additional cost of the Crew staff therefore comes to Rs. 4,43,862 or in round figures Rs. 4,44,000.

(f) *Net Profit.*—Hence on these two divisions an additional expenditure of Rs. 4,44,000 has resulted in an increase of Rs. 16,50,000 in earnings.

(g) It is not claimed that the whole of this increase is due to the Crew System, but it may be considered that 75 per cent. of it is, and as such these figures furnish complete justification of the system.

19. *Excess Fare Earnings.*—(a) From the figures quoted in paragraph 3 (e) of the total amount of Excess Fares exclusive of Penalty and Excess Luggage realized on the whole Railway, viz.:

1924-25	Rs. 6,15,319
1925-26	Not available.
1926-27	Rs. 6,10,738
1927-28	Rs. 4,17,683
1928-29	Rs. 3,08,648

it will be noticed that in 1927-28 and 1928-29 there is a progressive decrease in the amounts of total recoveries realised; this coincides with the extension of the Crew System made in 1927 and 1928.

(b) On four Divisions, Crew and Non-Crew, similar figures but including Penalty and Excess Luggage are :

Period.	Crew Divisions.		Period.	Non-Crew Divisions.	
	Howrah.	Lucknow.		Allahabad.	Moradabad.
	Rs.	Rs.		Rs.	Rs.
Jan. to Dec. 1926 .	1,48,955	1,33,720	April to Dec. 1926.	76,106	52,460
Jan. to Dec. 1927 .	1,79,783	1,45,226	April to Dec. 1927.	1,01,844	54,491
Jan. to Dec. 1928 .	1,64,312	1,39,117	April to Dec. 1928.	71,581	52,638

(c) On the two Crew Divisions there is an appreciable rise while on the two Non-Crew Divisions the figures show no great variation. At first sight this would appear to stultify the remarks made in paragraph 19 (a) but it must be remembered that the nature of these two sets of figures differ from each other in that the figures in paragraph 19 (a) represent recoveries of Excess Fares only, while those in paragraph 19 (b) include Excess Fares, Penalty Charges and recoveries on Excess and Unbooked Luggage. Moreover, on the Crew Divisions there is now operating a greatly increased staff compared with the former staff of Ticket Collectors and Travelling Ticket Examiners employed on the Non-Crew Divisions, which in itself enforces a closer check resulting in an increase in the number of irregularities detected. These inclusive figures, in proportion to the increase in the number of passengers booked, do not show an increase.

This is illustrated by the following tables :

Division.	Period.	Total No. of Passengers booked.	Increase in Passengers over previous year.	Percentage increase over previous year.	Inclusive Excess Fare recoveries.	Percentage of Excess Fares to Total No. of Passengers booked.
					Rs.	
Howrah .	January to December 1926.	15,585,541	..	..	1,48,955	.9
..	January to December 1927.	16,416,620	831,079	5.3	1,79,783	1.09
..	January to December 1928.	17,463,389	1,046,769	6.3	1,64,312	.9
Lucknow .	January to December 1926.	9,882,645	..	..	1,33,720	1.3
..	January to December 1927.	10,981,974	1,099,329	11.1	1,45,226	1.3
..	January to December 1928.	11,914,481	932,507	8.4	1,39,117	1.1

20. *Prosecution of Passengers.*—(a) The total number of passengers prosecuted under the 3 Sections 112, 113 and 132 of the Railway Act, for the whole Railway are :

1926	32,547
1927	23,591
1928	12,594

Here also there is a progressive decrease similar to that given in paragraph 19 (a) above.

(b) On Divisions, Crew and Non-Crew, similar figures are :

Period.	Crew.				Non-Crew.	
	Howrah.	Lucknow.	Dinapore.	Asansol.	Allahabad.	Moradabad.
1926	3,418	8,492	1,742	2,913	7,496	8,487
1927	1,167	1,482	1,759	2,100	8,140	8,943
1928	2,706	590	458	2,096	4,216	2,528

(c) Here also at first sight it would appear that the largest decreases occurred on the Non-Crew Divisions, but as the number of Passengers prosecuted bears a direct ratio to the numbers detected for Fraudulent Travelling, the reasons set forth in paragraph 19 (c) also apply here; moreover the moral effect of the Crew System also in a measure makes itself felt in the neighbouring Non-Crew Divisions, the cumulative result being a marked decrease in the returns for the Railway as a whole.

21. *Existing difficulties.*—(a) As briefly mentioned in paragraph 10 (b) the System is being worked under very real difficulties. In accordance with the fundamental principles, the following instructions are issued to each Crewman :

“ A Crewman on taking charge before the departure of the train must examine tickets of all passengers travelling in the carriage allotted to him and any person found without a proper ticket or pass be at once removed.”

“ During the run he will be responsible for the prevention of passengers entraining without tickets and with unbooked Excess Luggage and for the collection and cancellation of tickets from passengers at their destination.”

(b) The working conditions under which these duties are required to be performed are easily visualised; each train consists of from 10 to 12 carriages; each carriage is divided into 4 or more separate compartments, and each compartment has at least one door on either side. A Crewman placed in charge of a carriage is responsible for carrying out his duties in respect of each of the 4 compartments. This can be done at Train Starting Stations which are generally provided with suitable barriers, but once the train commences running, one man cannot possibly even check the tickets of passengers entraining at Stations where the stoppage of the train is for only two or three minutes.

(c) Again while the train is running between stations the Crewman cannot move from compartment to compartment as there is no interior means of communication such as a corridor, hence particularly on long non-stop runs much valuable time is wasted owing to the Crewman being confined to one compartment, in which after the first 5 minutes occupied in checking, he must perforce remain idle till he can move into another compartment at the next stop. Thus on a run a Crewman can only enter each compartment of the carriage under his charge for purpose of recheck, once after every 5th stop.

(d) A passenger after having his ticket checked once will naturally object to subsequent inspections if called upon frequently to produce his ticket.

(e) Thus it is difficult under existing conditions for the Crew staff on a Running Train to prevent Ticketless Passengers from entraining and to prevent over-riding.

22. *Suggestions.*—(a) These difficulties could be overcome if each carriage was of the corridor type, and a very considerable saving in working costs would be obtained if not only carriages but entire rakes were so constructed.

(b) This type of carriage is now being used on the Light Train Rakes, Omnibuses and Sentinel Coaches in service on certain sections.

(c) The question of effectively barricading each station could only be done at enormous expense, but so far as the larger stations are concerned the matter is receiving attention by Divisional Superintendents.

23. *Future Outlook*.—Notwithstanding these drawbacks the success of the system, as is evident from paras. 12 to 18 of this report, is apparent, and the ultimate fulfilment of the fundamental principles is merely a question of time and future development.

24. *Missing Tickets*.—(a) No statistics shewing the percentage of missing tickets either by Stations or Divisions have for recent years been prepared, but it was evident from the Registers of Collected Tickets maintained at Stations that the figure was high; this was not due, as would appear at first sight, to failure on the part of the Crew staff to collect tickets but rather to their mischievous disappearance after collection to avoid the labour involved in sorting and posting up these Registers.

New Punch.—(b) In order to prevent this a patent "Ticket Collector and Punch" was devised, manufactured and has now been issued for service. This Punch serves a dual purpose of automatically collecting one half of a ticket and at the same time stamping and dating the other half portion which is returned to the passenger; furthermore tickets once collected in the punch cannot be destroyed or otherwise misused.

New Ticket.—(c) For the purpose of this Punch revised forms of Local Tickets both for Single and Return Journeys for all classes were introduced, and are now being issued to Stations in compliance with Indents.

(d) When the new form of Tickets are in complete circulation and with the use of this new Punch, there should be cent. per cent. collection of Local Tickets.

25. *Further Advantages*.—The activities of the Crew are not only confined to their fundamental principles of prevention of Fraudulent Travelling, but they are of immense benefit in other directions both to the Railway Administration and to the Travelling Public; these are briefly:—

(a) The ready preparation of accurate and timely Census returns shewing the extent to which Trains are filled on different sections on which immediate action can be taken either to prevent overcrowding or to curtail running of non-paying trains.

(b) Reduction in crime, i.e., thefts of Fittings from Coaching Stock.

(c) Added security and assistance to the Travelling Public due to the presence of a Railway Servant in each coach.

26. *Hostels*.—The method introduced by Mr. Scott of housing the large number of Crewmen employed by the provision of suitable Hostels has been found to be satisfactory; no change is therefore contemplated.

27. *Assembly Questions*.—Replies to many of the Questions asked in the Legislative Assembly concerning the Crew System as mentioned in para. 1 will be found in the foregoing paragraphs; in addition for convenience these Questions with their Answers will be found tabulated as App. "8".

R. E. RUTHERFORD,
Chief Operating Superintendent.

1st September 1929.

APPENDIX 1.

Extracts from Mr. Scott's printed report on the Experimental Introduction of the Crew System on the Howrah-Aasanol Section of the East Indian Railway.

PARAS. 3 TO 7 AND 14 TO 16.—PART I.

3. *Existing System*.—Most of the Indian Railways have hitherto depended upon one or other of the following agencies to combat the evil of illicit travelling. These agencies have existed either singly or combined with one another. The agencies are:

(a) *Station Staff*.—This comprises the ticket checking and ticket collecting staff employed at important stations and junctions who in addition to this work are required to prepare reports of collected tickets for submission to the Audit Department. At roadside and smaller stations, these functions are performed by the Station Staff, in addition to their other duties.

(b) *Travelling Ticket Checkers*.—These are checkers who travel on trains and their duties are to detect persons actually found travelling without tickets or with improper tickets and to realise Railway fares and other penalties

evianse from them under the Railway rules and the Indian Railways Act. They are also required to prosecute persons who are found committing any of the various offences in connection with travelling without or with improper tickets, under the Indian Railways Act.

- (c) *Squads*.—These squads which are composed of varying numbers of Inspector and men carry out surprise checks either at stations or on running trains. Passengers found without tickets are excessed or, if legal action is called for in any case, it is initiated.

4. It has been stated that these agencies have proved a failure. This is evidenced by the fact that the Travelling Ticket Examiners, where they exist, recover large sums from the public. Further, lest it may be supposed that these large recoveries approximate to the sum total of ticketless travelling, it should be stated that the recoveries increase with the appointment of increased checkers.

* * * * *

5. Now the statement may be surprising but it is true nevertheless that the illicit travelling existing on Indian Railways is the direct result of the very methods which have been and are in force to stop it. In the first place the method of work has definitely the character of a system of *detection*. The machinery for the detection is primarily the Gate and Travelling Ticket Staffs as above indicated, and the efficiency of their work is gauged by the amount of their collections. The more illicit travelling there is, therefore, the more efficient appears to be their work. When, in addition to this, it is considered that it is the easiest possible thing for them to divert passengers from the booking office and excess them in the train, it is clear that not only are they in a position to encourage ticketless passengers to entrain but there is a strong inducement for them to do so, and very few, if any, are able to resist it.**** The first indictment against existing methods is therefore that it fosters the diversion of earnings from the booking office under cover of what appears to be efficient work on the part of the staff.

6. The next point is subsidiary to this. The earnings having been diverted from the booking office it has not so far at any rate been possible to devise an account procedure to ensure that such monies ultimately reach the coffers of the Railway. A portion of it does and is reflected in the statements of recoveries made by the staff as already indicated; the balance is plundered. As a second count the system thus engenders a misappropriation of public monies.

7. There is one other fundamental defect in the system. It lies in the fact that personal responsibility for illicit travelling when it is detected cannot be brought home to any individual member of the staff. Thus if a Travelling Ticket Examiner finds a passenger without a ticket it is impossible to say what particular Ticket Controller let him pass through the gates; he may not have passed through the gates at all.****

14. *The Crew System*.—First with regard to the diversion of earnings from booking offices, as the system provides for the issue of tickets only by booking offices, it is clear that the effect in working must be that all earnings will be forced into the booking offices where there exist accounting arrangements which ensure that Railways actually receive, the monies collected on their behalf.

15. As regards the second defect in the old system, *viz.*, that of an inducement to a misappropriation of Railway's monies, seeing that the staff under the new methods are prohibited from recovering any money from the public, there will in result be no Railway money in their charge to misappropriate. If a member of a Crew, nevertheless does receive money or other gratification he is not covered as a Travelling Ticket Examiner is by the transaction having all the appearances of a simple discharge of his duties, but he has manifestly rendered himself guilty of a very serious offence and is liable to heavy legal penalties. Further the staff do not work alone but are under supervision. Malpractices must either be carried out in collusion with other members of the Crew and the man-in-charge or it must be hidden from them. Neither of these alternatives is altogether easy.

16. Then as regards the question of personal responsibility, here again under the new scheme the discovery of any person without a ticket or with an improper ticket or with unbooked luggage lies at the door of the member of the Crew-in-charge of the coach in question and definite disciplinary measures can be taken. As regards the collection of tickets the issues by each train made by stations are compared with the collections of that train. Any laxity can be definitely taken up with the Crew and principally the Head of the Crew responsible for deficient collections. The position is in striking contrast to the conditions where with heavy illicit travelling, with luggage much underbooked, and poor collections of tickets, no personal responsibility for laxity can be brought home to any individual member of the staff.

APPENDIX 2.

HOWRAH DIVISION.

1 Months.	2 Total No. of Passengers booked from stations under the Crew System to all stations on E. I. Rly. with earnings.		3 Total No. of Passengers booked from stations under the Crew System to all other stations on the Crew System with earnings.		4 Luggage earnings.	5 Excess Fare earnings.	6 Remarks.
	Number.	Amount.	Number.	Amount.			
August to December 1925	6,900,957	Rs. 50,22,663	6,040,493	Rs. 23,19,287	Rs. 1,30,837	Rs. 60,037	
August to December 1926	7,005,898	49,37,022	6,061,102	23,53,809	1,40,866	59,707	
Increase or decrease in 1926 over 1925 (August to December).	104,941	-85,641	20,609	34,522	10,029	-330	
Percentage of increase or decrease in 1926 over 1925.	1.5%	-1.7%	.3%	1.4%	--	--	
January to May 1926	5,476,072	49,90,642	4,485,117	14,56,836	1,28,644	61,667	
January to May 1927	5,657,983	51,22,773	4,602,794	14,92,924	1,60,113	76,406	
Increase or decrease in 1927 over 1926 (January to May).	181,911	1,32,131	117,677	36,088	31,469	14,739	
Percentage of increase or decrease in 1927 over 1926.	3.3%	2.6%	2.6%	2.5%	--	--	

APPENDIX 3.
HOWRAH DIVISION.

1 Months.	2 Total No. of Passengers booked from stations on Howrah Division to all stations on E. I. Ry. with earnings.		3 Total No. of Passengers booked from stations on Howrah Division to stations on Howrah Division with earnings.		4 Luggage earnings.	5 Excess Fare earnings.	6 Remarks.
	Number.	Amount.	Number.	Amount.			
June to December 1925	9,920,418	Rs. 70,44,616	8,728,376	Rs. 33,09,747	Rs. 1,71,850	Rs. 85,634	
June to December 1926	10,099,469	68,83,386	8,898,906	33,22,652	1,90,895	87,288	
June to December 1927	10,658,637	75,30,442	9,312,519	36,87,452	2,09,886	1,03,377	
Increase or decrease in 1926 over 1925 (June to December).	179,051	1,61,230	170,530	12,905	19,045	1,654	
Increase or decrease in 1927 over 1926 (June to December).	559,168	6,47,056	413,613	3,64,800	18,991	16,089	
January to December 1926	15,585,541	1,18,74,028	13,184,023	47,79,488	3,19,449	1,48,955	
January to December 1927	16,416,620	1,26,53,215	13,915,313	51,80,376	3,69,999	1,79,783	
January to December 1928	17,463,389	1,34,41,025	14,904,345	57,43,209	3,96,514	1,64,312	
Increase or decrease in 1927 over 1926 (January to December).	831,079	7,79,187	731,290	400,888	50,550	30,828	
Increase or decrease in 1928 over 1927 (January to December).	1,046,769	7,87,810	689,032	5,62,833	26,515	—15,471	
Increase or decrease in 1928 over 1926 (January to December).	1,877,848	15,66,997	1,420,322	9,63,721	77,065	15,357	
Percentage of increase or decrease in 1928 over 1926.	12%	13%	10.7%	21%	--	--	

APPENDIX 4.
LUCKNOW DIVISION.

1 Months.	2 Total No. of Passengers booked from stations on Lucknow Division to all stations on E. I. Rly. with earnings.		3 Total No. of Passengers booked from stations on Lucknow Division to stations on the Lucknow Division with earnings.		4 Luggage earnings.	5 Excess fare earnings.	6 Remarks.
	Number.	Amount. Rs.	Number.	Amount. Rs.			
July to December 1925	4,346,335	32,56,569	3,780,546	22,71,383	Rs. 57,418	Rs. 1,03,640	
July to December 1926	4,714,120	40,20,231	4,350,579	24,05,046	60,142	1,07,556	
July to December 1927	5,526,482	43,89,002	4,674,461	25,56,420	65,037	1,07,982	
Increase or decrease in 1926 over 1925 (July to December).	367,785	7,73,662	570,033	1,33,663	2,724	3,916	
Increase or decrease in 1927 over 1926 (July to December).	812,362	3,68,771	323,882	1,51,374	4,895	426	
January to December 1926	9,882,645	84,40,452	8,985,233	49,68,296	1,08,136	1,33,720	
January to December 1927	10,981,974	89,12,726	9,452,019	52,24,456	1,23,513	1,45,226	
January to December 1928	11,904,481	93,58,609	9,780,734	55,44,997	1,19,570	1,39,117	
Increase or decrease in 1927 over 1926 (January to December).	1,099,329	4,72,274	4,66,786	3,56,160	15,377	11,506	
Increase or decrease in 1928 over 1927 (January to December).	922,507	4,45,883	3,28,715	3,20,541	—3,943	—6,109	
Increase or decrease in 1928 over 1926 (January to December).	2,031,836	9,18,157	7,95,501	576,701	11,434	5,397	
Percentage of increase or decrease in 1928 over 1926.	21%	11%	8.8%	11.6%	..	..

APPENDIX 5.

DINAFORE DIVISION.

1 Months.	2 Total No. of Passengers booked from stations on Dinapore Division to all stations on E. I. Ry. with earnings.		3 Total No. of Passengers booked from stations on Dinapore Division to stations on Dinapore Division with earnings.		4 Luggage earnings.	5 Excess Fare earnings.	6 Remarks.
	Number.	Amount.	Number.	Amount.			
August to December 1926	3,655,369	Rs. 28,39,107	3,181,217	Rs. 16,74,567	Rs. 20,603	Rs. 34,169	
August to December 1927	3,611,860	28,31,126	3,196,860	16,91,022	20,274	35,439	
August to December 1928	3,776,442	28,88,855	3,253,165	17,37,664	22,126	38,346	
Increase or decrease in 1927 over 1926 (August to December).	—43,509	—8,981	15,643	16,455	—329	1,270	
Increase or decrease in 1928 over 1927 (August to December).	64,582	37,729	56,305	45,642	1,852	2,907	
Increase or decrease in 1928 over 1926 (August to December).	121,073	29,748	71,948	63,097	1,523	4,177	

APPENDIX 6.

ALLAHABAD DIVISION.

Allahabad (Non-Crew) Division.

1 Months.	2 Total No. of Passengers booked from stations on Allahabad Division to all stations on E. I. Rly. with earnings.		3 Total No. of Passengers booked from stations on Allahabad Division to stations on Allahabad Division with earnings.		4 Luggage earnings.	5 Excess Fare earnings.	6 Remarks.
	Number.	Amount.	Number.	Amount.			
April to December 1926	8,749,204	Rs. 60,58,442	6,862,295	Rs. 35,02,828	Rs. 78,647	Rs. 76,106	
April to December 1927	9,085,816	64,35,943	7,004,582	37,49,225	80,325	1,01,844	
April to December 1928	8,607,671	62,42,438	6,620,252	36,17,446	1,00,914	71,581	
Increase or decrease in 1927 over 1926	336,612	3,77,501	242,287	2,46,397	1,678	25,738	
Increase or decrease in 1928 over 1927	-478,145	-1,93,505	-384,330	-1,31,779	20,569	-30,263	
Increase or decrease in 1928 over 1926	-141,533	1,83,996	-242,043	1,14,618	22,267	-4,525	
Percentage of increase or decrease in 1928 over 1926.	-2%	3%	-3.5%	3.2%	..	..

APPENDIX 6—contd.
MORADABAD DIVISION.

Moradabad (Non-Crew) Division.

1 Months.	2 Total No. of Passengers booked from stations on Moradabad Division to all stations on E. I. Rly. with earnings.		3 Total No. of Passengers booked from stations on Moradabad Division to stations on Moradabad Division with earnings.		4 Luggage earnings.	5 Excess Fare earnings.	6 Remarks.
	Number.	Amount.	Number.	Amount.			
April to December 1926	7,152,843	Rs. 37,72,682	6,103,984	Rs. 28,96,286	35,190	52,469	
April to December 1927	7,668,708	43,14,498	6,540,129	34,04,481	37,170	54,491	
April to December 1928	7,323,217	40,71,378	6,297,275	32,04,103	40,910	52,638	
Increase or decrease in 1927 over 1926	515,865	5,41,816	436,145	5,08,195	1,980	2,022	
Increase or decrease in 1928 over 1927	-345,491	-2,43,120	-242,954	-2,00,378	+3,740	-1,853	
Increase or decrease in 1928 over 1926	1,70,374	2,98,696	193,291	3,07,817	5,720	169	
Percentage of increase or decrease in 1928 over 1926.	2%	7%	3.1%	10.7%	..	..

APPENDIX 7.

Statement shewing proportionate earnings on account of Passengers booked from all stations on the East Indian Railway to all stations on the Foreign Railways and vice versa.

Years.	No. of Passengers.	Amounts.	Remarks.
		Rs.	
1926-27	4,159,201	1,08,88,311	
1927-28	6,743,248	1,46,40,070	
1928-29	5,700,553	1,26,80,637	

INCREASE IN 1928-29 OVER 1926-27.

No. of Passengers	1,541,352
Amount	Rs. 17,92,326

APPENDIX 8.

QUESTIONS ASKED IN THE LEGISLATIVE ASSEMBLY BY—

(a) Maulvi Muhammed Yakub (*vide* Railway Board's letter No. 109-T., dated 16th March, 1929).

Numbers 1105 to 1111, and

(b) Mr. Amar Nath Dutt (*vide* Railway Board's letters Nos. 109-T. and 109-T.-5, dated 8th April, 1929 and 20th May, 1929, respectively).

Numbers 1371 to 1391 and 1393.

As the questions asked by both these gentlemen are practically identical, they are tabulated together, with their replies.

Number.	Question.	Reply.
1105 1371	(a) What is the average total expenditure on the Crew System per year per division under the following headings :—	
1105 (a) 1371 (a)	1. Pay and allowances of complete establishment including office and running staff, peons, etc.	See details in Appendix 9.
1105 (a) 1371 (b)	2. Hostels	Ditto ditto.
1105 (a) 1371 (c)	3. Uniforms, Stationery, Provident Fund, Leave Allowances, etc.	Ditto ditto.

Number.	Question.	Reply.																
1105 1372 (a)	(b) How many Passengers travelled more in the Non-Crew Area during the year 1927-28 as compared with 1926 and 1927 ?	No. of Passengers travelled in Non-Crew Area— 1926-27 41,787,040 1927-28 40,236,572 Decrease in 1927-28 = 1,550,468																
1105 1372 (b)	(c) How many Passengers travelled in the Crew Area during the same year ?	No. of Passengers travelled in Crew Area— 1926-27 26,043,059 1927-28 29,885,180 Increase in 1927-28 = 3,842,121																
1105 1372 (c)	(d) If there was remarkable increase of traffic in the Non-Crew Area, what it was due to ?	There was no increase in the Non-Crew Area.																
1106 1373 (a) (b)	(a) What was the object of the Crew System ? Has the Crew System been faithful to its object ? If so, in what manner ?	The object of the Crew System is to prevent fraudulent travelling in all its phases, please see paragraph 8 of this Report (1926-29). Yes, the Crew System has attained success by an increase in earnings and a decrease in Passengers detected without tickets, please see paragraphs 12 to 15 of this Report (1926-29).																
1106 1374 (a)	(b) How many Passengers were prosecuted for travelling without ticket in the Howrah and Lucknow Divisions during the operation of the Crew System—and how many were excused by the staff ?	<table border="1"> <thead> <tr> <th data-bbox="536 917 636 1099">Division.</th> <th data-bbox="636 917 757 1099">Period.</th> <th data-bbox="757 917 853 1099">No. of Passengers prosecuted.</th> <th data-bbox="853 917 988 1099">No. of Passengers excused.</th> </tr> </thead> <tbody> <tr> <td data-bbox="536 1099 636 1244">Howrah</td> <td data-bbox="636 1099 757 1244">August 1926 to December 1927.</td> <td data-bbox="757 1099 853 1244">2,693</td> <td data-bbox="853 1099 988 1244">Figures not available.</td> </tr> <tr> <td data-bbox="536 1244 636 1354"></td> <td data-bbox="636 1244 757 1354">January 1928 to March 1929.</td> <td data-bbox="757 1244 853 1354">3,483</td> <td data-bbox="853 1244 988 1354">21,423</td> </tr> <tr> <td data-bbox="536 1354 636 1463">Lucknow</td> <td data-bbox="636 1354 757 1463">May 1927 to March 1929.</td> <td data-bbox="757 1354 853 1463">2,374½</td> <td data-bbox="853 1354 988 1463">26,290</td> </tr> </tbody> </table>	Division.	Period.	No. of Passengers prosecuted.	No. of Passengers excused.	Howrah	August 1926 to December 1927.	2,693	Figures not available.		January 1928 to March 1929.	3,483	21,423	Lucknow	May 1927 to March 1929.	2,374½	26,290
Division.	Period.	No. of Passengers prosecuted.	No. of Passengers excused.															
Howrah	August 1926 to December 1927.	2,693	Figures not available.															
	January 1928 to March 1929.	3,483	21,423															
Lucknow	May 1927 to March 1929.	2,374½	26,290															
1106	(c) How much was the increase in excess fares in Howrah Division in nine months from January to September 1927, as compared with the corresponding period of 1926 when there were no Crew System ?	Excess fare earnings from January to September— 1926 = Rs. 1,13,189. 1927 = Rs. 1,37,302. Increase in 1927 is Rs. 24,113																

Number.	Question.	Reply.
1106 1376 (a)	(d) How much amount was the increase in excess fares in Lucknow Division during 4 months of June to September 1927, as compared with the corresponding period of 1926 when there was no Crew System ?	Excess fare earnings from June to September 1926 =Rs. 58,370. Do. 1927 =Rs. 59,334. Increase in 1927 =Rs. 964.
1376 (b)	Will Government be pleased to state the number of passengers found travelling without ticket by the Crews on the Lucknow Division during the said period ?	4,662 passengers from June 1927 to September 1927. Similar figures for 1926 are not available.
1375 (a)	Will Government please lay on the table a statement shewing the increase or decrease in the excess fare earnings for the year 1927-28 as compared with the earnings for the year 1926-27 in the divisions where the Crew System exists.	Excess fare earnings in 1926-27 =Rs. 3,51,285. Do. 1927-28 =Rs. 3,92,848. Increase in 1927-28 =Rs. 41,563.
1375 (b)	Will Government please lay on the table a similar statement for the Non-Crew Area ?	Excess fare earnings in 1926-27 =Rs. 6,45,298. Do. 1927-28 =Rs. 4,86,071. Decrease in 1927-28 =Rs. 1,59,227.
1107 1378	(a) Will Government please state how many Inspector of Accounts (Crews) were on Howrah Division during the year 1927-28 ?	On an average 2 Inspectors of Accounts per month.
1107 1377 (b)	(b) How many passengers were detected without tickets by them on the Crew Area ?	Total of 601 Passengers on Crew Area.
1107 1377 (a)	(c) What is the total number of irregularities detected by them on the Crew Area and how much amount recovered ?	The total number of irregularities detected was 4,686 and the total recoveries amounted to Rs. 17,392 on the Crew Area.
1107	(d) What was the percentage of check of trains on the Crew Area on which the above irregularities were detected ?	6.2 per cent.

Number.	Question.	Reply.
1108 1380 (a)	(a) How many dismissed Government and Railway employees were appointed in the Crew Department in various capacities and how many of them are still working ?	Such individuals are not advertently appointed ; on one case coming to light, the employee was discharged.
1380 (b)	Will Government please say why it is necessary to retain the services of dismissed men in the Crew Department.	It is not necessary.
1109 1381 (a)	(a) Has the Crew System been successful in achieving satisfactory collection of tickets ?	Yes.
1109 1381 (b)	(b) What has been the percentage of missing tickets on Howrah, Lucknow, Dinapore and Asansol Divisions during 5 months ending November 1928 ?	The percentage of missing tickets for a Division as a whole are not compiled, hence the information asked for cannot be given.
1109 1381 (c)	(c) Is it a fact that collection in trains has been a failure and that collection is being done by the running staff on gate or on platforms ?	No ; tickets are usually collected in trains except at the larger stations, like Howrah, Burdwan, etc., where collection is done at gates. Please also see para. 24 of this Report (1926-29).
1110 1389 (a)	(a) Will Government please state on what basis the opinion was framed that the old Travelling Ticket Inspectors were not qualified for higher posts in the Crew Department ?	No such opinion was formed.
1110	(b) Is it a fact that Mr. G. J. Harris, Deputy Chief Operating Superintendent (Crew), recommended a curtailment of Travelling Ticket Inspectors mileage ?	No.
1110 1389 (b)	(c) Is it a fact that when the Crew System was started in Howrah Division the following from the Travelling Ticket Inspectors' establishment were taken on loan to start with ?	Yes.
Mr. Bhagat Ram, D. I. of T. T. I.'s A. D. S. (Crew).		
Mr. Judgaly, D. I. of T. T. I.'s Chief Inspector (Crew).		

Number.	Question.	Reply.															
	<p>Mr. Sakir Ali, T. T. I. as Station Inspector (Crew).</p> <p>Mr. H. S. Gardner, T. T. I. as Station Inspector (Crew).</p> <p>Mr. Walla Razvi, T. T. I. as Station Inspector (Crew).</p> <p>Mr. Benjaman, T. T. I. as Senior Inspector (Crew).</p> <p>Mr. Balbir Singh, T. T. I. as Station Inspector (Crew).</p> <p>And that Travelling Ticket Inspectors from Non-Crew Area were also brought to Howrah Division to train the Crew Staff and to perform various other special duties ?</p>																
1110 1389 (c)	(d) Is it a fact that most of the Travelling Ticket Inspectors had rendered meritorious services in different capacities on different occasions on the Railway and before being confirmed as Travelling Inspectors had undergone selection by the following Officer ?	Travelling Ticket Inspectors have to pass an examination before they are confirmed.															
1110 1390	<ol style="list-style-type: none"> 1. Selection by Station Master. 2. Selection by Divisional Superintendent. 3. Selection by Deputy Chief Accounts Officer. <p>(e) Is it a fact that Travelling Ticket Inspectors' earnings used to cover entire expenditure of their establishment including stationery, uniforms, contingence, provident fund, bonus, retiring gratuity and leave allowances and yield thousands of rupees more than the expenditure under the above headings ?</p>	<p>Figures in this respect appended :—</p> <table border="1" data-bbox="532 1348 980 1663"> <thead> <tr> <th data-bbox="532 1348 671 1452">Period.</th> <th data-bbox="671 1348 814 1452">Pay and allowances.</th> <th data-bbox="814 1348 980 1452">Earnings.</th> </tr> <tr> <td></td> <th data-bbox="671 1452 814 1525">Rs.</th> <th data-bbox="814 1452 980 1525">Rs.</th> </tr> </thead> <tbody> <tr> <td data-bbox="532 1525 671 1552">1923-24 .</td> <td data-bbox="671 1525 814 1552">1,23,126</td> <td data-bbox="814 1525 980 1552">2,58,009</td> </tr> <tr> <td data-bbox="532 1552 671 1579">1924-25 .</td> <td data-bbox="671 1552 814 1579">1,44,921</td> <td data-bbox="814 1552 980 1579">3,36,899</td> </tr> <tr> <td data-bbox="532 1579 671 1607">1925-26 .</td> <td data-bbox="671 1579 814 1607">2,29,472</td> <td data-bbox="814 1579 980 1607">4,81,570</td> </tr> </tbody> </table>	Period.	Pay and allowances.	Earnings.		Rs.	Rs.	1923-24 .	1,23,126	2,58,009	1924-25 .	1,44,921	3,36,899	1925-26 .	2,29,472	4,81,570
Period.	Pay and allowances.	Earnings.															
	Rs.	Rs.															
1923-24 .	1,23,126	2,58,009															
1924-25 .	1,44,921	3,36,899															
1925-26 .	2,29,472	4,81,570															

Number.	Question.	Reply.			
1110 1391 (a)	(f) Will Government please state how many Travelling Ticket Inspectors were dealt with departmentally for— 1. Illegal gratification. 2. Misappropriation of money. 3. Travelling without ticket. 4. Selling or re-using used tickets. 5. Absconding with Government property. 6. Assaulting passengers. 7. Robbing passengers of their money and property, and 8. Attempting to commit rape.	Offence.	No. of T. T. I. offending.		
			1	Nil.	
		2	One.		
		3 to 8	Nil.		
1110 1391 (b) & (c)	(g) Will Government state how many of the Crew Staff have been dealt with judicially or departmentally for the offences under the above headings and under the following sections of the Indian Railways Act and Indian Penal Code—379, 352, 426, 342, 354, 427, 323, 504, 120 and 101 ?	Offence.	No. of Crewmen offending.	No. of offenders still in service.	
					1	8
		2	9		
		3	2		
		4	Nil		
		5	15		
		6	4		
		7	1		
		8	Nil		
		Section 379	3	1	
		" 352	3	1	
		" 426	Nil	Nil.	
		" 342	1	1	
		" 354	Nil	Nil.	
		" 427	Nil	Nil.	
		" 323	3	2	
		" 504	1	1	
		" 20	2	1	
		" 101	Nil	Nil.	
1111 1391 (d)	Will Government state how many of the convicted men are still allowed to retain their services in the Crew System ?	See Appendix 10.			
1393	Will Government be pleased to state the amount of earnings and savings effected by the introduction of the Crew System over the East Indian Railway ?	Please see para. 18 of this Report (1926-29). On 2 Divisions (Howrah and Lucknow) in a period of 12 months there was an increase in earnings of Rs. 16,50,000, 75 per cent. of which was brought about by an additional expenditure of Rs. 4,44,000 for the Crew staff.			

APPENDIX 9.

Cost of Crew Staff on Divisions, *vide* Questions

{	1105 (a) 1, 2 & 3	} Per App. " 8 "
	1371 (a), (b) & (c)	

Number of Questions.	Divisions.	Periods.	Pay and allowance of complete Crew Establishment including Office Peons and Running Staff.	Hostel Rent and Pay of Hostel Staff.	Uniforms, Stationery and Provident Fund.
			Rs.	Rs.	Rs.
1105 (a) 1, 2 & 3 1371 (a), (b) & (c)	Howrah	1st August 1926 to 31st March 1927	2,52,684	7,610	14,681
		1st April 1927 to 31st March 1928	4,17,073	16,545	29,663
		1st April 1928 to 31st March 1929	5,49,972	16,247	50,020
	Lucknow	1st May 1927 to 31st March 1928	2,59,945	3,021	28,117
		1st April 1928 to 31st March 1929	2,96,321	4,776	35,083
	Dinapore	1st July 1928 to 28th February 1929.	2,20,363	7,232	11,219

APPENDIX 10.

Statement of Court cases against Crew Staff (still in service) which resulted in their conviction, *vide* Questions 1111 (a) } in App. " 8 " }
 1391 (d) }

Parties to the case.	Section under which charged.	Brief particulars of the case.	Final judgment.	Departmental action taken.	Remarks.
Kali Das Mannu <i>vs.</i> Rahimdad Khan, Crewman.	379, I. P. C. (Theft) 362, I. P. C. (Assault).	A crowd of about 200 monthly ticket holders refused to show tickets to Crewman on Gate duty at Banded at the time of 16 NB on 4th August 1926 & were met with resistance by the Crew Staff who persisted in seeing their tickets. The complainant who also took part in the affray was prosecuted on being identified by the Crewman. He filed this case against the Crewman as a counter-charge.	Fined Rs. 10 (for simple assault) under section 352, I. P. C., charge of theft could not be established.	On the recommendation of Mr. Barwell, Counsel for defence, who opined that the Trying Magistrate's remarks went far to exonerate him on general grounds, the Crewman was asked to pay the fine himself and allowed to remain in service by the then Officer-in-charge, Crews.	An appeal was preferred on behalf of R. D. Khan for revision of judgment which was unsuccessful.
A. C. Ganguly <i>vs.</i> Mohd. Mustafa Khan, Crewman.	352, I. P. C. (Simple assault). 379, I. P. C. (Theft).	The complainant along with other passengers assaulted the Crewman on 21st December 1926 at Howrah station at the time of 152 Down. He instituted this case as a counter-charge.	Fined Rs. 25. It is not clear from the file under which of the sections he was convicted.	Papers concerning this case cannot be traced.	
Munshi Lal Choudhury <i>vs.</i> Sayed Amir Shah, Crew-in-charge, and Sami Ahmed, Crewman.	342, I. P. C. (Wrongful confinement).	The complainant was prosecuted for travelling without ticket <i>ex Chitaura</i> to Howrah by 28 Down of 3rd May 1927 and as a counter-charge filed this case against the Crew staff.	C. I. C. S. A. Shah and Sami Ahmed, Crewman, fined Rs. 60 and Rs. 30 respectively.	Nil.	

Parties to the case.	Section under which charged.	Brief particulars of the case.	Final judgment.	Departmental action taken.	Remarks.
Narain Dass Marwari vs. S. A. Shah, Crew-in-Charge.	342, I. P. C. (Wrongful confinement).	The complainant who was prosecuted for travelling without ticket by 17 Up of 12th July 1927 and assaulting Crew-in-Charge filed this case as a counter-charge.	Fined Rs. 50	C. I. C. reduced to grade of Crewman.	
A curdman vs. H. L. Sinha, Crewman.	120, Ry. Act (Interfering with comforts of Passengers).	A curd vendor while travelling by 120 Down on 26th August 1927 refused to remove his curds to the van provided for the purpose when asked to do so and assaulted and abused Crewman H. L. Sinha and then brought this case against Crewman concerned as a counter-charge.	Fined Rs. 50 under Section 362, I. P. C., for assault. Charge under Section 120, Railway Act could not be proved.	..	A revision application was preferred in this case before Sessions Judge, but was not entertained by him.
Indra Bhusean vs. Ram Lal Verma, Crewman.	504, I. P. C. (Intentional insult).	The complainant while travelling by 45 Up on 16th September 1927 refused to surrender his ticket for Barharwa and also abused and assaulted Crewman Ram Lal. He filed this case as a counter-charge.	Fined Rs. 20 under Section 504, I. P. C.	..	A revision application was filed in this case before Sessions Judge, Suri, but was not entertained by him.
Mahadeo Brahman vs. M. A. Rahman, Crewman.	323, I. P. C. (Voluntarily causing hurt).	The complainant was travelling without a ticket by 25 Up on 28th December 1927 and when demanded the Railway dues refused to pay the same and assaulted Crewman M. A. Rahman. He instituted this case as a counter-charge.	Fined Rs. 20 under Section 323, I. P. C.	Nil.	

THE HINDU WIDOWS' RIGHT OF INHERITANCE BILL.

Rai Sahib Harbilas Sarda (Ajmer-Merwara: General): Sir, in moving that the Bill to secure a share for Hindu widows in their husbands' family property be taken into consideration, I wish to point out that, owing to a mistake in fair copying the draft of the Bill or elsewhere, the words "under the Mitakshara law" were inadvertently omitted in line six of clause 3 of the Bill, and I ask that those words be restored or inserted when the Bill is discussed. The clause should read thus:

"Where the husband of a widow was at the time of his death a member of a joint Hindu family, the widow shall be entitled to such share of the joint family property as her husband would, under the Mitakshara law, have been entitled to, had a partition taken place in his lifetime; and may sue for partition. This share shall become her absolute property."

Sir, before I discuss the provisions of the Bill or give my reasons for bringing in this measure for enactment, I wish to make it clear that the Bill does not make any inroad into the basic principles of the Hindu law of succession or inheritance; nor does it propose to make any material alteration in the law governing the joint Hindu family. Its sole purpose is to ameliorate the lot of Hindu widows by restoring to them their right to be owners of their husbands' property and thus enable them to live their widowed lives without being left practically at the mercy of the male members of their husbands' families.

The right of a widow to inherit or rather become owner of her husband's property was allowed by Hindu law just as a right of inheritance is allowed by Muhammadan as well as English law to widows. And in the rapidly changing conditions of Hindu society it has now become necessary that Hindu widows, who enjoyed this right in old days should now be restored that right and be declared entitled to inherit their husbands' property. In old days a Hindu widow was legally entitled to be owner of her husband's share in the family estate. Old texts make it abundantly clear.

Under the Hindu law, as at present administered, a daughter does not get any share in her father's property as a son does, nor can she claim and sue for a share in her husband's property in the sense a son can do in his father's property. Where a widow does succeed to her husband, her right of inheritance is limited. For all practical purposes, her right has been reduced to a right of maintenance, and this right is often interpreted in courts of law in a very narrow sense. It is the modern case-law that has really reduced her to the position of a mere dependent on the family and entitled her only to maintenance and residence. The student of Hindu law who does not go to the texts themselves is led to believe that she has never been accorded any higher rights. If anything is primarily responsible for the great hardship which has fallen to the lot of Hindu women and which has reduced them to their present utterly helpless condition as regards their legal rights it is the false notion, harboured in the present system of Hindu law, that the woman has got absolutely no right in the property of her husband, except the right of maintenance. This was not what the law-givers of ancient times ever meant, much less did they lay it down. In order to remove misunderstanding, it is necessary that we should examine the import of the texts of the Hindu law.

The fact is, by marriage a girl is cut off from her father's family and introduced into the family of her husband as if she were born therein at the date of marriage, her *Gotra* becoming the *Gotra* of her husband's family, she being united with her husband in blood and body. Husband and wife constitute one individual, the wife being half, *ardhangini*. And, as the sage Datta puts it, "Wealth is considered as common to the married pair". Not only was wealth regarded as being owned by husband and wife jointly, but whenever occasion arose for dividing the estate among those having an interest in the family estate, the wife or mother was counted as a sharer as if she were a coparcener, and this is exactly the reason why the mother was given a share equal to that of a son on partition effected amongst her sons either in the lifetime of her husband or after his death. As an acute lawyer and an oriental scholar puts it:

"She gets a share in virtue of the co-ownership she acquires from the moment of her marriage in her husband's property, by reason of her being the lawfully wedded wife. It is erroneous to suppose that partition creates her right to get a share; for, according to the *Mitakshara*, partition does not create any right but it proceeds upon the footing of pre-existing rights."

It is thus clear that the fact that the wife is the co-owner of her husband's property is the only basis upon which her right to a share on partition can be explained.

(At this stage Mr. President vacated the Chair, which was taken by Mr. Deputy President.)

If maintenance was to be all that she was entitled to, that right could have been secured by making a provision to that effect, as has been made in favour of those who are regarded as dependents on the family. Where then was the necessity of giving her a share equal to that of her son or husband unless it was as an assertion of her right as co-owner in the property. Her right to succession to the property of her deceased husband was admitted on the basis of her status as co-owner with her husband, and *Mitakshara* expresses it in these words:

"If it be objected that jointness is declared even as regards ownership of property in the texts: yes, the wife's ownership in the husband's property is certainly shown by the text. Therefore the ownership in the husband's property is vested in the wife also."

Jimutavahana makes it clearer still. While criticising the position taken up by some commentators, he states:

"Nor is there any proof of the proposition that the wife's ownership in her husband's property accruing to her from her marriage ceases on his death."

In spite of the very liberal conception of a woman's status in the family of her husband as co-owner of his property, as formulated by the text-writers, as the foundation of all her rights either as wife or widow, English judges who decided the earlier cases, misunderstood this fundamental basis of her right, either because of their ignorance of the language in which Hindu law texts are to be found or because of the fact that, in their own country, rights of women were then not fully

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recognised. Mr. M. R. Jayakar in his learned presidential address to the 41st Indian National Social Conference thus speaks of the matter :

"The Englishman was not accustomed until the eighties to regard women in his own country as independently capable of acquiring or holding property. English women got this right at a very late stage. With this bias in his mind, it is not surprising that the English judge at Westminster, in interpreting ancient Indian texts written in a language which he did not understand, and of the context of which too he was personally ignorant, adopted a position inclining more towards limited female rights than towards absolute ones. In a celebrated ruling which laid down for all time that inheritance derived by women from a male in their husband's family can never become their absolute property, the Privy Council, being solely dependent upon confusing rival quotations cited on opposite sides, have actually abrogated the Mitakshara rule in favour of more ancient and doubtful text vaguely prescribing an ascetic life for Hindu widows. The bias thus acquired by judicial decisions has unconsciously survived to present day. The English judge in England and in India, owing to his natural caution born of his ignorance of the language and the habits of the people, has fought shy of liberal interpretations except when compelled by the clearest evidence."

We thus find that women's legitimate rights have been greatly curtailed in defiance of the texts. The Allahabad High Court in 1879, in the case of *Jamna vs. Machul Sahu*, recognised the wife's co-ownership in her husband's property in a subordinate sense, but this right was modified by the Bombay High Court in 1880 in *Narmadabai vs. Mahadeo Narayan, Kashinath Narayan and Shamabai* by implying that the co-ownership does not involve independent or equal powers of disposition or exclusive enjoyment or ownership in the ordinary sense, while the Calcutta High Court curtailed this right still further in 1903 in *Punna Bibee vs. Radha Kissen Das*, by stating that the wife cannot be regarded as co-owner so as to be able to enforce a claim for maintenance against a purchaser for value. This curtailment has been done in the face of clear texts to the contrary. It is however clear that the Hindu lawgivers made wives co-owners of their husband's property and full owners of that property after the death of their husbands.

Until recently, when Hindu society was not subjected so much to outside influence, though women had been deprived of certain necessary rights enforceable at law, yet the social traditions and the noble influences of Hindu culture secured to the Hindu widow a position of respect and comfort in the family. And those who are acquainted with the conditions obtaining in Hindu family life know that in all families where Hindu traditions have not been forgotten but are still alive widows are treated with great respect and consideration, and elderly widows even exercise a predominant influence in domestic and social life. But with the gradual abandonment of those ideals which the originators of the joint Hindu family had in view in consequence of the slow disintegration of the joint Hindu family system under the impact of foreign political, economic and social influences, and owing to the acceptance in an increasing degree of new ideals of life and conduct, due partly to the introduction of foreign culture and partly to a new valuation of things, the entire fabric of Hindu society is undergoing a change, and the position of women and particularly of widows is becoming more and more difficult. With the disappearance of moral safeguards which existed while old Hindu traditions were honoured and acted upon, and owing to their non-possession of legally enforceable rights to property, the position of widows is becoming precarious. The only remedy now is to recognise the right of a Hindu widow in family property and thus safeguard her legitimate position. This is the *raison d'être* of this Bill.

It must be remembered that women all over the country are now awakening to a realisation of their precarious position and are demanding that the time has arrived when their rights should be recognised in law. In their Conferences held in different parts of India in recent years, they have demanded rights of inheritance. The All-India Women's Conference, which meets yearly, and which met at Poona under the Presidentship of Her Highness the Maharani of Baroda, at Delhi under the Presidentship of H. H. the Begum of Bhopal and last year at Patna with the Rani of Mandi as President, and the various provincial constituent conferences of women have been demanding for women rights of inheritance. The Gujarati Women's Conference held at Ahmedabad on 8th December last, the Benares Constituent Conference of Women on 10th December, the Simla Women's Conference on 10th September last, the Mysore Women's Conference, which met on 8th and 9th November, last, the Delhi Branch of the All-India Women's Conference, which met on the 26th November, the Ajmer-Merwara Women's Conference, which met on the 2nd December last and various other Conferences have demanded this right of inheritance. The Indian National Social Conference, which is the most important social organisation representing men and women of the whole of India, in its 42nd session held at Lahore during the last Christmas week, over which I had the honour to preside, unanimously supported the present Bill and demanded its passage into law. The Rajputana Women's Conference held in November, 1928, also demanded the passing of this Bill.

It is thus clear that there is a general demand on the part of the women of India that the law should recognise their share in the family property, and important public bodies like the Indian National Social Conference have given their support to the present Bill.

Mr. B. Das (Orissa Division: Non-Muhammadan): Do you concede the remarriage of widows?

Rai Sahib Harbilas Sarda: Yes, widows have a right to remarry. But on remarriage she becomes a married wife, and this Bill deals with widow's rights. Coming to the provisions of the Bill, I have to say that the Bill does not administer any deep cut across the Hindu law of succession; nor does it alter the line of succession by disinheriting persons who are coparceners under the Mitakshara school or who would be coparceners on the death of an ancestor under the Dayabhaga school. As I have said before, the Bill aims at improving the conditions in which a Hindu widow has to live by giving her a certain well defined right of inheriting property from her husband, without in any way materially altering the general law governing the joint Hindu family, and without creating new rights in addition to those already existing. This Bill in no way affects the rights of those who possess those rights by birth in a Hindu family under the Hindu law. It only affects those who acquire some rights in addition to their birth rights by the death of a member of the family, or those who had no rights in the family property at all and who, by the happening of a certain event, i.e., the death of a person leaving no male issue, acquire certain rights in the property of another family. In other words, it only affects the rights of survivors and reversioners, which rights have come into existence owing to recent interpretations of old texts. The Bill thus follows the line of least interference with the basic principles of the Hindu joint family system.

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Under the Mitakshara law, a male member of a joint family acquires coparcenary rights by birth. Under the Dayabhaga, the coparcenary rights accrue to sons not on their birth but on the death of their father. But as a widow can only claim the share which her husband would have got under the Mitakshara law, leaving intact the shares of her husband's sons and other male members of the family, even the widows in families governed by the Dayabhaga law will be able, under the proposed law, only to claim that restricted share without in any way interfering with the shares of her husband's sons or other coparceners. Thus, there is no disinheriting any coparceners or would be coparceners. And this is made clearer by the contents of the proviso to clause 3, which lays down that if the husband leaves no male issue and the widow adopts a son, she will share her husband's property with the adopted son.

Sir, I have known cases—and Honourable Members cannot be unaware of them—where people who all through the life of a married man, were at loggerheads with him and were his enemies, laid claim on his death to all his property, depriving his widow of her ownership of it. It is true the present law gives a widow a life interest in her husband's property if he was the sole owner of that property, yet the general illiteracy and ignorance prevailing amongst the women in this country, the *purdah* and the seclusion of women from society, and other special features of life in this country make it well nigh impossible for widows fully to get even their restricted rights enforced by law.

I find that the Honourable the Law Member has tabled an amendment asking that the Bill be circulated for eliciting public opinion thereon. If Government wish to adopt that course, I would not object to it and I would accept the amendment that the Bill be circulated for eliciting public opinion if the amendment provides that the Bill, after circulation, becomes available for consideration at the next Session of the Assembly before the life of this Assembly expires. Sir, I move that the Bill be taken into consideration.

The Honourable Sir Brojendra Mitter (Law Member): Sir, I appreciate the object of the Bill which is to secure to the Hindu widow a share in the family property with full power of disposition. Sir, a Hindu widow's rights in the family property are now well settled by judicial decisions. The present attempt is not to elucidate what is obscure, but really a definite step towards the improvement of the widow's position in the family. To that extent the Honourable the Mover has my full sympathy.

Munshi Iswar Saran (Lucknow Division: Non-Muhammadan Rural): May I know if this sympathy is confined to the Honourable the Law Member personally or extends to Government as well? I am only thinking of the source of this sympathy.

The Honourable Sir Brojendra Mitter: I will explain the Government attitude. If the community which is affected by this measure generally favours it, Government will not stand in the way of its passing into law. But if the community affected by the measure is generally opposed to the measure, Government will not assist an unpopular measure to get through. That is the position of the Government.

Dr. A. Suhrawardy (Burdwan and Presidency Divisions: Muhammadan Rural): May I inquire what is the reason of this change of heart on the part of the Government so soon after the passage of Rai Sahib Harbilas Sarda's Marriage Restraint Bill, which was a highly unpopular measure and is an objectionable enactment?

The Honourable Sir Brojendra Mitter: That is an irrelevant interruption. But when I say that I sympathise with the object of the Bill, which is to improve the position of the widow in a family, there is no denying the fact that the measure before the House is a wide departure from the existing law.

Take the Mitakshara school of Hindu law. On the death of a member of a joint Hindu family, his interest in the coparcenary property does not pass by succession to his heirs, but it passes by survivorship to the other coparceners, subject to the rule that where the deceased coparcener leaves male issues, they represent his rights to a share on partition. That is the existing law. The widow under the existing law is not a coparcener, but under this Bill she is being made a coparcener. That is a fundamental departure from the existing law. It cuts across the principle of survivorship. The widow steps into the shoes of the husband by depriving the other coparceners who would have got his share by survivorship. That is a departure from the existing law. Whether that departure is desirable or undesirable, I am not discussing at this moment. All I am saying is that this is a wide departure from the existing law. But if the majority of the community affected by this law were in favour of this departure, then certainly the Government would not stand in the way. The opinion of the community concerned has not yet been ascertained. The Bill has been introduced here and, probably, I am almost certain, that, excepting the lawyer Members of this House, no one has taken the trouble to examine the implications of the Bill. Such being the circumstances, I think it is only fair that the communities affected should have the fullest opportunity of examining the provisions of this Bill and expressing their views, whether they favour it or oppose it or whether they want any modification in it. For this reason, I am moving the amendment which stands in my name:

"That the Bill be circulated for the purpose of eliciting opinions thereon."

I hope this amendment will commend itself to this House as the Honourable the Mover has already expressed his willingness to accept it. As regards the condition which he lays down, that the opinions should be elicited in time for the next Session of this Assembly, I can give no undertaking. So far as the Government are concerned, every step will be taken to get the opinions as quickly as possible. This is a measure which affects the rich and the poor alike. In such circumstances, it is impossible to say when opinions from interested quarters—when I say interested quarters, I mean communities which are affected by this measure—when these opinions would be available. I can give no undertaking with regard to that. But subject to that, I submit that this is a measure which ought to be widely known and ought to be widely canvassed and opinions of everybody concerned should be known to the House before the House takes any definite step. With these words, I move the amendment which stands in my name.

Eai Sahib Harbilas Sarda: I am satisfied with the assurance given by the Honourable Member and I accept his amendment.

Mr. Deputy President: The original motion was:

"That the Bill to secure a share for Hindu widows in their husbands' family property be taken into consideration".

Since which the following amendment has been moved:

"That the Bill be circulated for the purpose of eliciting opinions thereon."

The question is that that amendment be made.

The motion was adopted.

THE IMPERIAL BANK OF INDIA (AMENDMENT) BILL.

Mr. B. Das (Orissa Division: Non-Muhammadan): Sir, I beg to move:

"That the Bill further to amend the Imperial Bank of India Act, 1920, for certain purposes, be taken into consideration."

Sir, the reason why I wanted this amendment to take place, I have mentioned in the Statement of Objects and Reasons. I will take back the House to the time when the Imperial Bank of India Act was passed in the old Imperial Legislative Council, and Sir Malcolm Hailey, who was then the Finance Member of the Government of India, described the Imperial Bank of India as a national bank intended to do great things for India.

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

The great things which were expected to be done by the Imperial Bank of India have been belied so far as the Indian Banking, Indian Trade and Commerce are concerned. The Honourable Mr. W. M. Hailey (Sir Malcolm now) then said:

"We ourselves have regarded it purely as a measure to extend banking facilities and to render the money resources of India more accessible to the trade and industry of this country; thereby promoting that financial progress which is an indisputable condition of the social and economic advancement of India. It was in this belief, Sir, that we first set our hands to this measure; it was in this belief that, in spite of some opposition and misunderstanding of our motives, we continued to press it on the Council; and it is in the belief that the measure will give to us a great national institution having ample resources for the assistance of trade, constituting itself an example of sound banking to other banks, an institution which will assist not only the State, but the public, and all sections of the public—it is in the firm assurance in this belief that I now ask the Council to pass the Bill."

He further said:

"I have referred to the honourable career of the Presidency Banks in the past. That chapter of their career is now about to be closed, but if our hopes are realised there will spring from their ashes, phoenix-like, a bank which, while not unmindful of the honourable financial traditions of the past, will partake of a wider outlook, and a larger, a more beneficial sphere as a national bank for India."

I may say at once that the Imperial Bank has not been the national bank of India. On the contrary it has been a great national menace to Indian banking, trade and commerce. If the Bank was to be a national

bank, why did it help when a European bank failed, I mean the Alliance Bank of Simla. It immediately went to its rescue. At the same period certain Indian banks failed too. The Amritsar National Bank and the Standard Bank of India, the Oudh Bank of Lucknow all these failed more or less at the same time, but the Imperial Bank of India did not go to their rescue. The authorities of the Imperial Bank and the Government of which Sir Basil Blackett was the Finance Member at the time took no pains to see that those banks did not fail. They did not go to the help of those Indian managed and Indian owned banks and they did not rescue the shareholders and depositors of those banks. Very recently a bank in Calcutta failed, the Bengal National Bank. We did not see the authorities of the Imperial Bank coming to its rescue, nor was the Government of India mindful about the interests of the depositors or investors. Sir, if the Imperial Bank was really intended to be a national bank, as it was given out at the time of the amalgamation of the three Presidency Banks, it has failed in its purpose. It has failed in the matter of Indianisation of the staff and in the matter of appointments of Indian Managing Governors.

Of course I listened with great attention this morning to the reply which the Honourable the Finance Member gave to one or two questions appertaining to this matter on the floor of this House, and I am sorry I have not yet seen any list to show how the rapid Indianisation of the superior staff of the Imperial Bank has been going on. But this much I know that, when the Presidency Banks were amalgamated, they had 89 European officers, and at present they have much more than 250 European officers. Every year bank clerks from England are imported as Agents; and I have also definite information that Indians born of high families and trained in banking and commercial institutes in India have been taken as probationers and they have been allowed to drudge as clerks till 10 P.M. at night, while these young clerks who come from England, go away at 4 o'clock to play tennis or anything they like, and the Indian probationer rots in the second grade almost as a clerk. That is the tradition which the authorities of the Imperial Bank of India have developed. Sir, about this Indianisation of the Imperial Bank I will quote to the House the opinion of the *Bombay Chronicle* in its issue of the 12th February, 1926. It says:

"The Imperial Bank is the hotbed of racial nepotism; Indianisation of the staff is a mockery if we compare the appointments made in its development with the proportion obtaining before the programme of 100 branches was instituted."

At the same time the *Forward* of Calcutta also wrote on the 12th February, 1926:

"The State has therefore every right to press for Indianisation of the Bank; but there is a more urgent reason in addition to this. It is a matter of common knowledge, which has also been publicly expressed on more than one occasion, that the Imperial Bank makes racial discriminations in the matter of credit. Unless the Bank is Indianised more effectively this evil will continue."

With this question of credit I will deal later on, but it is a matter of pleasant surprise to me that on the same day an Indian paper in Bombay and an Indian paper in Calcutta expressed exactly the same view.

Sir, I have heard on the floor of this House and also outside that the shareholders of the Imperial Bank are all Indians and it is therefore an

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Indian Bank. It is as good an Indian Bank as the Railways are Indian owned and Indian managed. If the Imperial Bank to-day is an Indian bank, how is it that it is not a member of any of the Indian Merchants' Chambers, either of Bombay or of Calcutta or of the Federation of the Indian Merchants' Chamber? Why is it that the Imperial Bank is a member of the European Chambers of Commerce? Because the management is European, and although 95 per cent. of the shareholders are Indian, the Bank thinks that it must keep its racial discrimination and must join only the European Chambers of Commerce whose interests are always opposed to the interests of the Indian Chambers of Commerce. (Colonel J. D. Crawford: "Question".) Sometimes it varies, such as when we go to the League of Nations or the International Labour Conference, there we find the employers getting united against the workers. (Colonel J. D. Crawford: "You said 'always opposed'".) When the Europeans manage to get hold of a few Indian capitalists as Directors, we sometimes find the contrary.

Sir, in the last September Session I asked a few interesting questions which revealed the extraordinary position of the various statutory powers which the Secretary of State for India possessed and at times exercised to the detriment of the interest of the Indian people and the Indian tax-payer. It happened that in 1912 the contracts of certain Company-managed railways, like the Bengal Nagpur and the Assam Bengal Railways, with the Secretary of State expired, and the Secretary of State, without consulting the Government of India, extended the period of those contracts by 30 or 20 years. And not only that; but the Secretary of State went beyond his powers and did away with the penal clauses which were provided in those agreements. Formerly the Secretary of State or the Government of India could terminate the contract with the Bengal Nagpur Railway by giving six months' notice for mismanagement. To-day they cannot terminate the contract with the Bengal Nagpur Railway till 1950. I do not know who was the Secretary of State, nor do I care to know. But this racial discrimination of the Secretary of State, this interference with the rights and the wealth of the people of India, and these contracts to the European Directors of the Railways where most of the money belongs to the Indian tax-payers make me apprehend that we must look into the affairs of the Imperial Bank too in case the Secretary of State goes behind the back of the Assembly and enters into further contracts with the Imperial Bank and without terminating the contract, gives away the wealth of the Indian people to the Bank to enrich the European management of the Imperial Bank.

My friend the Honourable the Finance Member gave out this morning the essential points of the agreement between the Secretary of State and the Imperial Bank of India. But we are apprehensive on this side, because if we look into the Imperial Bank (Amendment) Bill, which was introduced in this House by Sir Basil Blackett in 1927, along with the Reserve Bank Bill, and which this House threw out as it was a menace to the economic development of India, we will find that that Bill contradicted the very terms of agreement which my friend the Honourable the Finance Member read out this morning to the House. Sir Basil Blackett, out of charity or out of understanding of which I have no knowledge, wanted to give to the Imperial Bank certain concessions to which they

were not entitled. My friend the Finance Member told us this morning that, by giving 12 months' notice on either side the contract can be terminated. I will read Schedule II of the Reserve Bank Bill where on page 21 the benefits the Imperial Bank would get are mentioned. The Imperial Bank is to be the sole agent of the Reserve Bank in spite of its not being a national bank and being always anti-Indian and anti-national. It says:

"The Imperial Bank should receive a commission calculated on the total receipts and disbursements dealt with annually on account of Government by the Imperial Bank of India and on behalf of the Reserve Bank of India. Such commission shall be 1/6th of 1 per cent. of the first 250 crores of such total and 1/32nd of 1 per cent. of the remainder.

(3) Subject to the condition that the Imperial Bank of India shall keep open branches not less in number than those existing at the time of the coming into force of the Reserve Bank of India Act, the Reserve Bank of India shall allow varying balances to the Imperial Bank of India at the interest rates hereinafter specified, namely:

during the first five years
 during the next five years and so on."

Now, Sir, the Imperial Bank holds all the tax-payers' money.. It has a daily balance of about 20 crores and sometimes more. It handles nearly Rs. 450 crores every year free of interest, money belonging to local bodies, Provincial Governments and the Central Government. At the same time the Imperial Bank charges a certain rate for its transactions on behalf of the Government of India. Certainly we cannot allow the Imperial Bank to handle all this sum of money free of interest. The co-operative banks and the agricultural banks in our villages are inactive owing to the high rates they borrow at. Distant villages in Bihar and Orissa pay 15½ per cent. to co-operative banks. Such are the banking facilities which the Imperial Bank gives. Why should we not have a national bank which will provide to the co-operative banks all this surplus money which Government have, at 2 or 3 per cent., so that more agricultural and co-operative banks may be formed which can advance money to the people in interior villages at 6 per cent?

Sir, the Imperial Bank has done little financing to Indian industries. There was an interpellation on the floor of this House in 1924 or 1925 when the Imperial Bank produced a statement through the Finance Member that 13½ crores of rupees had been advanced to different people in India, of which more than half was advanced to European merchants in India and only less than half was advanced to the Indian merchants. That is the way in which the Imperial Bank is financing the Indian industries and Indian national concerns.

Sir, I recognise the difficulties in the way. Since the Honourable the Finance Member has taken charge of his portfolio, he has appointed a Central Banking Inquiry Committee in order to find out the real banking interests and banking facilities in India. But we are tired of this racial discrimination, whether it be in the railways or whether it be in the banking. Our money is in the hands of European managers who so manage things that Indian industries and Indian commerce are starved, while men who are Indians, who are so to say millionaires in India, do not receive banking facilities at times. Small companies promoted in London or Manchester with £5,000 or £500 receive heavy overdrafts in India. This is a fact. I ask the Honourable the Finance Member to look into the figures of overdrafts given by the Imperial Bank and see how much overdraft it

[Mr. B. Das.]

allows to Europeans and European concerns and how much to the Indians and Indian concerns. He will be surprised to see the racial discrimination shown by the Imperial Bank in this respect. My friend, Sir George Schuster, has stated that, until the report of the Banking Inquiry Committee is published, the present state of things will continue, and the Imperial Bank will not be asked to terminate the contract. I would much prefer that the contract is terminated, but I appreciate the difficulty. Pending the publication of the report of the Central Banking Inquiry Committee I would insist on the Government to pass this Bill so that the contracts may not be renewed without the assent of this House. The point I submit is that our national banking should be completely Indian-managed. My Honourable friend, the Finance Member, must be taking part in those deliberations regarding the grant of Dominion Status to India. If we can manage in the near future our House, we can manage our banking too, and if the Europeans who are controlling the Imperial Bank exclude every Indian and at every stage the question is put, "Who is that Indian who is fit to be the Managing Governor?" If I am permitted to point out, I will point out the gentleman (the Honourable Sir Bhupendra Nath Mitra) who is sitting on the left of Sir George Schuster and who will shortly retire from the high office he holds in the Government of India. I think he will alone manage ten Imperial Banks put together.

With regard to the Indian probationers I have already stated certain things. In the discussions on the floor of this House Sir Basil Blackett often gave out that Indians with proper training in Europe were not found for being taken on the superior staff of the Imperial Bank. But Indian boys graduated in banking from English Universities are bound to receive banking training in British banks. There is an unholy combination to oust the Indian from English banking experiences. To avoid this handicap, I suggest that five Indians be trained every year in the London branch of the Imperial Bank, so that when they return they can be taken on the staff of the Imperial Bank in India on the same salaries as the English recruits. I remember I had once a talk with Sir Basil Blackett who told me that the London branch is a mere post office. If that be so, let five Indians be trained there every year, let them lick the postage stamps there and learn the intricacies of European banking and when they return, let them come not as clerks but as superior officers to work in the higher grades.

Sir, I wish to say one word why I want to limit the number of European officers to the number employed at the time of the amalgamation. I do not want to create fresh grounds for exploitation by young men from England. India should employ and engage her own best trained men. So if the Imperial Bank is going to be a national bank or is for the present acting as our national bank, it must work in that spirit. There should be only 89 officials and the rest should go and they must be replaced by Indians.

I ask the Government of India and the Honourable the Finance Member, as long as he is controlling the Imperial Bank, to see that such racial discrimination, whether as regards employment or as regards credit facilities to Indian industrialists, is no longer allowed against the interests of India. With these remarks, Sir, with these observations, I ask the House to take the Bill into consideration.

1 P.M.

Mr. Vidya Sagar Pandya (Madras : Indian Commerce): I rise to support the motion of my friend, the Honourable Mr. Das, that the Bill be taken into consideration. But before I speak on the Bill, I wish to say a few words as to the time at which the Bill has been taken up. We know that members of a very important Party, the Swarajist or Congress Party, have absented themselves, that is, nearly 45 Members of the House who were always in standing opposition against the Government are absent. At the present juncture, I mean, just as things stand at present, it is possible for Government with a clear majority to defeat any motion, of whatsoever importance it may be, in this House. Secondly, the Government should not have put this piece of legislative business in the earlier part of the Session when Members are not yet present in the House in proper numbers. Government with their official Members, who draw salaries and allowances, and with the knowledge that their nominated Members are always at their beck and call, form a clear majority. Even when the Swarajist Party was present, the Assembly was a farce. To go on with business without the strong Opposition Party is a fraud on the public, and under these present circumstances to consider that any Bill has been rejected or any motion for grant of money has been passed by the House is a mere mockery. In these circumstances it will not be the voice of the people that grants funds for the Government to carry on, nor will it be right to say that, if a Bill is defeated, the non-official side has been given proper consideration. The Government have got a clear majority, and they are taking full advantage of it and with a vengeance. I do not think that any Bill or any motion has any chance of being properly considered as long as the Government have got a clear majority.

Mr. President: Whose fault is it?

Mr. Vidya Sagar Pandya: It is the fault of the Government, because when they know that such a united, solid, and strong Party of about 45 Members have resigned, the Government should have first ordered the bye-elections to fill up those seats and then challenged the strength of the other side. As long as Government have not done that, they are guilty of a gross dereliction of duty in going on with these measures and getting them passed in the name of this House.

Mr. President: You are not bound to move them.

Mr. Vidya Sagar Pandya: Sir, we must raise our little voice of protest against the Government's dereliction of duty. We are here to register our opposition. We are here to fill up the cup of their sins, and it is as our duty to our constituents that we bring all these matters to the notice of the public at large, and if in spite of these things being brought to the notice of the Government, the Government still insist on carrying on their work in this tyrannical way, we can only register our protest against it. Howsoever humble it may be, howsoever ineffective it may be, it is our duty to bring it to the notice of the Government and to the public at large. We owe it to our constituents, and if we fail to do that we will not be doing our part of the duty.

Now, Sir, I will come to the main point. The Bill, in my opinion, is a most modest measure that has been suggested. In my opinion the Imperial Bank of India Act of 1920 requires several drastic changes. Of course this is not the time to make them. But so far as this Bill is concerned, it is very modest, and I hope that the Honourable the Finance Member will accept it on behalf of the Government. I do not know what is his

[Mr. Vidya Sagar Pandya.]

view. The present Bill seeks to limit the appointments to be held by Europeans to the number that they were at the time of the amalgamation. That is one part of the Bill. The second thing is that they should give training to Indians in banking work in England. The Imperial Bank at present does not do any real exchange business; it does it in a sort of way, but it does not do as much as any other Exchange Bank. If Indians are given proper training in England they will be in a better position to handle that kind of business.

The third part of the Bill is the appointment of an Indian Managing Director. At present the Bank is very much dominated by the European Directors who are always in a majority and the chief officers of the Bank are mostly Europeans. To know to what extent the Bank has been managed entirely by Europeans to the exclusion of Indians, we must go into the history of the three Presidency Banks which were amalgamated in 1921 and formed into the Imperial Bank of India. The Bank of Bengal was founded in 1806. From 1806 to 1930, that is, for a century and a quarter, the Bank of Bengal could not find any Indian to be either the Secretary, or Deputy Secretary or the Chief Accountant at the Head Office. In the several important Branches, Europeans only were put as Agents; Indians were not at all put as Agents. Similarly, if we take the case of the Bank of Madras, which was started in 1843, no Indian had ever been put as Secretary or Deputy Secretary or Chief Accountant at the Head Office or in any of the important Branch offices. Similarly again, take the case of the Bank of Bombay, which was started about when the Bank of Madras was started. It is said that Europeans are born bankers and nobody other than a European can manage a banking institution. But in 1866, the Bank of Bombay, which was entirely managed by Europeans, failed. It was again re-started, but even there, from the time it was started and even after the reorganisation of the Bank in 1866, they also have never had Indians as Secretary, Deputy Secretary, Chief Accountant, or Managers of important Branches. In 1921, when the three Presidency Banks were amalgamated, there was much opposition to the scheme, and it was even said that they wanted to wreck the scheme of amalgamation unless the Banks undertook to have Indians on the Board of Governors. It must also be stated that on the institutions from which the Imperial Bank was formed, from 1806 to 1917 or 1918 there was never an Indian Director on the Bank of Bengal. Similarly from 1843 to about 1917 there was not a single Indian Director on the Bank of Madras. On account of public agitation in Madras and Bombay and subsequently on account of the pressure brought by some of the Parsi shareholders of the Bank of Bombay, particularly, Mr. Bomanji the amalgamation scheme would have been wrecked, and it is to the credit of Sir Norcot Warren that he brought about a better understanding and they undertook to take up Indians as Directors of the Bank of Madras and the Bank of Bengal, and subsequently, in the amalgamation scheme, they provided for the appointment of Indians. Even now the appointment of Indians in the Board is entirely at the mercy of those other European Directors and the European Officers.

We have heard something about the scheme of apprentices; whenever there is any question of the Indianisation of the Imperial Bank, a list is brought forward and it is said "Here are so many appointments and probationers have been taken into the Imperial Bank service". I am sorry to say that those who have been taken into service so far have not been

properly treated. A dozen of them have personally told me that they would be very happy to work in any other bank on half their present salary in the Imperial Bank. The way in which they are treated is simply disgraceful and so much is still talked of Indianisation and of probationers being taken. I say, Sir, unless they have got at the head among the Managing Governors Indians who are sympathetic, who only will take a real interest in seeing that the scheme is made a success, it would not be possible to have Indianisation of the Bank even in another two centuries. The treatment which these young men are given is not at all good. Similar men who are employed in England do not have even half the educational qualifications which these young men possess. These young men come from respectable families and are well educated and it is not as if they want to shirk work; they are quite prepared to do any work; but in this case, though we have got the Factory Act, under which the employer is not supposed to keep his labourers beyond particular hours, there is no such thing in the Imperial Bank. I know many cases where these young men have to go at about 8 in the morning and stay in the Bank till about 12 at night and sometimes till 2 in the morning at some places. The Agents go away at about four o'clock for their tennis, and then they come back at 6 or 7 p.m. and all these young men and office clerks have to wait and to dance attendance and then the Boss or the Bahadur comes and says "I shall now start work" and goes on working sometimes till about 9 or so. These poor men cannot make any protest against this; if they do anything they will be sacked, and it will be said that these young men want to shirk work. Under these circumstances, Sir, is it not necessary that we should have some scheme whereby we can compel the Imperial Bank to take proper steps to take Indians and make the Imperial Bank better? You do not find in any other country in the world that the Central Bank has got the least number of sons of the soil on its Board. But in the Imperial Bank of India, in the local Board at Madras there are only two Indians out of seven; similarly in Bombay there are only two or three, and in Calcutta there are only two—only less than one-third; and then, Sir, there are other methods by which the Imperial Bank contrives to keep out Indians from the Central Board. To this I have drawn the attention of the Honourable the Finance Member, and he has very kindly promised that it will receive his attention. Under the Act, the President and the Deputy President of a local Board are ex-officio members of the Central Board. I shall take only my own province of Madras. Since the Bank was established in 1921 there has not been one instance in which an Indian has been put either as President or Deputy President of the local Board. Similarly, except one or two instances, in Bengal, Indians are not made Presidents or Deputy Presidents. The result is that four of these posts, which might have been occupied by Indians in the Central Board, are now held only by European Directors of the Bank. This matter has been brought to the notice of the Imperial Bank by means of newspaper articles and by the Southern India Chamber of Commerce and other commercial bodies; but it has not been mended. Unless we have got a regular Act under which we can compel the Imperial Bank to take all these steps, it will not be possible to do all these things by any other method. I wish very much that we could persuade the Imperial Bank to adopt these improvements without any legislative action; but we have failed in persuading them to make all these reforms, and I do not know of any means other than legislative measures to compel the Imperial Bank to take the necessary action to Indianise the Bank.

[Mr. Vidya Sagar Pandya.]

The Imperial Bank now, like other exchange Banks in India, is practically a foreign bank where Indians are treated as foreigners in their own country. If I were to go on to detail the various things done and the methods adopted by them, it would take a long time; but I shall give you one or two instances. Take for instance a country like India where only 7 per cent. of the population has got education, and even of that portion only a few know English, and yet the Imperial Bank of India compels them to go to their office to sign a cheque. Recently they have made a little alteration, but if anybody has to sign a cheque in the vernacular and to draw his own money, he must go to the Bank; the Bank does not make any arrangements to verify and see whether the signature in the vernacular is in order. If you sign in English it is passed, but if you sign in the vernacular, the Bank says, "We do not know what your vernacular is". They do not even care to engage a clerk who will be able to compare the signatures; and we have a Banking Inquiry to find out methods of banking in this country. Every possible obstacle is put in the way of these men who wish to open accounts. On the other hand, Sir, when I was in England, when I went there about fifteen years ago, I had the honour of visiting some of the leading banks there and I found about a hundred or so, men in all the leading banks who knew foreign languages there. All the Continental bankers and Continental customers, when they open an account with any of the five big banks in England, write their letters in their own language; an Italian writes to, say, the Westminster Bank or Lloyd's Bank in Italian; the man from Spain writes in Spanish; the Frenchman writes in French, and the Russian writes in Russian and so on. Their letters are received in all these different languages and they are translated into English; the replies given in English are again translated into the language of the party addressed, and the result is that every man, when he writes a letter to the bank, knows what it is about. He does not know English or English idioms. But what happens in India? The Imperial Bank of India, like every foreign Bank, has not got vernacular cheque books printed in spite of all this agitation. They compel every man, in order to do his banking, to learn English first. I do not see, Sir, why a man should learn English in India while a Frenchman, a Spaniard, an Italian or a Russian who does not know English can keep an account with one of the leading English Banks without learning English. I do not see why Indians in India should be compelled to sign their names in English or else dance attendance on one of the officers of the Bank, sign in his presence, and put their initials in two places. An Indian has to go to the Bank. About 10 or 20 cheques are signed in the presence of the cashier or officer and if, by any chance, any of these cheques is lost or misapplied, the Bank does not take any responsibility in the matter; he is put to all the trouble and loss.

Now, these are some of the methods employed by the Imperial Bank of India in doing business with the public. Unless, therefore, we have Indian officers and an Indian Managing Director in the Bank to look after the wants of the Indian businessmen, it will not be possible to bring about any real reform. I know of many cases in which Indian constituents have to be practically at the mercy of the Cashiers of the Imperial Bank. (*An Honourable Member*: "Why?") The reason is this. The European Agent Bahadur in charge of the Bank does not care to learn the vernacular. So a constituent, when he wants to arrange for a loan, has to

bring with him an interpreter. But the difficulty is when a man wants to make any financial arrangements with the Bank, he does not wish that others should know anything about his financial position or his arrangements with the Bank. At the same time he wants to have a talk with the Agent, but the Agent does not know the language, and so the constituent who wants to make the arrangement with the Bank is in difficulty. The result is that this man has to approach some of the underlings, and sometimes there is a danger of corruption in such cases

Mr. B. Das: What about the Bombay Imperial Bank frauds?

Mr. Vidya Sagar Pandya: Never mind about the frauds; frauds will happen in any institution. But to treat the Indian public in these matters in such a shabby way is most deplorable. The Bank takes away all the public money; it takes away all the ratepayer's money, enjoys all the privileges, and yet treats the Indians as foreigners in their own country. It is only unfortunately in India that the people submit to such kind of treatment. No other nation would submit to such treatment.

Again, we are told that we should look to the Imperial Bank as an ideal institution. But is that the way in which the Imperial Bank should conduct its business with the Indian public? Surely, we require a change in the constitution of the Imperial Bank so that the Indians may be treated properly; and the object of this measure is to see that that object is attained. The Bill is a very small and modest one. There are of course many directions in which changes could be made. That can be done after the Banking Inquiry Committee has submitted its Report, and the Honourable the Finance Member in the light of that Report is able to make certain changes after the experience he gains from his contact with the Imperial Bank; but I may warn him that he should not be entirely led away by the Report of the Banking Inquiry Committee, because the Imperial Bank is such a strong and powerful institution that it is very difficult for most persons who have dealings with the Bank to come forward and tender evidence against such a strong banking institution

Mr. B. Das: Right you are.

Mr. Vidya Sagar Pandya: The reason is this. If anybody, in the course of giving evidence, gives the slightest offence to the Bank, his business will be ruined completely. I can tell the House my personal experience in this matter. When I had to agitate for the inclusion of Indians on the Board of the Bank in Madras, there was great trouble. Some of my Directors were called upon by the then Secretary of the Madras Bank to explain why I was allowed to agitate. The Imperial Bank Secretary said to my Directors: "Why should Mr. Pandya dabble in these matters? Why can't you control him? Why should he interfere in these matters? See that he does not attend the next shareholders' meeting and speak there". In fact, the authorities of the Madras Bank wanted an undertaking from some of my Directors that I would not take part in the agitation or speak against the Madras Bank

Mr. B. Das: Shame.

Mr. Vidya Sagar Pandya: So, Sir, unless we have got proper Indian officers to look after the interests of Indians, it will not be possible to effect any reform. Of course, I know that all the European officers in the Government of India as well as European commercial magnates think that they are Heaven-appointed trustees over us; that we cannot look after our own interests; and that they are the only and best people

[Mr. Vidya Sagar Pandya.]

who can properly look after our interests. But, Sir, all those theories are gone. We have no faith in such grandmother's stories. (Laughter.) What we want is an effective hand in the management of the Imperial Bank. We know where the shoe pinches. We must be able to set right all our difficulties. It is no use our European friends telling us that we are yet children and we do not know how to manage our affairs. If at all we are allowed to manage our affairs, we can certainly manage them better.

Again, I might quote the instance of the Peoples' Bank of India, Ltd., which was an entirely Indian-managed institution. Unfortunately, when this Bank got into trouble, the Bank of Bengal declined to give an advance against Government Paper to people who wanted to take a loan against their Government Paper with a view to lend money to the Peoples' Bank. In fact the Bengal Bank wanted a clear undertaking from such people that they would not lend such money to the Peoples' Bank and only on that undertaking the Bank would agree to advance money against Government Paper. And, Sir, when the Industrial Commission was touring round the country, Lala Harkishen Lal, when he appeared before the Commission to give his evidence, made these serious charges against the Bank of Bengal. I was present on the occasion. The President said: "Well, Mr. Harkishen Lal, you are a barrister; you realise what you are talking about, I suppose". Lala Harkishen Lal replied: "Yes certainly, I do realise what I am talking about. I am speaking with a full sense of responsibility, and I am prepared to adduce the necessary evidence and my witnesses are here". Then there was a little whispering among the Members of the Commission and they perhaps thought it best to drop the matter and did not pursue it further. As against that, take the case of the Alliance Bank of Simla

Mr. B. Das: What about the dinner on account of the failure of the Peoples' Bank?

Mr. Vidya Sagar Pandya: They have digested it long ago. (Laughter.) But take the case of the Alliance Bank. The Imperial Bank did not know fully what was the value of the properties held by the Alliance Bank. All at once 8 annas in the rupee were given to the depositors. Of course, there were certain political reasons behind this action, and I need not go into them now. But because the Europeans were in a majority on the Boards of all the three Local Boards and the Secretaries were also all Europeans, they at once consulted together and decided to come to the rescue of the Alliance Bank. If the Imperial Bank of India had not come timely to the rescue of the Alliance Bank, it would have revealed a number of bad things in the European management of the Alliance Bank, but everything was carefully hidden. With great and indecent haste the Imperial Bank advanced the money—I do not know yet what were the assets of the Alliance Bank—to the Alliance Bank without even carefully examining the assets or the financial position of the concern. We do not know how much property of the Alliance Bank has been taken up by the Imperial Bank themselves, which was originally given as security when they rendered the Alliance Bank financial assistance. In the case of the Peoples' Bank the depositors were paid at the rate of 19 annas in the rupee, whereas with all the much-trumpeted European management, the Alliance Bank has paid only 8 annas. Look at the difference.

Therefore, Sir, what I am trying to point out is that, unless you have got men who sympathise with us, who take a real and genuine interest in the country, unless you have men who are interested in developing the local industries, trade and commerce, you cannot run the Central Bank properly and efficiently. Most of the foreign banks are run practically by Britishers. Of course, I do not want to find fault with them, because they come here from a distance of 6,000 miles to make some money, and they are interested only in the export and import trade, and the Imperial Bank renders the foreign concerns financial assistance in bringing the crops from the interior. If we want to effect a real reform in the Imperial Bank, I would suggest that at least half the number of Directors should be Indians and one Managing Director; also a majority of officers should be Indians. It is only then that it will be possible to make any headway in the matter of financing our industries, trade and commerce. I shall not take up any more the time of the House. I support the motion of the Honourable Mr. B. Das to take the Bill into consideration.

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

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

Mr. Sarabhai Nemchand Haji (Bombay Central Division: Non-Muhammadan Rural): Sir, after the exposures made before this House by my Honourable friend Mr. Vidya Sagar Pandya, speaking on the motion of Mr. Das it is impossible for any independent Member of this House not to support the motion of Mr. Das. As a matter of fact the details of the Bill moved by Mr. Das have been before the public for many a long year. Ever since the Imperial Bank of India came into existence, or I would rather say, soon after the Bank came into existence, the people of India have been disillusioned as to the mighty results that were expected from it. It was stated when the consolidation of the three Banks was under consideration that this centralisation would lead to the policy of initiation of Indianisation, which in due course would give us all Indian Agents of the Bank at its various branches. That, Sir, has not happened. Not only that, but as my Honourable friend pointed out, since 1926 or 1927 the policy of further initial Indianisation seems to have come to an end. It is most regrettable that in matters of this character, the Government which, when it suits them, raise certain hopes in the public mind, soon afterwards, when their ends are served, forget all about their promises and leave the Indian side to shift for itself. This is not the only case, and if I had time, I could enumerate a large number of cases where high hopes were raised when Government wanted to carry a particular item through. But as months and years roll on, as the pressing need of the hour is no longer felt, a deaf ear and a blind eye are turned towards old promises. That is the reason why I have risen to support this Bill. I would like, if I may, to make a suggestion; that is particularly after what my Honourable friend Mr. Vidya Sagar Pandya has pointed out, I very much doubt the wisdom of clause 2 (c), namely:

"that from the date of the promulgation of this Act, as amended, the total number of European officers shall not at any period exceed the number employed at the time of the amalgamation of the Presidency Banks."

[Mr. Sarabhai Nemchand Haji.]

I do not see any reason why we should encourage the permanence of a European block in this national institution, particularly when we propose to make it national in due course. If it were possible, I would like that the Bill should be committed to a Select Committee wherein its various clauses which make it a very mild measure at the moment, may be strengthened, and other items incorporated with a view that this Bill should help to Indianise the whole of the character of the Imperial Bank as we know it to-day. I want Indianisation not merely with regard to staff, because that is a relatively minor matter; but the important matter is that there should be Indianisation of the Directors and Indianisation of the management. My Honourable friend Mr. Vidya Sagar Pandya has mentioned a majority of Indian Directors. Sir, our experience in the past has been that a mere majority of Indian Directors does not help. It must be an effective majority of Indian Directors. As is required by the various clauses of the Indian Companies law, I suggest that no effective Indian majority of Directors can exist unless the number of Indian Directors is 75 per cent. of the total. Moreover, those of us who have experience of business know that in this country under the present operation of the Company law, if the management is of a mentality different from even that of the majority of Directors, the view of the management holds. It has been our experience in a large number of cases that where management is European, with even an Indian majority of Directors, we have not succeeded in getting the Indian mentality instilled into that company. That is why from the practical point of view, I would also insist that, in addition to 75 per cent. of Indian Directors, we should have 75 per cent. Indian element in the management of the Bank in order that all those evils that have displayed themselves in the past and in the recent history of the Bank should no longer continue to operate, and in order that a brighter future might be held out to those merchants whose claims for help have not in the past been properly considered because they were Indians. This is not the time to go into details of the many cases in which parties have not been helped by the Imperial Bank at one or the other of their branches simply because the parties are Indians. Nor do I want to narrate cases in which large credits have been provided to parties because, as the outside world feels at least, the parties are Europeans. This kind of discrimination which has been going on and under which the public smart much more after the passing of the consolidation Act than before, should no longer be allowed to continue. I say, Sir, that the only way to do it is, not merely to get a majority of Indian Directors on the Board, but also to have a majority of Indians in the management. That majority, if it is to be effective, should be also 75 per cent. That much, Sir, with regard to the Indianisation of the Bank. Now I would just like, before I sit down, to say one word about the training. There is a clause here which says that the London branch shall provide training for at least five Indian graduates from recognised Universities every year. It may be stated in reply to this demand that as the London branch works merely as a post office, it is not possible for that branch to provide any adequate training. Even granting the full strength of that argument, may I suggest that, with a branch working, even as a post box, in London, that branch must have got certain business relations with other banks in London and elsewhere; and if a genuine desire were felt and if genuine efforts were made to help the training of Indians in England under the scheme, it would

not be impossible for even this post office of a branch to arrange with the various banks in London to take up properly recruited Indian candidates. Whatever may be the fate of this Bill, I hope the suggestions that have been thrown out from the popular side will be borne in mind and as many of them incorporated into action as possible whenever opportunity arises. Sir, with these words I support the motion made by Mr. Das.

The Honourable Sir George Schuster (Finance Member): Sir, at the outset I should like to congratulate my Honourable friend Mr. Das, on his success in eventually finding a place in the active list for his Bill.

Mr. B. Das: After five years.

The Honourable Sir George Schuster: He has been a very patient supporter of this measure; and now, as he says, after five years he has found place for a debate on the second reading. I should like to say at the outset that I am in complete sympathy and that Government are in complete sympathy with what they understand to be the object of this Bill, namely, that the Imperial Bank should take every opportunity of training Indians and of associating Indians in the management of the Bank. I am sure my Honourable friend will admit that as regards that kind of policy and the spirit which I believe he has in mind, I myself have never neglected any opportunity to give effect to it in all that I have had to do out here, either working with the Public Accounts Committee or the Standing Finance Committee, or in any other way; so that I feel sure he will believe me to be genuine when I say that I am in complete sympathy with the spirit underlying his Bill.

I do not propose, Sir, to reply in detail to a great many of the general statements which have been made about the Bank. I think those statements have been to say the least exaggerated, as for example when we hear the Bank described as a "hotbed of racial discrimination", and words of that kind used. None of those statements has been supported in this debate by any sort of reliable evidence. It is very easy to make general statements of this kind, and I for one do not believe that they are justified.

I would like to refer to the remarks of my Honourable friend, Mr. Vidya Sagar Pandya, when he regretted the composition of the House which was here to-day to hear the discussion of this Bill. I myself also regret one particular absentee and that is my Honourable friend Sir Purshotamdas Thakurdas. I should have very much liked to hear what he had to say on the subject. So far as I have seen the working of the Bank,—and I have sometimes been insisted to attend the meetings of the Central Board in Bombay,—he has always been a most prominent figure on the stage; and from what I have seen in Bombay, if I had been asked to name an example of any place where there was perfect co-operation between Europeans and Indians in the working of practical business, I should have said it was in the working of the Central Board as I saw it at Bombay. I believe myself that at any rate for the next few years, that is the way in which success is to be achieved in the development of business and in the economic progress of India, and I had thought that in the Imperial Bank something of that kind was being done.

Sir, although I sympathise, as I have said, with the general object of this Bill, I regret to say that, speaking on behalf of Government, I must oppose the second reading. I do not feel that the terms in which the Bill is drafted are appropriate to the objects which the Mover has in mind; nor

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can I feel that they would bring about a desirable state of affairs. It is very doubtful, in the first place, whether legislation is a proper way to arrive at the objects which the supporters of this Bill desire. Government have effective means of expressing their views as regards the policy through their own representatives on the Board and I believe that those are the means which should be mainly relied upon. In the second place, I do not believe myself that legislation is necessary now to provide for the Indianisation of the staff of the Bank. Judging from the figures which have been supplied to me, very great efforts have been made in this direction in the last few years and I am quite unable to understand the statement made by my Honourable friend, Mr. Haji, when he said that since 1926-27 nothing had been done. I had a careful statement of the figures prepared in anticipation of a debate on this Bill at the Simla Session, and my figures are made up to June, 1929. I have not been able to get a complete statement since June 1929 because the Bank has not been able to give me the figures after completing its second inquiry, but I should like to give this House some of the figures which I had obtained last June. In January 1921, which was the date of the amalgamation of the three Presidency Banks, the total number of the supervising staff of the Bank was 284, of which 194 were Europeans and 90 were Indians. At the end of June 1929 the number of supervising staff was 595, of which 283 were Europeans and 312 Indians. While the Europeans have increased in number by only 89, the Indians have increased in number by 222, and the percentage of Indians on the supervising staff has increased from 82 per cent. to 52 per cent.

Now, Sir, I must make some reference to the figures given by my Honourable friend Mr. B. Das. He stated,—or at least I understood him to say,—that in 1921 there were 89 Europeans, and that the number had now increased to over 200, and that there had been no similar increase in the Indian proportion of the staff.

Mr. B. Das: I should like the Honourable Member to compare the increase of Indians and Europeans on the salary basis. My point is that the 283 Europeans occupied all the higher posts while the Indians occupied only subordinate positions in the Bank.

The Honourable Sir George Schuster: I have not got particulars of the salaries, but of course if you are trying to bring about a change in the staff, you have got to start chiefly from the bottom. You cannot suddenly replace all your people at the top. Nevertheless let us examine the items of increase, of Indians in the supervising staff. As regards staff officers, the highest class, in January 1921 there were three and in June 1929, 43; so that is a very big increase. As regards second grade assistants, in January 1921 there were none and in June 1929 there were 153. As regards probationary assistants, in January 1921 the number was nil and in June 1929, 44. When you come right down to the bottom, that is to sub-accountants, probationary sub-accountants and other supervising staff, that is the lowest of the appointments, there were 87 in January 1921 and 72 in June 1929. So that the whole of the increase in the Indian staff has really come in the higher grades or rather in the grades above the lowest. I think I am correct in having understood my Honourable friend as having said that, whereas there were only 89 Europeans in January 1921, they had increased by something over 200 since then. That of course is entirely incorrect. The impression given by these figures is quite wrong.

Mr. B. Das: I only included the officers of the executive rank. I did not include the other staff such as the accountants and others.

The Honourable Sir George Schuster: I am at a loss to understand exactly what figures my Honourable friend was referring to. But I am giving you the figures covering the complete staff of the Bank, and I think they are sufficiently convincing. I repeat them again. Whereas, since January 1921, there have been only 89 Europeans added to the staff, there have been added 222 Indians, and more than half the staff now are Indians. Possibly that is not a sufficiently rapid advance to suit the wishes of every one of the Honourable Members opposite. But I do think it indicates a very definite and serious attempt to advance along the direction which all those who support this Bill have at heart. It must always be remembered that, when the Bank was inaugurated, there were not a great number of Indians here qualified to fill the higher posts, and that banking more than any other business almost is a business which requires special knowledge and long experience.

Then, Sir, coming to the details of the Bill, the clause which it is proposed to insert as clause (c) of sub-section (2) of section 10 of the Imperial Bank of India Act, would involve the immediate dismissal of 89 European officers. Now, however, anxious this Assembly may be to advance in the direction which we have been discussing, I feel sure that they would be very careful to guard against doing injustice to any class or community and it must be remembered that whatever compensation might be paid to those officers that would be dismissed, it would be impossible to compensate them properly for the loss of their careers. If, therefore, it is desired to do anything to limit the number of Europeans employed in the Bank, it would be dangerous, and one would be running the risk of doing the greatest injustice, if at the initial stage it were attempted to proceed further than to say that, from a particular date, there should be no further increase in the European staff. That would be a far more businesslike proposal, I venture to submit, than that which is contained in the provisions of this Bill. It would be impossible to say, of course, what would be the cost of providing compensation for these officers that would have to be dismissed, and it is quite obvious that the Government could not expect the loss involved in that action to fall upon the shareholders of the Bank. After all we must remember in this case that the Bank is a private institution started by its shareholders, and the Government cannot justifiably pass legislation which would bring a heavy loss upon the company merely to give effect to a policy of this nature. The last point I would make about the dismissal of these 89 officers which this Bill would affect, is that it would of course completely upset the administration of the Bank. You cannot suddenly remove 89 of the staff without dislocating the business entirely.

Then, Sir, the clause which is to be inserted as clause (d) of sub-section (2) provides for the training of Indian graduates from recognised Universities at the London branch of the Imperial Bank. I firmly believe myself that the clause is unnecessary, and that the provisions which are now being made for training in India meet the needs of the case far better than any arrangement for training probationers in the London branch of the Bank. All the business of the Bank is done in India, and the business which the young men want to learn is Indian business. They would learn nothing useful at the London branch of the Bank, which has already been referred

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to in this debate as a species of "Post Office". Having said that, as far as concerns the Imperial Bank, I do not at all say that it would not be possible or would not be desirable for Government to consider other means for training young Indians in other banking institutions in London. That is a line of advance which I should be glad to explore. I speak with some hesitation on it because I am not quite familiar with what has been done in the past. I know that Sir Osborne Smith, the Managing Governor of the Imperial Bank, has made efforts in the past to get training in London for certain Indians, and I believe there have been certain difficulties about it and that the results have not been entirely satisfactory. Subject to these words of caution, I say that that is a line of advance which I myself would be very glad to explore.

Then, lastly, there is the provision that all future agreements with the Bank should be subject to the approval of the Legislative Assembly and should be of a temporary nature. I am not quite sure what is indicated by those words, "of a temporary nature"; but it will be clear to the House from the answer which I gave this morning that at present all our arrangements with the Imperial Bank are of a temporary nature. I made it clear that the position as from the 27th of January, of this year, would be that we should be continuing our relations with the Bank under an agreement terminable at any time at one year's notice. That is the legal position. I also made it clear that the Government would feel a great difficulty in renewing an agreement with the Bank on a permanent basis just at the present moment when so much is under discussion and so many important matters are really in the air. We do hope to get some light on these questions out of the work which is being done by the Banking Inquiry Committee, and we also hope we will be able to take a clearer view of the future when the constitutional position is reviewed after the Report of the Statutory Commission. For these reasons I myself would hesitate to commit the Government to any long agreement with the Imperial Bank at the present stage, and I think it will be very difficult successfully to attempt to review the whole of the position and the whole of the relations between the Government and the Imperial Bank just now. But

3 P.M. when I have said so much as that, I do not want to imply anything which would create in the public mind, or in the minds of the shareholders of the Imperial Bank, the impression that Government contemplate any sudden change which would do injustice to existing interests. There must be a certain amount of security in doing business; otherwise business will not be done. But I will say this, that the Government will not commit themselves further, and will not enter into serious or long commitments involving any change in the present situation, without giving some opportunity to this Assembly to know what is proposed. That is a general assurance, and I think that is far better than to attempt to legislate in the way proposed by this Bill that no change in the arrangements as between the Government and the Bank should be made without the approval of the Legislative Assembly. That would be a most embarrassing provision. The matters of detail arising as between the Bank and the Government might require handling from day to day by the Executive Government, and I think it would be quite unsuitable to provide that no changes

of that nature should be made except with the consent of the Legislative Assembly.

Sir, I think I have said enough to justify the Government taking the action they propose to take at present in opposing this Bill, and in conclusion I would only repeat again that, as far as the spirit of the Bill is concerned, I and the Government are in complete sympathy with it, and I shall at all times be ready to listen to helpful suggestions for giving effect to the desires of Honourable Members opposite. I would end with one final word, and that is that advance along these lines is not merely a matter of legislation. The Government cannot by a stroke of the pen suddenly create a body of efficient bankers in whom the whole of India will have trust. These must grow up naturally from below, and no effort of the Government which is not met, and which is not balanced by, a natural growth in the society of India will have the slightest chance of achieving the results which you desire.

Mr. N. O. Kelkar (Bombay Central Division: Non-Muhammadan Rural): Sir, I just want to make a few remarks in support of the motion of my friend Mr. Das. In the first place, I agree with the Finance Member in congratulating my friend Mr. Das upon having at last realised the object of his desire, namely, to raise in this House the question about Indianisation in the Imperial Bank of India. He has patiently waited for five years and his patience has at last been rewarded. It is only a matter of regret, however, that that patience has been rewarded when the House is so thin. I note with satisfaction what the Finance Member has said with regard to the sympathy which he entertains for the aspirations of Indians in getting employment in the Bank and rising to higher positions in the Bank. I also note with satisfaction what he has said about Government themselves contemplating that the agreement between the Bank and the Government cannot be permanent and would be renewed from time to time at short periods. But even after hearing the Finance Member's speech, I do think that we must support Mr. Das's Bill, and for this reason, that the Finance Member's criticism has been mostly destructive. He has pointed out that the Bill would not do as a practical measure. But he does not give a definite assurance about the chief plea or point that has been raised in this Bill, namely, the Indianisation of the services in the Bank. I can quite understand that the present wording of the Bill may perhaps be not exactly the kind of wording that may be desired. It may be capable of immense improvement, and I believe that, if there had been earnest discussion between the Treasury Bench and Mr. Das on this matter before this Bill was taken up, perhaps the wording might have been more suitably framed. In the absence of that, at least an assurance on the floor of this House by the Honourable the Finance Member would have gone a great way, and I would attach great importance to it even if it was only an assurance, because he is the chief financier of the Imperial Bank. It is a well known fact that, though the Imperial Bank is a shareholders' bank in a way, still its chief resource comes from Government funds, and I am absolutely certain that, if the Finance Member were to take up a definite stand, put his foot down, and say this and this thing ought to be done, then I am quite sure that the Imperial Bank would do it. But I am sorry that he has not given

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that sort of assurance even, and simply criticises the Bill in a destructive manner.

The Honourable Sir George Schuster: May I ask what sort of assurance is required? My point was that, from the figures which I gave, the Imperial Bank was advancing very fast in the direction of the Indianisation of its staff, and that the measures that have been already adopted were proving effective in attaining the object which my Honourable friend Mr. Das has in moving this Bill. If I had not been able to find evidence of that advance, I might have taken a different attitude, but in the circumstances my point is that no assurance is required so long as the Bank continues in its existing practice.

Mr. N. C. Kelkar: The assurance I want is not in the light of the interpretation of the figures of Indianisation on which the Finance Member relies, and in which he believes, but specially in the light of the demand made in this Bill, and that assurance again is half-hearted. He practically gives credit to the Imperial Bank for doing what is right, but we on this side of the House say frankly that we do not take the same view as he does about the figures of Indianisation that he has quoted. Therefore what I would have liked to have from him is an assurance, not in relation to the figures that he has quoted, but with regard to the demand that has been made in this Bill.

Now it is said that the treatment of the question of the agreement through a Bill, through statute, would not be very satisfactory. Perhaps there is something in that, but if the Charter of the Bank is given by statute, I do not see why there should not be any reference in the statute itself as to the agreement between the Bank and the Government. At present there may be an agreement, but it is entirely approved by Government alone, and the Legislative Assembly, as such, has absolutely no voice in determining the terms of the agreement, and as the Assembly is the chief custodian of the people's money, and as the Imperial Bank is chiefly supported by the people's money, this Assembly has certainly a right to claim a voice in determining the terms of the agreement also. Now, if it were a question of exchange banks or ordinary shareholders banks, we would not have been right in coming to this House with a demand of this kind, but the Imperial Bank stands on a separate basis altogether. As I have said, the Imperial Bank would not be so powerful or profitable to the shareholders were it not supported by the people's money.

What the Imperial Bank ordinarily does in the nature of training not only Indian students but also training the public at large in the methods and habits of financing—that question was sufficiently discussed when Mr. Haji some time ago moved for a Banking Inquiry. In the course of that debate it was pointed out by many speakers, including myself, that the Imperial Bank does not care a little with regard to the training to be given to the people in the methods and habits of banking. It is an absolutely imperial body, as its name shows; it is imperial and autocratic, and you have simply to attend at the office of the Imperial Bank for some time and again at the office of some private bank for some time to see the difference between the treatment given to the customers by the two banks.

The principal question raised by the Bill is manifestly Indianisation. That has been discussed already to some extent. The other question is as to the views, attitude and tendencies of the Imperial Bank; that also has been discussed and I do not want to go into the merits or demerits, the doings and the misdoings of the Bank; that has been sufficiently discussed. But what is directly aimed at in the Bill is Indianisation. Perhaps clause 2 might have been worded differently. I myself think that the wording, "that from the date of the promulgation of this Act as amended the total number of European officers shall not at any period exceed the number employed at the time of amalgamation of the Presidency Banks", in clause 2 is somewhat drastic. I personally would not make it so drastic, and I see there is some point in what the Finance Member has said with regard to abrupt changes to be made in the personnel of the Bank. Things of course could be done gradually, but there is no assurance that, even gradually, they will be made.

Then there is this demand that the London branch shall provide training for at least five Indian graduates from recognised Universities every year. Here also I am just inclined to agree more with the Finance Member than with the Mover of the Bill, and I think that the principal training that has to be secured for Indian candidates and probationers has to be secured in Indian finance and that will be done more properly in the Indian Bank itself than at the head office in London. But what Mr. Das probably had in mind was that there was such a thing as high finance, and training in that high finance cannot be obtained in India but only in London; and I do say that, even Indians deserve to be given that training in high finance which is to be obtained at the London office rather than in the Indian offices.

Now, Sir, with regard to this demand that Indians should be on the directorate or the management of the Imperial Bank, I do not think there is anything wrong in making that demand. In fact, I may point to the example of the Reserve Bank Bill which has now been dropped. If you look at that Bill, you will find that Indian directors were expressly sought to be secured by statute. Clause 8 (b) of that Bill distinctly says: "Two directors shall be Indians nominated by the Governor General in Council". That is a statutory provision in the name of Indians. I do not see why it should be supposed to be wrong to secure Indians as such by statute on the ground that it is not practicable to secure Indians at once. I may mention in passing that the Reserve Bank was supposed to be a much bigger bank in effect than the Imperial Bank itself; and if on the directorate of the Reserve Bank you could contemplate having Indians as such, I do not see any reason why there should not be a demand for Indian directors as such on the Imperial Bank. Then again in that Bill Indians were supposed to be coming in indirectly also. Clause (b) specifically mentioned Indians to be nominated by the Governor General in Council, but there were to be, in addition, directors to be chosen or selected by Indian Chambers of Commerce: manifestly the expectation was that the selected persons would be Indians. Then again a director was to be elected by the provincial co-operative banks. It was openly expected that that director would also be an Indian and very naturally. There was also a proposal originally, which was stoutly opposed by Government, but on which the House never yielded its position, that three directors should be appointed by the Indian Legislatures. I take it that at least

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two of them would have been Indians; and if I remember aright, the entire effort on the part of this side of the House at that time was to secure, not quite a large majority of Indian directors, but a very considerable number of Indian directors to be appointed on the Board of the Reserve Bank. If that be the case, I suppose, if the Bill had not been dropped under peculiar conditions and if we could have reached the end of that Bill, I think the required number of Indian directors on the Reserve Bank would have been secured. If that is the case with regard to the Reserve Bank, which was a much more important and a bigger bank than the Imperial Bank, why should any difficulty be made about Indian directors to be provided for by statute for the Imperial Bank? In the case of the Reserve Bank manifestly there was an endeavour to be made to have Indian directors on the Bank by statute. Where is then the objection to make a similar attempt with regard to the Imperial Bank?

There is only one more remark I wish to make and that is with regard to the agreement. On that matter I have already said that what the Finance Member has said does convey a sort of assurance that what Mr. Das wants to be secured by the last sub-clause of clause 2 is going to be secured more or less; but the principal point is not yet made clear as to whether the Legislative Assembly will have any voice in settling the agreement as between the Imperial Bank and the Government. So far there is no Reserve Bank on the horizon, and even in the course of the Reserve Bank Bill debate, it was contemplated that the Imperial Bank might work as the agent of the Reserve Bank; and even then the question was raised and a number of amendments were tabled to the effect that the agreement with the Imperial Bank should terminate after a certain period and that future agreements should be subjected to the approval of this House. The same demand is made here. Of course, as I said, the Finance Member has given a sort of assurance that the Legislative Assembly will be kept informed as to what the agreement is; but that is quite different from giving the Legislative Assembly an actual voice in the matter of the settlement of the agreement. With these remarks I support Mr. Das's Bill.

***Pandit Madan Mohan Malaviya** (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): Sir, we are glad to have had the assurance of the Honourable the Finance Member that his sympathies are with the object of this Bill; and I am also glad for the information that he has given with regard to the progress that has been made in the Indianisation with reference to this Imperial Bank. To the extent it has gone, it is a matter for satisfaction and thankfulness. I recognise that the Bill as it stands requires further consideration and I therefore suggest that, if the Honourable the Finance Member agrees, the Bill might be circulated for opinion.

The main points that have come out in the discussion, particularly from the Honourable the Finance Member's remarks, are the impracticability or rather the injustice, which is involved in the suggestion that the total number of European officers shall not in any period exceed the number employed at the time of the amalgamation of the Presidency Banks. I do not think that the House would desire that 89 officers or any

*Speech not revised by the Honourable Member.

number like that should be dismissed. What the Honourable the Finance Member suggested was a better course, namely, that it might be agreed that, from a certain date to be fixed, there shall be no further increase in the number of European officers. That is a suggestion which is very deserving of consideration. If we had time, possibly we might agree to lay down a proposition in a form which might be acceptable to the House generally. There is no doubt that, while the increase in the number of Indians employed has been considerable so far as numbers go, we have to take into account the emoluments and the offices which they hold, and it is high time that there was a definite policy adopted of increasing the number of Indians in the higher appointments in the service of the Bank. I therefore think that this is a matter which might very well be considered if the Bill were circulated and we had the opinions of those who have been working institutions and dealing with them.

With regard to the second point about giving training to Indian graduates in London, I agree with the Honourable the Finance Member and my friend Mr. Kelkar that provision should be made in India for giving as good a training as can possibly be given in India to suitable Indian graduates to qualify themselves as Managers or Assistant Managers in these Banks. If the Bill is circulated for eliciting public opinion, we might be able to get more definite opinions and more concrete proposals to improve the training which is at present given. It might also then be considered whether, in addition to the training which may be provided for here, there should not be a number of scholarships, say 20 or more or whatever the numbers might be, awarded to students who have taken degrees in economics to proceed to other countries besides England to take the necessary training. That is a matter which requires consideration, because when the result of the Banking Inquiry is known, whatever changes might take place in the constitution of the Government, it is obvious that in the near future a great deal of banking development must be a certainty. We cannot contemplate India going on with the present system of banking. There must be a very great expansion of banking in India, and you will require very well trained men; and men cannot be trained in a day. Therefore, Sir, I suggest that this question also deserves consideration which could be given to it if the Bill were circulated for opinions.

Thirdly, Sir, with regard to the suggestion thrown out by the Honourable the Finance Member that training might be given not so much as in the London Branch of the Imperial Bank as in other institutions, I think that supports what I have already said. There are young men who have taken the M. A. degree in economics in several universities. Several universities give degrees now in commerce. They learn a good deal of banking theoretically, but if we could arrange for institutions in London to receive a certain number of Indians as apprentices, they would be able to qualify themselves in time to be appointed as Managers and Assistant Managers.

Then we come to the appointment of one Indian at least by nomination by the Governor General in Council on the Central Board. I do not know what the practice at present is, but I do not think there should be any difficulty in accepting a statutory provision to that effect. We have been relying too long on a general desire to Indianise Departments. We want new statutory provisions, wherever we can put them in, in order to be

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assured that Indianisation shall be carried on in a definite way. I therefore think that this is also a matter which is well worthy of consideration.

Lastly I come to clause 3, which says that "all future agreements with the Imperial Bank of India shall be subject to the approval of the Legislative Assembly and shall be of a temporary nature". The Honourable the Finance Member has said that no new arrangement will be made with the Imperial Bank of India without the Assembly being informed. Well, that no doubt is very clear. But I think the House on this side wishes to have an assurance that, when the period of the present agreement with the Bank is extended, the House should have an opportunity to review the action of the Bank in different directions, to point out any deficiencies there might be, and to draw attention to those deficiencies. I think an assurance is needed from Government on that score, that the extension of the period of agreement with the Bank will not take place without the House being given an opportunity to have a say in the matter. All these points are such that they deserve to be considered further. At this stage it would be wrong, in my opinion, to ask us to pass the Bill, and it would be equally wrong to oppose the Bill. I therefore venture to put forward the suggestion that, if the Honourable the Finance Member agrees, with the leave of the Chair, I wish to move that the Bill be circulated for opinion. I hope, Sir, I have your approval, and I do move that the Bill be circulated for opinion.

Maulvi Muhammad Yakub (Rohilkund and Kumaon Divisions: Muhammadan Rural): Sir, the discussion on the Bill this morning has shown that both sides of the House, I mean the Government and the non-official Members, are in sympathy with the real object of the Bill. What is required is a modification in the language of the Bill. We find that certain clauses are not properly drafted. But, Sir, in order to achieve that object, my learned friend Pandit Madan Mohan Malaviya has suggested that the Bill should be circulated for eliciting public opinion. With due deference to the Honourable Pandit, I am unable to agree with him in the suggestion he has made. A motion to circulate the Bill for eliciting public opinion at this stage, when the Assembly is going to be dissolved in a few months, would mean killing the Bill altogether. Therefore, Sir, I would propose that, instead of the Bill being circulated for eliciting public opinion, it may be referred to a Select Committee, and after the Select Committee has met, say in the course of a week or ten days, the Bill will again be brought in the House for discussion, and then it may be passed. I hope, Sir, that the view which I have expressed will be accepted by the House.

Mr. President: Has the Honourable Member moved?

Maulvi Muhammad Yakub: I move, Sir, that the Bill be referred to a Select Committee.

Pandit Madan Mohan Malaviya: May I have your permission to withdraw my motion? I agree with the motion moved by my friend Maulvi Muhammad Yakub, and if that is accepted, I shall be very pleased.

Mr. President: Both will stand.

The Honourable Sir George Schuster: Sir, I find myself in some difficulty in dealing with both these motions at the same time. I should like to make one point perfectly clear. The Honourable the Deputy President has

made a statement that both sides are in agreement as regards the object of the Bill

Maulvi Muhammad Yakub: I said that both sides of the House are in sympathy with the object of the Bill. I thought from the speech made by the Honourable the Finance Member that he was in full sympathy with the object of the Bill.

The Honourable Sir George Schuster: I was going to say that that in a sense is perfectly true, but I want very definitely to state that, while I am in agreement with the objects which the Honourable the Deputy President has at heart, and I believe my friend Mr. Das has at heart, I am not in agreement that those objects can be achieved by legislation, and certainly not by legislation of this kind. I think that this Bill is a badly aimed shot at that particular target, which will never hit it, however far it travels. That, Sir, is my difficulty in dealing with the suggestion which came from the Honourable the Leader of the Opposition, that the Bill should be circulated for opinion. There again I am entirely in agreement with the object that it is desirable to get the opinion of the country, on this subject, but I venture to suggest that he would be doing a disservice to the cause which he has at heart if he persuaded us to allow this particular Bill to be circulated, because I think that this Bill is misdirected and does not really get down to the root of the matter at all. Therefore, anxious as I should be to meet the Honourable and learned Pandit on this question, I feel that I should have to oppose even his moderate suggestion, and taking that line, I must all the more strongly oppose the suggestion which has come from the Honourable the Deputy President of the House. "But, Sir, although I have taken that line, I should be very pleased to discuss with the Honourable the Leader of the Opposition any other method for arriving at the object which he has at heart. I do not think that any useful purpose would be served by allowing this particular Bill to be circulated for opinion. Therefore, Sir, I must oppose both the motions which have been moved.

Mr. President: The question is:

"That the Bill further to amend the Imperial Bank of India Act, 1920, for certain purposes, be referred to a Select Committee."

The Assembly divided:

AYES—22.

Aney, Mr. M. S.
Ayyangar, Mr. K. V. Rangaswami.
Das, Mr. B.
Farookhi, Mr. Abdul Latif Saheb.
Gulab Singh, Sardar.
Haji, Mr. Sarabhai Nemchand.
Iswar Saran, Munshi.
Kelkar, Mr. N. C.
Kunzru, Pandit Hirday Nath.
Lalchand Navalrai, Mr.
Malaviya, Pandit Madan Mohan.
Mody, Mr. H. P.

Moonje, Dr. B. S.
Mukhtar Singh, Mr.
Murtuza Saheb Bahadur, Maulvi Sayyid.
Neogy, Mr. K. C.
Pandya, Mr. Vidya Sagar.
Rahimtulla, Mr. Fazal Ibrahim.
Rang Behari Lal, Lala.
Sarda, Raj Sahib Harbilas.
Singh, Raja Raghunandan Prasad.
Yakub, Maulvi Muhammad.

NOES—45.

Abdul Aziz, Khan Bahadur Mian.
 Abdul Qayum, Nawab Sir Sahibzada.
 Alexander, Mr. W.
 Anwar-ul-Azim, Mr.
 Banarji, Mr. Rajnarayan
 Baum, Mr. E. F.
 Chambers, Mr. G. W.
 Chatterjee, The Revd. J. C.
 Coatsman, Mr. J.
 Cosgrave, Mr. W. A.
 Crawford, Colonel J. D.
 Crerar, The Honourable Sir James.
 Crosthwaite, Mr. H. S.
 Ferrers, Mr. V. M.
 French, Mr. J. C.
 Ghuznavi, Mr. A. H.
 Gwynne, Mr. C. W.
 Hamilton, Mr. K. L. B.
 Hira Singh Brar, Sardar Bahadur,
 Honorary Captain.
 Howell, Mr. E. B.
 Jawahar Singh, Sardar Bahadur
 Sardar.
 Lindsay, Sir Darcy.

Mitra, The Honourable Sir Bhupendra
 Nath.
 Mitter, The Honourable Sir Brojendra.
 Monteath, Mr. J.
 Mukherjee, Rai Bahadur S. C.
 Noyce, Sir Frank.
 Pai, Mr. A. Upendra.
 Parsons, Mr. A. A. L.
 Rainy, The Honourable Sir George.
 Rajah, Rao Bahadur M. C.
 Row, Mr. K. Sanjiva
 Roy, Mr. K. C.
 Sahi, Mr. Ram Prashad Narayan.
 Sams, Mr. H. A.
 Sarma, Mr. R. S.
 Schuster, The Honourable Sir George.
 Shah Nawaz, Mian Mohammad.
 Slater, Mr. S. H.
 Suhrawardy, Dr. A.
 Sykes, Mr. E. F.
 Tin Tut, Mr.
 Yamin Khan, Mr. Muhammad.
 Young, Mr. G. M.
 Zubiqar Ali Khan, Sir.

The motion was negatived.

Mr. President: The question is:

"That the Bill further to amend the Imperial Bank of India Act, 1920, for certain purposes, be circulated for the purpose of eliciting opinions thereon."

The Assembly divided:

AYES—21.

Aney, Mr. M. S.
 Ayyangar, Mr. K. V. Rangaswami.
 Das, Mr. B.
 Farookhi, Mr. Abdul Latif Sahab.
 Gulab Singh, Sardar.
 Haji, Mr. Sarabhai Nemchand.
 Iswar Saran, Munshi.
 Kelkar, Mr. N. C.
 Kurneru, Pandit Hirday Nath.
 Lalchand Navalkai, Mr.
 Malaviya, Pandit Madan Mohan.

Mody, Mr. H. P.
 Moonje, Dr. B. S.
 Mukhtar Singh, Mr.
 Murtuza Sahab Bahadur, Maulvi
 Sayid.
 Neogy, Mr. K. C.
 Pandya, Mr. Vidya Sagar.
 Rahimtulla, Mr. Fazal Ibrahim.
 Rang Behari Lal, Lala.
 Sarda, Rai Sahib Harbilas.
 Yakub, Maulvi Muhammad.

NOES—46.

Abdul Aziz, Khan Bahadur Mian.
 Abdul Qaiyum, Nawab Sir Sahibzada.
 Alexander, Mr. W.
 Anwar-ul-Azim, Mr.
 Banarji, Mr. Rajnarayan.
 Baum, Mr. E. F.
 Chambers, Mr. G. W.
 Chatterjee, The Revd. J. C.
 Coatman, Mr. J.
 Cosgrove, Mr. W. A.
 Crawford, Colonel J. D.
 Crerar, The Honourable Sir James.
 Crosthwaite, Mr. H. S.
 Ferrers, Mr. V. M.
 French, Mr. J. C.
 Ghusnavi, Mr. A. H.
 Gwynne, Mr. C. W.
 Hamilton, Mr. K. L. B.
 Hira Singh Brar, Sardar Bahadur,
 Honorary Captain.
 Howell, Mr. E. B.
 Jawahar Singh, Sardar Bahadur
 Sardar.
 Lindsay, Sir Daroy.

Mitra, The Honourable Sir Bhupendra
 Nath.
 Mitter, The Honourable Sir Brojendra.
 Monteath, Mr. J.
 Moore, Mr. Arthur.
 Mukherjee, Rai Bahadur S. C.
 Noyce, Sir Frank.
 Pai, Mr. A. Upendra.
 Parsons, Mr. A. A. L.
 Rainy, The Honourable Sir George.
 Rajah, Rao Bahadur M. C.
 Row, Mr. K. Sanjiva.
 Roy, Mr. K. C.
 Sahi, Mr. Ram Prashad Narayan.
 Sams, Mr. H. A.
 Sarma, Mr. R. S.
 Schuster, The Honourable Sir George.
 Shah Nawaz, Mian Mohammad.
 Singh, Raja Raghunandan Prasad.
 Slater, Mr. S. H.
 Sykes, Mr. E. F.
 Tin Tut, Mr.
 Yamin Khan, Mr. Muhammad.
 Young, Mr. G. M.
 Zulfiqar Ali Khan, Sir.

The motion was negatived.

Mr. President: The question is:

"That the Bill further to amend the Imperial Bank of India Act, 1920, for certain purposes, be taken into consideration."

The motion was negatived.

THE ARYA MARRIAGE VALIDATION BILL.

Mr. Mukhtar Singh (Meerut Division: Non-Muhammadan Rural): Sir, I beg to move:

"That the Bill finally to recognise and place beyond doubt the validation of inter-marriage of Arya Samajists be referred to a Select Committee consisting of Dr. B. S. Moonje, Mr. Vidya Sagar Pandya, Sardar Gulab Singh, Pandit Thakurdas Bhargava, Rai Sahib Harbilas Sarda, Mr. Fazal Ibrahim Rahimtulla, Mr. N. C. Kelkar, The Honourable the Law Member, the Honourable the Home Member, and the mover, and that the number of Members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Sir, I am indebted to the Honourable the Law Member for enunciating to-day the principle upon which Government have decided to act in the case of legislation of this kind. He has told us that, if the measure introduced has the support of the community which is affected by the measure, Government will not oppose the Bill. If this principle applies in the case of this Bill, which I had the honour to introduce, then I have simply to satisfy Government that my Bill is approved by the community to which it applies. In order to satisfy Government on this score let me point out a few relevant facts in this connection. At the time of the celebration of the centenary of the Arya Samaj at Muttra in 1925, all the Arya Samajists who gathered together decided upon the need of this measure. Then the matter was taken up in right earnest by the All-India

[Mr. Mukhtar Singh.]

Aryan League. They drafted a Bill and got it circulated to all the provincial Arya Pratinidhi Sabhas and through them to all the local Arya Samajes. The present Bill is thus the outcome of the approval of all the Arya Samajes in the country through their provincial Arya Pratinidhi Sabhas and then through the Sarvadeshak Sabha. I have taken the liberty of the introduction of this Bill at the behest of the all-India Aryan League, and this must be quite enough to satisfy Government on this point. The Bill has been before the public from the last Simla Session, when it was introduced in the Assembly. Since then I have received a number of resolutions, letters and telegrams which strongly support the Bill. Is it not enough then for Government to conclude that the Bill is really supported by the community which is affected by it? Where is the necessity then of delaying the measure any more, and why not pass it as soon as possible? If I had been an expert in the matter of drafting, like my friends Mr. B. Das and Rai Sahib Harbilas Surda, I would have made a motion for the taking into consideration of this Bill at once. But I thought there was a likelihood of improving the language to a considerable extent in the Select Committee. It may be said that there is no harm in getting it circulated so that public opinion may also be consulted in the matter. I am not at all afraid of public opinion, rather I welcome it, but my difficulty is that, if the Bill is not referred to the Select Committee this Session, there is no likelihood of its being passed during the life of this Assembly. It is after continuous attempts for the last two years that the Bill has reached this stage, and any further delay will be a great loss to the Arya Samaj community. I appeal to Government not to take advantage of their majority over this non-controversial measure and give their whole-hearted support to this Bill.

So much for the Government. I may be asked by the Honourable Members where is the necessity for such a measure? They may very well say that the Special Marriage Act of 1872 has been amended and is made applicable to all the Hindus, and so there is no necessity of such a measure. I may be permitted to say in reply that the Special Marriage Act does not meet the need of the occasion. The Special Marriage Act has been conceived in the spirit that marriage is a contract and not a sacrament, while the Arya Samaj believes marriage to be a sacrament and not a contract. Besides this there are a number of other difficulties out of which I may be permitted to quote a few disabilities of the married couples under the Special Marriage Act. Firstly, it affects the severance of the husband from the joint Hindu family of which he is a member. Every Hindu knows what it means and how it affects the social life of a Hindu if one is forced to sever his connections from the joint Hindu family. Secondly, the married couple forfeits the right to manage the Hindu family trust and charitable property. Thirdly, succession to the property of the couple is governed by the Indian Succession Act and not by the Hindu law. And fourthly, the couple loses the right of adoption. These are some of the disabilities of the Special Marriage Act, and every Member who is conversant with the culture and civilization of the Hindus will at once come to the conclusion that such a measure is quite necessary.

Besides these, it is not a case of those Hindus who do not believe in the caste system and want to avoid the shackles of the present system, but this is a case of those Hindus who do not believe in the caste system, based upon birth. I do not want to create any controversies on this point.

I simply beg to point out that every member of the Arya Samaj religiously believes in the doctrine that the caste system is a new innovation of the times and that everybody is entitled to belong to a higher *Varna* according to his qualifications, action and natural propensities. He further believes that marriage should take place according to the similarities of these three qualifications. Whether they are right or wrong in this belief is not a point for us to decide at this juncture; but when it is a fact that they religiously believe in this doctrine, I may ask, why do you force them to marry their children against their own convictions? I may tell the House that there is a large number among the members of the Arya Samaj who have acted up to their convictions and married their children without caring for the consequences. I may quote the instance of the revered late Swami Sraddhanand who married both his sons and daughters in a higher caste. Since then a number of inter-caste marriages have taken place in the country and they are now agitating for it. From the figures of the last year alone, no less than 1,682 marriages among different castes have taken place. This will at once convince the House and the Honourable Members about the necessity for such a measure. If the matter is delayed, there is a likelihood of unnecessary litigation in the country amongst the issues of such marriages which have already taken place.

With these words I move my motion.

Mr. C. W. Gwynne (Home Department: Nominated Official): Sir, I beg to move the motion which stands in my name:

"That the Bill be circulated for the purpose of eliciting opinions thereon."

It is very necessary in the case of a Bill of this character, for the reasons stated this morning by the Honourable the Law Member in replying to the motion of Rai Sahib Harbilas Sarada, that the Assembly should be in possession of the views of the communities affected. In this particular instance, it is not only the Arya Samajist community which is affected but the Hindu community generally. They are vitally concerned with some of the proposals embodied in the Bill. (An Honourable Member: "Question.") I hope to show that. The Bill was formally introduced in September last, but there has been no discussion by the several communities affected, so far as I know, on the principles underlying the Bill. Those principles may or may not be acceptable. On that point it is not for me to speak, nor am I competent to do so. But it is very desirable that the House should have more indication of the views entertained by those communities and that the public affected should have an adequate opportunity of making their views known and offering comments and criticisms and expressing their views generally as to whether the provisions of the Bill are acceptable, and if they are, whether the Bill in this form should be accepted. As I said before, the Bill affects other than the Arya Samajists, as is clear from the clauses of the Bill itself. Clause 1, sub-clause (2), clause 2 and clause 3 all embody principles which seem to require ventilation before any decision can be arrived at in regard to them. Without raising at the moment or at any time for my own part, any controversial issue, or discussing in any way the merits of the Bill, I would point out that sub-clause (2) of clause 1, by applying the provisions of the Bill with retrospective effect to marriages which have

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taken place before the Bill comes into force, affects closely the interests of other communities. The clause states:

"It shall apply to the whole of British India and shall apply to all cases that may come up for decision after the passing of the Act whether the marriage in question has taken place before or after the passing of this Act."

Clause 2 goes very wide in its definition especially in its extension of the privileges of guardianship. It is as follows: Defining an Arya Samajist, it says:

"(b) is a member of the family of, or a relative dependent on, or a person under the guardianship of, any person mentioned in clause (a)."

Sub-clause (c) of the same clause states as follows:

"and includes the members of the family of, relatives dependent on, and persons under the guardianship of, such a person."

Clause 3 closely affects a very important aspect of Hindu social organisation. It is as follows:

"No marriage of an Arya Samajist shall be invalid by reason of the couple having belonged to different castes or sub-castes of Hindus or to different religions, any law or usage or customs to the contrary notwithstanding."

Thus each of the three clauses of which the Bill consists contains a principle or proposal on which there might be a diversity of view, and for these reasons the prudent course and the wise course is that the Bill should be circulated for the purpose of eliciting opinion. I therefore hope that the Honourable Member will accept that suggestion, and that the House will agree to the motion that the Bill be circulated for the purpose of eliciting opinion.

Mr. Muhammad Yamin Khan (United Provinces: Nominated Non-Official): Sir, I have always held the view that this caste system in India has been the greatest disgrace to this country.

Pandit Madan Mohan Malaviya: Not at all.

Mr. Muhammad Yamin Khan: If my Honourable friend, the Mover of the Bill, is limiting his Bill only to the Arya Samajists, that even receives my whole-hearted support. I wish he had brought in a Bill to apply to a wider circle than to the limited circle for which he is now moving this Bill, and I hope that, in the near future, there will be a Bill presented before this House with the full concurrence of all the Hindu Members, which would remove similar disabilities existing among them at the present time in regard to marriages. If this Bill comes into force, I know that it will at least mitigate the conditions under which the depressed classes are at present suffering, and this Bill seeks to do away with one disability under which they are now suffering. Sir, under the Hindu law a man of a lower class cannot marry a lady of a higher class, and if he does so, that marriage is null and void, although a man of a higher caste can marry a lady of a lower caste, though in the latter case he takes the caste of the lady, and the children who are born to them would belong to the lower caste. What my Honourable friend should do is to try to bring the children of such marriages to the caste of the

father. Of course this will create a little difference of opinion in the country. Because, supposing a Jat marries a Brahmin lady, the children will have to take either the mother's caste or the father's caste. If they take the father's caste, then probably there will arise certain difficulties in the matter of inheritance. If the case is *vice versa*, then there will be still greater difficulties in the matter of inheritance. There are some other difficulties also in the matter which require careful consideration by the law courts also because that will bring a great change in the existing law.

With this object I think the amendment moved by my Honourable friend Mr. Gwynne is very reasonable. Before this is done, we have fully and properly to consider what the Hindu community as a whole thinks about this Bill and what the Arya Samajists, who belong to different castes at present, and who still regard themselves as belonging to the different castes, think about the Bill, and what the effect of this Bill will be in their case. Of course the Bill will receive my whole-hearted support if the Arya Samajists begin to say that they belong to no caste, that they are neither Brahmans nor Vaishyas nor Khattris nor Shudras. At that time the present Bill will be quite feasible, but until that time comes, and until they agree to this, there must be certain other provisions which ought to be embodied in the Bill which has been moved by my friend. I think that, in view of these difficulties, circulation to elicit public opinion is very necessary, so that the views of Arya Samajists may be ascertained, and the inherent difficulties which will come up in the way of inheritance may be done away with and the Bill may be drafted in such a way that no such ambiguity may remain when the law is administered. With these few remarks, Sir, I support the amendment moved by Mr. Gwynne.

The Assembly then adjourned till Eleven of the Clock on Wednesday, the 22nd January, 1930.