

Tuesday, 29th November, 1932

THE
COUNCIL OF STATE DEBATES

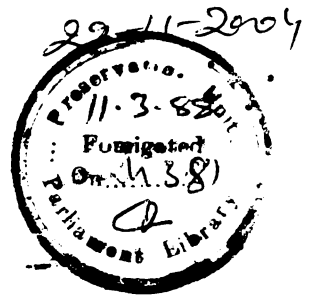
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THIRD COUNCIL OF STATE, 1932



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CONTENTS.

| | PAGES. |
|--|--------|
| TUESDAY, 20TH SEPTEMBER, 1932— | |
| Members Sworn | 1 |
| Death of Raja Laxmanrao Bhonsle | 2 |
| Questions and Answers | 2—38 |
| Statement laid on the table | 38 |
| Ruling by the Honourable the President in respect of the procedure in connection with answers furnished to Members | 39 |
| Message from His Excellency the Governor General | 40 |
| Committee on Petitions | 40 |
| Statement <i>re</i> Mr. Gandhi's release | 40—41 |
| Bills passed by the Legislative Assembly laid on the table | 41 |
| Governor General's assent to Bills | 41—42 |
| Motion for the election of two non-official Members to the Standing Committee for the Department of Commerce—Adopted | 42 |
| Resolution <i>re</i> Ratification of the International Convention for limiting the manufacture and regulating the distribution of narcotic drugs—Adopted | 42—44 |
| Statement of Business | 44 |
| Congratulations to Members, the recipients of Honours | 44 |
| WEDNESDAY, 21ST SEPTEMBER, 1932— | |
| Member Sworn | 45 |
| Questions and Answers | 45—65 |
| Resolution <i>re</i> Reports of the Retrenchment Committees to be laid on the table—Adopted | 65—82 |
| Resolution <i>re</i> Extension of the system of forming urban units under the Indian Territorial Force Act—Withdrawn | 82—88 |
| Provident Funds (Amendment) Bill—Motion to consider, negatived | 88—92 |
| FRIDAY, 23RD SEPTEMBER, 1932— | |
| Questions and Answers | 93—106 |
| Bill passed by the Legislative Assembly laid on the table | 106 |
| Nominations for election to the Standing Committee of the Department of Commerce | 106 |
| Motion for the election of two non-official Members to the Standing Committee of the Department of Industries and Labour—Adopted | 106 |
| Motion for the election of a Member to fill a vacancy in the Standing Committee for Roads—Adopted | 107 |
| Indian Emigration (Amendment) Bill—Considered and passed | 107—08 |
| Cantonments (Amendment) Bill—Considered and passed | 108—09 |
| Ancient Monuments Preservation (Amendment) Bill—Considered and passed | 109—17 |
| Trade Disputes (Amendment) Bill—Considered and passed | 117—18 |
| Port Haj Committees Bill—Considered and passed | 118—22 |
| Statement of Business | 122 |

MONDAY, 26TH SEPTEMBER, 1932—

| | |
|---|--------|
| Members Sworn | 123 |
| Statement <i>re</i> Representation of the depressed classes in the new Legislature | 123—24 |
| Questions and Answers | 124—29 |
| Motion <i>re</i> Terrorist outrage perpetrated at the Railway Institute, Pahartali—Adopted | 130—34 |
| Bill passed by the Legislative Assembly laid on the table | 134 |
| Nominations for elections to the Standing Committee in the Department of Industries and Labour and to the Standing Committee for Roads | 134 |
| Resolution <i>re</i> Abstention of voting by official Members of the Council of State in elections to Committees, etc., on which the Council is represented—Withdrawn | 135—45 |
| Resolution <i>re</i> Communal decision—Withdrawn | 145—60 |
| Resolution <i>re</i> Indianizing the services of Port Trusts—Adopted | 169—86 |
| Resolution <i>re</i> Laying of papers of the second Round Table Conference on the table—Moved | 186 |
| Statement of Business | 186 |

TUESDAY, 27TH SEPTEMBER, 1932—

| | |
|---|--------|
| Question and Answer | 187 |
| Statement laid on the table | 187—88 |
| Code of Criminal Procedure (Amendment) Bill—Considered and passed | 188—90 |

WEDNESDAY, 28TH SEPTEMBER, 1932—

| | |
|---|--------|
| Question and Answer | 201 |
| Statement by the Honourable the President expressing regret for a wrong ruling against Sir Phiroze Sethna | 201—02 |
| Postponement of the date of meeting of the Council of State fixed for the 29th September to the 30th September, 1932 | 203—04 |
| Resolution <i>re</i> Laying of papers of the second Round Table Conference on the table—Withdrawn | 204—22 |
| Resolution <i>re</i> Formation of a Committee of Experts to recommend a scheme for the reduction of the personnel and equipment of the Defence Forces—Withdrawn | 222—30 |
| Resolution <i>re</i> Communal composition of the electorate of the special constituencies given in the Communal award—Withdrawn | 230—34 |
| Election of two non-official Members to the Standing Committee of the Department of Industries and Labour | 234 |

FRIDAY, 30TH SEPTEMBER, 1932—

| | |
|--|--------|
| Questions and Answers | 235—37 |
| Statement laid on the table | 237 |
| Reports of the Retrenchment Committee laid on the table | 237—41 |
| Motion <i>re</i> Necessity for further immediate and drastic action with a view to crushing the terrorist movement in Bengal—Adopted | 241—49 |
| Tea Districts Emigrant Labour Bill—Considered and passed | 249—57 |
| Election of a Member to fill a vacancy in the Standing Committee for Roads | 257 |

TUESDAY, 29TH NOVEMBER, 1932—

| | |
|---|--------|
| Members Sworn | 259 |
| Appointment of Sir Maneckji Dadabhoj as President of the Council of State | 259 |
| Questions and Answers | 260—80 |

TUESDAY, 29TH NOVEMBER, 1932—contd.

| | |
|---|--------|
| Statement laid on the table | 281 |
| Governor General's assent to Bills | 281 |
| Communication from the Government of Bengal thanking the Members of the Council of State for the Motion adopted by them on the 26th September, 1932, in connection with the terrorist outrage perpetrated at the Railway Institute, Pahartali | 282 |
| Resignation of his seat in the Council of State by Sir Dinshaw Wacha | 282—85 |
| Death of Sir Ali Imam | 285—86 |
| Statement of Business | 286—87 |

THURSDAY, 8TH DECEMBER, 1932—

| | |
|--|---------|
| Member Sworn | 289 |
| Questions and Answers | 289—311 |
| Appointment of the Honourable Mr. Bijay Kumar Basu to the Library Committee of the Indian Legislature | 311 |
| Bill passed by the Legislative Assembly laid on the table | 311 |
| Resolution <i>re</i> Draft Convention and Recommendation concerning the age for admission of children to non-industrial employment adopted by the International Labour Conference at its Sixteenth Session—Adopted | 311—15 |
| Statement of Business | 316—17 |

MONDAY, 12TH DECEMBER, 1932—

| | |
|---|--------|
| Members Sworn | 319 |
| Questions and Answers | 319—29 |
| Death of Sir Narasimha Sarma | 329—31 |
| Criminal Law Amendment Bill—Motion to consider, adopted | 331—74 |

WEDNESDAY, 14TH DECEMBER, 1932—

| | |
|---|---------|
| Questions and Answers | 375—77 |
| Criminal Law Amendment Bill—Considered | 377—417 |
| Bill passed by the Legislative Assembly laid on the table | 417 |
| Criminal Law Amendment Bill—Considered and passed | 417—26 |
| Statement of Business | 427 |

THURSDAY, 15TH DECEMBER, 1932—

| | |
|---|--------|
| Bill passed by the Legislative Assembly laid on the table | 429 |
| Statement of Business | 429—30 |

FRIDAY, 16TH DECEMBER, 1932—

| | |
|---|--------|
| Bengal Suppression of Terrorist Outrages (Supplementary) Bill—Considered and passed | 431—39 |
|---|--------|

SATURDAY, 17TH DECEMBER, 1932—

| | |
|---|--------|
| Indian Tariff (Ottawa Trade Agreement) Amendment Bill—Motion to consider, adopted | 441—88 |
|---|--------|

MONDAY, 19TH DECEMBER, 1932—

| | |
|--|---------|
| Questions and Answers | 489—91 |
| Indian Tariff (Ottawa Trade Agreement) Amendment Bill—Considered and passed | 491—523 |
| Valedictory speeches on the retirement of the Honourable Sir Henry Moncrieff Smith | 524—28 |

COUNCIL OF STATE.

Tuesday, 29th November, 1932.

The Council met in the Council Chamber of the Council House in New Delhi at Eleven of the Clock, the Honourable the President in the Chair.

MEMBERS SWORN :

- The Honourable Khan Bahadur Mian Sir Fazl-i-Husain, K.C.S.I., K.C.I.E. (Education, Health and Lands Member).
- The Honourable Mr. Bijay Kumar Basu, C.I.E. (Bengal : Nominated Non-Official).
- The Honourable Mr. John Armstrong Shillidy, C.S.I. (Industries and Labour Secretary).
- The Honourable Sir Alan Parsons, Kt., C.I.E. (Finance Secretary).
- The Honourable Mr. Andrew Gourlay Clow, C.I.E. (Government of India : Nominated Official).
- The Honourable Mr. John Bartley (Government of India : Nominated Official).
- The Honourable Mr. Patrick William Murphy (Bihar and Orissa : Nominated Official).
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APPOINTMENT OF SIR MANECKJI DADABHOY AS PRESIDENT OF THE COUNCIL OF STATE.

THE HONOURABLE THE PRESIDENT : Before we proceed to deal with the list of questions on the paper today, I have to make brief mention of an announcement that has been made in the course of the last few days, an announcement of some moment to the Council, which at its first meeting thereafter should not be passed over, I think, in silence. I am referring of course to the fact that His Excellency the Governor General has selected our Honourable friend and colleague Sir Maneckji Dadabhoy to preside over the Council after the conclusion of the current session. (Applause.) At the same time I feel—and I know that Sir Maneckji Dadabhoy feels with me and it is at his suggestion that I am taking this course—that no more than a brief reference to the matter from the Chair is desirable on this occasion. Honourable Members will find a more suitable occasion to express their feelings when Sir Maneckji takes the Chair in this House as President for the first time. I shall have an occasion myself to revert to the matter possibly later in the current session. Honourable Members have had or will have an opportunity to tender their congratulations to Sir Maneckji privately and for the moment I would ask them to leave it at that. I can only say for my own part that I was very glad to see the announcement. I congratulate Sir Maneckji warmly and equally warmly I congratulate the Council on the choice that has been made.

QUESTIONS AND ANSWERS.

BILLETING OF BRITISH TROOPS NEAR THE DHAKESWARI TEMPLE.

125. THE HONOURABLE MR. JAGADISH CHANDRA BANERJEE :
(a) Has the attention of Government been drawn to the news item under the triple headline caption, "Menace to Dhakeswari Temple: Location of Troops: Dacca Hindu Sabha's Protest" published in the third dak edition of *Liberty* of Calcutta of the 24th September, 1932 ?

(b) What have Government done in regard to the matter dealt with in the news item referred to above ?

(c) Had Government consulted the local authorities as well as public bodies such as the Dacca Municipality, Dacca District Board, East Bengal Landholders' Association, Dacca, Dacca Peoples' Association and the Dacca Hindu Sabha before selecting the site near the Dhakeswari Temple for billeting British troops ?

(d) Who selected the site and under whose instructions ?

(e) Is it a fact that the site in question was originally the property of the Dhakeswari Temple and was acquired by Government on the definite understanding that the site would be used for quartering Hindus only ?

(f) Is it a fact that on ceremonious occasions thousands of pilgrims flock to the Dhakeswari Temple and use the land in question for holding *melas* (fairs) and other purposes ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : (a) Yes.

(b) The District Magistrate of Dacca visited other sites but found them unsuitable. A wire fence and a screen have been put up so that the camp will in no way interfere with the resort of men and women to the temple. The local civil authorities are satisfied that the site is the only suitable one available.

(c) No, but deputations from the Bar Association and the Hindu Sabha suggested alternative sites to the District Magistrate, who, as stated above, found them to be unsuitable.

(d) The site was selected by the military authorities and approved by the District Magistrate—

THE HONOURABLE MR. JAGADISH CHANDRA BANERJEE :
Supplementary question, Sir ?

THE HONOURABLE THE PRESIDENT : The Honourable Member will allow His Excellency to finish the answer to the question.

HIS EXCELLENCY THE COMMANDER-IN-CHIEF—(e) I am informed that the site belonged to a few private gentlemen, Hindu and Muhammedan, before it was acquired by Government in 1907 for the purpose of building quarters for Government clerks. No undertaking of the kind suggested by the Honourable Member was, or could have been, given.

(f) I am informed that pilgrims do resort to the temple but that they have no right to use the land in question and in fact have never done so.

THE HONOURABLE MR. JAGADISH CHANDRA BANERJEE : Sir, with reference to the answer to part (d) of question No. 125, on a point of information may I ask whether Government have ever considered that free worship, religious rights and pilgrimage of the Hindus to the temple may be interfered with and their religious susceptibilities wounded by quartering British soldiers in such close proximity to the temple ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : I am afraid I could not understand at this distance what the Honourable Member said. I suggest, Sir, if you agree, he might put it as a new question for another day.

THE HONOURABLE MR. JAGADISH CHANDRA BANERJEE : Sir, are Government aware of the distance of the temple from the barracks of the soldiers ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : I have no information on that point, Sir.

THE HONOURABLE MR. JAGADISH CHANDRA BANERJEE : Sir, will Government kindly give an assurance that soldiers who are ignorant of Hindu religious rites, customs and sanctity of Hindu temples, may not commit acts that may wound the religious susceptibilities of the Hindus ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : Certainly, Sir.

TOTAL NUMBER OF BRITISH TROOPS TEMPORARILY QUARTERED AT DACCA IN 1914.

126. **THE HONOURABLE MR. JAGADISH CHANDRA BANERJEE :** (a) Will Government be pleased to state where the soldiers were temporarily quartered at Dacca in the " Concentration " of 1914 ?

(b) Will Government be pleased to state how many British regiments came to Dacca in 1914 and what was the total number of British soldiers ?

(c) Have Government considered the removal of the British troops who are now being billeted near the Dhakeswari Temple to the site where the British troops were quartered in 1914 or to some other place ?

(d) Is it a fact that the site in question where the British troops are being quartered now was formerly selected for the Moslem Hall of Dacca University but on the objection of the Hindus the idea of erecting the Moslem Hall was abandoned ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : (a) and (b). I lay on the table a statement giving the information.

(c) As I have already informed the Honourable Member in reply to part (b) of the previous question, the local civil authorities do not consider that any other suitable site is available. The buildings in which the greater number of the troops were billeted in 1914 are no longer available as they have been made over to the Dacca University.

(d) There is no information on this subject.

Statement showing the names and numbers of British troops and situation of camps in Dacca during the "Concentration" of 1914.

| (a) | Unit. | Situation of camp in Dacca during "Concentration" of 1914. | |
|-----|--|--|--|
| | Eastern Bengal Volunteers | Site of old Volunteer Corps. | |
| | Two Indian Infantry battalions | Indian Infantry lines at Peel Khana and camp to the west of the Race Course. | |
| | Sappers and Miners | } Camps to the west of the Race Course. | |
| | Sanitary Section | | |
| | Supply and Transport Depot | | Near Dacca railway station. |
| | Remaining troops | | Secretariat and Press buildings and camps between those buildings and Shah Bagh. |

(b)

- 7th Battery, Royal Field Artillery.
- 10th Battery, Royal Field Artillery.
- 66th Battery, Royal Field Artillery.
- 92nd Battery, Royal Field Artillery.
- 2nd Battalion, Royal Fusiliers.
- 2nd Battalion, King's Own (Royal Lancaster) Regiment.
- 2nd Battalion, East Surrey Regiment.
- 2nd Battalion, Black Watch.
- 4 Companies of the 1st Battalion, Argyll and Sutherland Highlanders.
- Eastern Bengal Volunteer Rifles.

The total numbers of British other ranks in Dacca at the commencement and conclusion of the Concentration of 1914 were 3,231 and 3,119, respectively.

MISAPPROPRIATION OF MONEY BY A HEAD BOOKING CLERK OF THE ASSAM BENGAL RAILWAY.

127. THE HONOURABLE MR. JAGADISH CHANDRA BANERJEE :

(a) Is it a fact that a serious case of fraud occurred on the Assam Bengal Railway where a head booking clerk managed to misappropriate Rs. 53,202 from 1927 to 1929 ?

(b) What is the name of the head booking clerk and how was the fraud detected ?

(c) Will Government be pleased to state the *modus operandi* of the said fraud ?

(d) When was the fraud first detected ?

(e) What action was taken against the said head booking clerk ?

(f) Was he prosecuted by the Railway authorities ? If so, what was the result of the prosecution ?

(g) Was there any other case of fraud on the Assam Bengal Railway ? If so, will Government be pleased to make a statement on it ?

THE HONOURABLE MR. J. C. B. DRAKE : (a) to (f). The full facts of the case are given in paragraph 102 of the Report of the Director of Railway Audit on the Appropriation Accounts of Indian Railways for 1930-31.

(g) The facts are given in paragraph 75 of the Report of the Director of Railway Audit on the Appropriation Accounts of Indian Railways for 1929-30.

ACQUISITION OF LAND BY RAILWAYS.

128. THE HONOURABLE MR. JAGADISH CHANDRA BANERJEE :
 (a) Will Government be pleased to state if there had been any investment by any railway between the years 1924-25 which caused a loss of several lakhs of rupees in regard to the matter of acquisition of some lands near Calcutta ?

(b) Has any use been made of those lands yet ?

(c) Are they still lying vacant ?

(d) Will Government be pleased to state what control the Railway Board exercise over the Railways in respect of acquisition of lands and what measures they are adopting against the Railways to put a stop to such investments ?

THE HONOURABLE MR. J. C. B. DRAKE : (a) If I am correct in presuming that my Honourable friend is referring to the transaction referred to in paragraph 119 of the Report by the Director of Railway Audit on the Appropriation Accounts for 1930-31, I may explain that the land was required for certain improvements to be made to the yard at Garden Reach consequent on the increase of local traffic and the need for construction of staff quarters. The Port Commissioners were, about that time, acquiring all the lands adjoining the railway boundaries, and the opportunity for acquiring the land had to be taken. The land could not, however, be utilised for the purpose for which it was purchased owing to the fall in railway traffic and the curtailment of the programme of works on railways but it will certainly be required for railway purposes when normal conditions return.

(b) No, except a small strip of land which has been utilised for housing the watchmen of the Watch and Ward Department, and a double-storied building valued at Rs. 35,000 which has been recently utilised as a godown for railway forms.

(c) Yes, with the exceptions mentioned in the reply to part (b).

(d) Under the existing rules, land can be acquired without the sanction of the Railway Board only in cases in which it is required in connection with a work which is within the powers of the Agent's sanction. All other cases of acquisition, including those in which it is necessary to acquire land in anticipation of the preparation of an estimate for a scheme, or independently of any particular work, are required to be sanctioned by the Railway Board. Government consider that the existing rules are adequate to exercise necessary control in this matter.

THE HONOURABLE MR. BIJAY KUMAR BASU : Sir, I would like to know if there are any other lands, beyond the lands mentioned in the paragraph referred to by the Honourable Member, of a like description which are still lying vacant and which belong to Government ?

THE HONOURABLE MR. J. C. B. DRAKE : I must ask for notice of that question, Sir.

**INEFFICIENCY OF INTERNAL CHECK AND FRAUDS AND MISAPPROPRIATIONS
IN RAILWAY ACCOUNTS.**

129. THE HONOURABLE MR. JAGADISH CHANDRA BANERJEE : Will Government be pleased to state what steps they have taken to prevent inefficiency of internal check and frauds and misappropriations in Railway Accounts ?

THE HONOURABLE MR. J. C. B. DRAKE : If my Honourable friend is referring to the instances mentioned in the Reports of the Director of Railway Audit on the Appropriation Accounts of Indian Railways, I would invite him to peruse the Reports of the Public Accounts Committee thereon and the evidence of the departmental witnesses given before it.

THE HONOURABLE MR. ABU ABDULLAH SYED HUSSAIN IMAM : Sir, will the book that the Honourable Member has referred to be circulated to the Members of the Legislature ?

THE HONOURABLE MR. J. C. B. DRAKE : Yes, Sir.

MECHANISATION OF STORES ACCOUNTS ON CERTAIN RAILWAYS.

130. THE HONOURABLE MR. JAGADISH CHANDRA BANERJEE :
(a) Will Government be pleased to make a statement on the mechanisation of Stores Accounts in some Railways ?

(b) When was it commenced and when was it abandoned and why ?

THE HONOURABLE MR. J. C. B. DRAKE : (a) In February, 1930, a scheme was started on the North Western Railway for the mechanisation of Stores Accounting. It was proposed to compile the accounts, to send out debits to consuming departments, and to work out balances on hand, with the help of the Hollerith machines. The work meant devising new methods for detailed accounting processes so as to suit the machines. It was expected to help in the speedier and more accurate preparation of accounts, and ultimately to reduce the cost of keeping the books and accounts. Part of the scheme included the working out of balances on hand. This would have led to the scrapping of the records previously maintained by the Controller of Stores. Without the completion of this portion of the work the scheme would not have given the monetary relief that was expected from it and further experimentation was necessary before this result could be achieved. When the scheme was fairly advanced in respect of the compilation of accounts and sending out debits to consuming departments, and while the accuracy of the actual balances was still under test the experiment had to be closed on grounds of financial stringency.

(b) The experiment was started on the North Western Railway in February, 1930, was later extended to the Eastern Bengal and Great Indian Peninsula Railways and was closed on all Railways in June, 1931, as a measure of retrenchment.

**SUPPLY OF THE ANNUAL REPORT OF THE ADMINISTRATION OF INDIAN
RAILWAYS TO MEMBERS OF THE CENTRAL LEGISLATURE.**

131. THE HONOURABLE MR. JAGADISH CHANDRA BANERJEE : Is the Annual Report of the Administration of Indian Railways supplied to each Member of the Central Legislature ? If not, why not ?

THE HONOURABLE MR. J. C. B. DRAKE : Copies of the Administration Report on Indian Railways are not supplied to each Member of the Central Legislature, but six copies of the Report are placed in the Library for the use of the Members. The supply of these Reports as a matter of ordinary routine to all Members would involve a considerable amount of expenditure; but I may assure the Honourable Member that requests from individual Members of the Legislature for copies receive due consideration.

THE HONOURABLE MR. JAGADISH CHANDRA BANERJEE : What will be the approximate cost, Sir ?

THE HONOURABLE MR. J. C. B. DRAKE : I have not got the figures with me, Sir.

COUNTRY OF ORIGIN, QUANTITY, VALUE AND PORTS AT WHICH ARTIFICIAL SILK IS IMPORTED.

132. THE HONOURABLE MR. V. C. VELLINGIRI GOUNDER : Will Government be pleased to furnish particulars of the several ports in India at which artificial foreign silk is imported and the quantity and value of such silk arriving at those ports and from what countries ?

THE HONOURABLE MR. J. C. B. DRAKE : The Honourable Member is referred to Table 13 of Volume I and Table 12 of Volume II of the Annual Statement of the Sea-borne Trade of British India, copies of which are in the Library.

REORGANISATION OF THE INCOME-TAX DEPARTMENT IN THE UNITED PROVINCES.

133. THE HONOURABLE RAI BAHADUR LALA JAGDISH PRASAD : (a) Will Government be pleased to state if there is a scheme of reorganisation of the Income-tax Department at present under operation in the United Provinces ?

(b) How many Income-tax officers in the United Provinces are going to be retrenched under this scheme ?

(c) What is the period of service put in by each of these officers ?

(d) Is it a fact that two of them are deputy collectors ?

(e) Is it a fact that these two officers are being brought under retrenchment while some of the deputy collectors senior to them will continue to be in service ?

(f) Why should not these officers be reverted to their old posts in the United Provinces Civil Service ? Do they not still hold a lien in their regular line ?

(g) Is it a fact that a superannuated Urdu-knowing Income-tax officer is proposed to be given an extension of service ?

(h) Is it a fact that three of the Income-tax officers proposed to be retrenched belong to the direct recruits who have served the Government from 8 to 11 years and are permanent hands ? Is it a fact that they are neither the seniormost nor the juniormost officers in the department ?

(i) Is it a fact that one of these officers was only recently allowed to cross the efficiency bar ?

(j) Is it a fact that out of the officers to be retained (i) some two were stopped at the efficiency bar, (ii) two are practically invalids and are mostly on medical leave, (iii) one or two had the adverse remarks of the Commissioner of Income-tax communicated to them, and (iv) one was rejected by the medical board for deafness, but the Income-tax Commissioner allowed him to appear before another medical board after some treatment and time ?

(k) Why have the abovementioned officers not been considered better qualified for reduction than some of the officers ordered to go ?

(l) Will Government kindly make a declaration of their policy as to the basis on which these Income-tax officers are being retrenched and new hands are being recruited in the Income-tax Department in the United Provinces under the present scheme of re-organisation ?

THE HONOURABLE SIR ALAN PARSONS : (a) The scheme is one for concurrent retrenchment and reorganisation.

(b) Five.

(c) The periods were :

29 years, 10 months, 7 days,

31 years, 7 months, 9 days,

11 years, 6 months, 7 days,

11 years, 6 months, 7 days, and

7 years, 7 months.

(d) Yes.

(e) One Deputy Collector, to whom an extension of service was granted by the United Provinces Government, has more service than one of the retrenched Provincial Civil Service Income-tax officers.

(f) This question is under consideration.

(g) No ; if by " Urdu-knowing," the Honourable Member means " ignorant of English."

(h) Yes.

(i) Two of these officers were allowed to cross the efficiency bar in January, 1930.

(j) (i) The two officers to whom the Honourable Member apparently refers were allowed increments in January, 1931 and March, 1932, respectively, after their work had been pronounced quite satisfactory.

(ii) No.

(iii) I am not prepared to disclose the contents of confidential reports.

(iv) With the approval of the medical board the officer has been allowed to undergo treatment for six months after which he will again appear before the same medical board. On two previous occasions he was declared fit by medical boards.

(k) They are considered to be better qualified for retention than the officers retrenched.

(l) The retrenchment has been made on the same lines as retrenchment elsewhere. The reorganisation, which is being undertaken in the interests of economy and efficiency, involves the recruitment of a subordinate agency to perform some of the functions now discharged by the more expensive agency of Income-tax officers.

POLICY FOLLOWED BY GOVERNMENT IN THE REORGANISATION OF THE INCOME-TAX DEPARTMENT IN BENGAL AND BIHAR AND ORISSA.

134. THE HONOURABLE RAI BAHADUR LALA JAGDISH PRASAD : What was the policy followed by the Government in Bengal and Bihar when the Income-tax Department of those provinces was reorganised some years ago ? Was that policy different from the policy now being followed in the case of the United Provinces ; and if so, in what manner ?

THE HONOURABLE SIR ALAN PARSONS : The policy followed in Bengal and Bihar and Orissa was to introduce the system that is now being introduced in the United Provinces, but there was no concurrent emergency retrenchment in the two provinces first mentioned.

REORGANISATION AND RETRENCHMENT IN THE INCOME-TAX DEPARTMENT, UNITED PROVINCES.

135. THE HONOURABLE RAI BAHADUR LALA JAGDISH PRASAD : Has the attention of Government been drawn to the complaints that recently appeared in the public press on the subject of the present method of reorganisation and retrenchment of the Income-tax Department in the United Provinces ?

THE HONOURABLE SIR ALAN PARSONS : Yes.

THE HONOURABLE RAI BAHADUR LALA JAGDISH PRASAD : Has the Government considered those complaints, Sir ?

THE HONOURABLE SIR ALAN PARSONS : Government have certainly considered very carefully all the various representations which have come before them with regard to the reorganisation of the Income-tax Department in the United Provinces.

ALTERATION OF THE DATE OF BIRTH OF THE COMMISSIONER OF INCOME-TAX, UNITED PROVINCES AND CENTRAL PROVINCES.

136. THE HONOURABLE RAI BAHADUR LALA JAGDISH PRASAD : (a) Is it a fact that the present Income-tax Commissioner of the United Provinces and the Central Provinces had his date of birth altered on his representation from October, 1875 to October, 1876, and that he was thus enabled to remain in office for a year more ?

(b) Is it a fact that he was given a year's extension of service in 1931 ? And is it a fact that it is proposed to give him one more year's extension ?

(c) Is it a fact that the Government are turning out officials of more than 25 years' standing and also those who have put in less than 25 years' service on various grounds as a measure of retrenchment ?

(d) If so, why are certain superannuated hands who have put in full service being retained ?

THE HONOURABLE SIR ALAN PARSONS : (a), (b) and (c). Yes.

(d) The retention of this officer was sanctioned, in accordance with the rules on this subject, on the ground that it was in the public interest.

DEATHS AMONG REPATRIATES ON BOARD THE EMIGRANT SHIP "GANGES."

137. THE HONOURABLE RAI BAHADUR LALA JAGDISH PRASAD :
(a) Is it a fact that 11 repatriates died on board the emigrant ship "Ganges" recently ?

(b) If so, what was the cause of the death of these repatriates ?

(c) Is it a fact that before repatriates are allowed to embark, the ship's surgeon has to certify as to their fitness to undertake the voyage ?

(d) Were the certificates of fitness obtained in the case of these repatriates ?

(e) Have Government received complaints of overcrowding and disregard of the comforts of passengers on emigrant ships ?

(f) Is it a fact that eight deaths occurred on board the "Elephanta" in May last ?

(g) Do Government propose to take any steps in the matter ?

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

(b) The eleven deaths were made up of five cases of chronic asthma, two of pneumonia, one of chronic colitis, one of ankylostomiasis, one of malaria and anaemia and one of general debility. These who died were mostly certified invalids.

(c) Yes.

(d) A certificate was given that no immigrant had contagious disease, that the majority were strong and healthy and that the condition of those who were invalids afforded reasonable hope that they would reach India. Three were declared unfit to travel but insisted on returning to India. None of these three died.

(e) No, not since the S.S. "Ganges" replaced the S.S. "Sutlej."

(f) Yes.

(g) Government went into this matter thoroughly in connection with the deaths which occurred on board the S. S. "Sutlej" some time ago and believe that as a result of suggestions made by them all reasonable steps have been taken to dissuade those who are unfit to travel from returning to India and to ensure proper medical aid for those who decide to travel.

IMPORT OF SALT INTO INDIA.

138. THE HONOURABLE RAI BAHADUR LALA JAGDISH PRASAD :
(a) Is it a fact that the imports of foreign salt into India during the twelve months ending 31st March, 1932 totalled 84,704 tons ?

(b) Is it a fact that the imports of the commodity during the five months ending August, 1932 reached the figure of 90,048 tons ?

(c) Is it a fact that the fair selling price of salt according to the Tariff Board is Rs. 66 per hundred maunds ?

(d) Is it a fact that some of the recent sales of foreign salt have been made at the rate of Rs. 30 per hundred maunds ?

(e) Is it a fact that Indian salt has been adversely affected by these rates with the result that while the golah stocks on 21st March were only 19 lakhs of maunds, the golah stocks of 7th September were 29½ lakhs of maunds ?

(f) Is it a fact that a systematic attempt is being made by foreign interests to capture the salt market of Bengal and to deal a fresh blow to this nascent Indian industry ?

(g) Do Government propose to take any steps to protect the Indian salt industry against this foreign competition ?

THE HONOURABLE SIR ALAN PARSONS : (a) No. The imports amounted to 149,953 tons.

(b) No. The quantity imported in the five months, April to August, 1932, was 92,545 tons.

(c) Yes, for second quality sea-borne crushed salt in bulk.

(d) Yes ; but for purposes of comparison with the fair selling price it is necessary to add Rs. 28-2-0 per hundred maunds, which is the additional duty.

(e) An opinion cannot be expressed on the point raised in this part of the question until the enquiry to which I shall refer later has been completed. The golah stocks in Bengal on the dates specified were as stated by my Honourable friend.

(f) and (g). Representations having been received that African salt was being dumped in India at prices below the fair selling price, the Government of India have ordered a public enquiry such as is contemplated by section 4 of the Salt (Additional Import Duty) Act to be conducted by the Collector of Customs, Calcutta, to enable them to determine whether the import duty should be increased.

RESERVATION OF APPOINTMENTS OF COMMISSIONERS OF INCOME-TAX FOR MEMBERS OF THE INDIAN CIVIL SERVICE IN CERTAIN PROVINCES.

139. THE HONOURABLE MR. JAGADISH CHANDRA BANERJEE : Will Government be pleased to state if it is a fact that the posts of Commissioners of Income-tax in certain provinces are hereafter to be reserved exclusively for the members of the Indian Civil Service ? If so, in what provinces and for what reasons ?

THE HONOURABLE SIR ALAN PARSONS : No.

ABOLITION OF PIONEER UNITS.

140. THE HONOURABLE MR. V. V. KALIKAR : Will Government be pleased to state :

(a) If it is a fact that the Secretary of State for India has given his approval to the proposal for the abolition of pioneer units in India ?

(b) If the answer to part (a) be in the affirmative, the number of persons, Indians and Europeans, likely to be discharged under the proposal ?

(c) The amount of savings likely to be effected in the Army Expenditure ?

(d) Is there any scheme under the consideration of Government to absorb the persons discharged under the proposal ? If so, the nature of the scheme ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : (a) Yes, Sir.

(b) and (d). 92 British and six Indian officers holding the King's Commission and 5,623 Indian ranks are involved in the abolition of these units. It will be possible to absorb nearly all the King's Commissioned officers in other units of the Indian Army, but about five per cent. who cannot be so absorbed, will have to be retired.

Of the Indian ranks, 3,541 will be transferred to other units of the Army and 2,082, including 823 Hazaras, will be discharged. That is to say, if the Hazaras are left out of account, about 26 per cent. of the Indian personnel will be discharged and will receive mustering-out concession and about 74 per cent. will be retained in other branches of the Army.

(c) A saving of between Rs. 20 and 25 lakhs is anticipated.

STOPPAGE OF THE SPECIAL FACILITIES AFFORDED TO MR. GANDHI FOR INTERVIEWS WITH LEADERS OF VARIOUS COMMUNITIES.

141. THE HONOURABLE MR. V. V. KALIKAR : Will Government be pleased to state :

(a) If it is a fact that special facilities afforded to Mahatma Gandhi for interviews with the leaders of the various communities have been stopped ?

(b) If the answer to part (a) be in the affirmative, the reasons for curtailing the facilities for interviews ?

(c) Is it a fact that requests were made by Maulana Shaukat Ali to His Excellency the Viceroy to allow him (Maulana Shaukat Ali) to grant interviews with Mahatma Gandhi ?

(d) Was the request rejected ? If so, why ?

THE HONOURABLE MR. M. G. HALLETT : (a) and (b). The normal restrictions on Mr. Gandhi as a State Prisoner were relaxed last September in order that he should be accorded full facilities for discussing the problem of the depressed classes and endeavouring to effect an agreement with them. When this object had been attained by the agreement that was entered into by the leaders of the caste Hindus and the depressed classes, and when the provisions in it relating to the Communal Award had been accepted by His Majesty's Government, the purpose for which the facilities were granted had been served, and the exceptional treatment given for an exceptional purpose was discontinued. Government, however, continued to give certain facilities for the discussion by Mr. Gandhi of problems connected with the removal of untouchability. Recently Mr. Gandhi represented that if he was to carry out the programme which he has set before himself in regard to the removal of untouchability, it is necessary that he should have greater freedom in regard to visitors and correspondence on matters strictly limited to this question. The Government do not wish to interpose obstacles to Mr. Gandhi's efforts in connection with the problem of untouchability, which as Mr. Gandhi has pointed out, is a moral and religious reform, having nothing to do with civil disobedience. Government have, therefore, removed all restrictions on visitors, correspondence and publicity in regard to matters which are strictly limited to the removal of untouchability. Restrictions, however, in regard to interviews of a specifically political character stands on a totally different footing. The position in regard to these remains unchanged.

(c) Yes.

(d) Yes, because Government cannot permit Mr. Gandhi as a State Prisoner to take part in ordinary political discussion.

UNITY CONFERENCE AT ALLAHABAD.

142. THE HONOURABLE MR. V. V. KALIKAR: In connection with the Unity Conference at Allahabad does Government propose to support the attempts of the various communal leaders to establish unity among all the communities?

THE HONOURABLE MR. M. G. HALLETT: I would invite the attention of the Honourable Member to paragraph 4 of the Communal Decision in which it was stated that His Majesty's Government wished it to be most clearly understood that they themselves can be no parties to any negotiations which may be initiated with a view to the revision of their decision, though they are most desirous to close no door to an agreed settlement, should such happily be forthcoming.

RELEASE OF MR. GANDHI.

143. THE HONOURABLE MR. V. V. KALIKAR: Does Government propose to release Mahatma Gandhi with a view to strengthen the efforts of the leaders of the various communities for establishing peace and unity in India?

THE HONOURABLE MR. M. G. HALLETT: I would refer the Honourable Member to the statement made by the Secretary of State in the House of Commons on the 29th April last.

COST OF STORES PURCHASED FOR THE ARMY DEPARTMENT IN 1931-32.

144. THE HONOURABLE MR. V. V. KALIKAR: (a) Will Government be pleased to state the cost of the stores purchased for the Army Department in the year 1931-32 and the names of the countries from which they were purchased?

(b) Does the Army Department purchase its stores through the Indian Stores Department? If so, to what extent?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF: (a) The cost of stores charged to Army Estimates in 1931-32, exclusive of Military Engineer Services stores purchased in India, about which I have called for further information, was about Rs. 640 lakhs. Information is not available as to the countries from which the stores were purchased.

(b) The policy is to purchase through the Indian Stores Department whenever this can be done more cheaply and without loss of efficiency.

All Army requirements of textiles and engineering stores for the Military Engineer Services are obtained by indent on the Indian Stores Department and certain other miscellaneous stores are drawn against running contracts concluded by that Department. During 1931-32, military stores to the value of Rs. 1 crore and 38 lakhs were purchased through the Indian Stores Department.

**INTERVIEWS WITH PRISONERS CONVICTED IN CONNECTION WITH THE
CIVIL DISOBEDIENCE MOVEMENT.**

145. **THE HONOURABLE MR. V. V. KALIKAR :** (a) Will Government be pleased to state if they have issued instructions to the Provincial Governments to allow interviews to the relatives of the political prisoners by shutting up the latter in closed iron-net rooms ? If so, the reasons for issuing the instructions ?

(b) Is it a fact that the Central Provinces Government has recently introduced in the Central Provinces Jails the system mentioned in part (a) ?

THE HONOURABLE MR. M. G. HALLETT : (a) The Government of India have issued no such instructions.

(b) No.

CHARGES MADE BY WAR OFFICE UNDER THE HEAD " DEFENCE. "

146. **THE HONOURABLE MR. ABU ABDULLAH SYED HUSSAIN IMAM :** Will the Government of India give the following information about their case in dispute with the War Office :

(a) the total amount of payment to which objection is taken ;

(b) the details of (a) and the budget heads under which shown in Military Estimates ;

(c) the year from which retrospective effect is demanded ;

(d) the year from which the War Office has agreed to give retrospective effect ;

(e) the total amount of reimbursement demanded from the War Office on account of such disbursements, which are now debited to the Government of India alone, but which in the view of the Government of India ought to be a joint charge ;

(f) the details of (e), if any ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : (a), (b), (c), (d), (e) and (f). The whole question is now being considered by the Tribunal in London, and I am sure the Honourable Member will agree with me that, while this is so, it would be inappropriate for me to go into the details of the case which has been laid before the Tribunal on behalf of the Government of India. I think, however, that he will find most of the information for which he asks in the Honourable the Finance Member's speech on the Finance Bill on the 10th March, 1931.

PAYMENTS ON ACCOUNT OF NATIONAL HEALTH INSURANCE AND UNEMPLOYMENT INSURANCE ACTS A CAPITATION CHARGE.

147. **THE HONOURABLE MR. ABU ABDULLAH SYED HUSSAIN IMAM :** Is the payment on account of National Health Insurance and the Unemployment Insurance Acts regarded as a capitation charge ? If not, why not ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : No, Sir, because the capitation charges are intended to cover the expenditure incurred by His Majesty's Government on the recruitment and training of British soldiers for service in India.

NUMBER OF MARRIED AND UNMARRIED BRITISH OTHER RANKS ON THE 31ST MARCH, 1932.

148. THE HONOURABLE MR. ABU ABDULLAH SYED HUSSAIN IMAM : Will Government state the total number of married and unmarried British other ranks in the Army on the 31st March, 1932 ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : In order to obtain the information desired by the Honourable Member, it would be necessary to make a reference to a large number of Commanding Officers, and the accuracy of the figures obtained from them could not be guaranteed, as there are no official records of the number of married soldiers under 26 years of age. It is estimated, however, that about 10 per cent. of the British other ranks in India on the 31st March, 1932, were married and 90 per cent. unmarried.

PER CAPITA RATE OF PAYMENT PER ANNUM FOR NATIONAL HEALTH INSURANCE AND UNEMPLOYMENT INSURANCE ACTS.

149. THE HONOURABLE MR. ABU ABDULLAH SYED HUSSAIN IMAM : Will Government state the *per capita* rate of payment per annum for National Health Insurance and Unemployment Insurance Acts ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : The amount payable in respect of National Health Insurance is 13s. a year for each British soldier on the Indian establishment.

A sum of £14 is at present paid by the Army Council on account of Unemployment Insurance for each soldier discharged from the Army. The Government of India's contribution is determined by the ratio that the strength of British troops on the Indian establishment bears to the total strength of British troops.

THE HONOURABLE MR. ABU ABDULLAH SYED HUSSAIN IMAM : Do you take into view the period of stay in India ? Is that the criterion, Sir ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : Does the Honourable Member wish to know the average length of stay in India of British troops, Sir ?

THE HONOURABLE MR. ABU ABDULLAH SYED HUSSAIN IMAM : Sir, I wish to know if that is the criterion for fixing the proportionate rates ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : I cannot understand the Honourable Member. Perhaps if he would meet me afterwards—and then he can put another question for another day.

THE HONOURABLE MR. ABU ABDULLAH SYED HUSSAIN IMAM : Very well, Sir.

EXEMPTION OF THE ARMY FROM THE PROVISIONS OF THE NATIONAL HEALTH INSURANCE AND UNEMPLOYMENT INSURANCE ACTS.

150. THE HONOURABLE MR. ABU ABDULLAH SYED HUSSAIN IMAM : (a) Is it a fact that there is a specific section in the National Health Insurance Act or Unemployment Insurance Act, exempting the Army from the provisions of the Act ?

(b) Is it a fact that there is a specific section in the Unemployment Insurance Act exempting the employers guaranteeing continuity of service from the provisions of the Act ?

(c) Is it a fact that there is a specific section of the National Health Insurance Act exempting the employers taking care of the health of their employees from the provisions of the Act ?

(d) If the reply to (a), (b) and (c) is in the affirmative, has Government protested against the payments referred to in the preceding question ?

(e) What is the *per capita* rate of payment as marriage allowance to the British personnel of the Army ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : (a) No, Sir. Section 57 of the National Health Insurance Act and section 41 of the Unemployment Insurance Act specifically provide for the payment of contributions by the Admiralty, Army Council and Air Council.

(b) and (c). I have not been able to find any such provisions ; if the Honourable Member is aware of any perhaps he will be good enough to refer me to them.

(d) Does not arise.

(e) I presume that the Honourable Member desires information in regard to the detailed head " Marriage allowances and allotments, British troops " on page 58 of the Army Estimates for the current year. Payments under this head are made in the United Kingdom in respect of men in India on the married quarters roll whose families remain in the United Kingdom. The rates vary according to the cost of living and the size of the soldier's family : for a wife the figure is about 7s. 6d. a week and for a wife and two children it is between 15s. and 20s. The allowance is not paid on a *per capita* basis.

THE HONOURABLE MR. ABU ABDULLAH SYED HUSSAIN IMAM : Sir, is the Honourable Member aware that in section 57 there is a specific provision, " not being a soldier of His Majesty's Indian Forces " ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : I must ask for notice of that question, Sir.

AVERAGE PERIOD OF STAY IN INDIA OF BRITISH SOLDIERS OF DIFFERENT ARMS.

151. THE HONOURABLE MR. ABU ABDULLAH SYED HUSSAIN IMAM : Will Government state the average period of stay in India of British soldiers of different arms of the Army ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : The average length of stay in India of British other ranks of—

| | |
|---|-----------|
| Cavalry, Royal Artillery, Royal Engineers and the Royal Tank Corps is | 4½ years. |
| Infantry | 5½ years. |
| Royal Corps of Signals | 5 years. |

TRADE COMMISSIONERS ABROAD.

152. THE HONOURABLE KHAN BAHADUR SYED ABDUL HAFEEZ (on behalf of the Honourable Khan Bahadur Hafiz Muhammad Halim): Are Government aware:

(a) That at present all the Trade Commissioners abroad are non-Muslims?

(b) That the Trade Commissioner recently selected for Milan is also a non-Muslim?

THE HONOURABLE MR. J. C. B. DRAKE : (a) Yes. I would add that there are only two Trade Commissioners.

(b) Yes.

NON-PUBLICATION IN THE INDIAN YEAR BOOK, 1931, OF THE FIGURES OF BUSINESS OF THE CLIVE INSURANCE CO., LTD.

153. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DASS (on behalf of the Honourable Sir Phiroze Sethna): (a) Is it a fact that on page 118 of the Indian Insurance Year Book, 1931, no figures of fire, marine or miscellaneous business are given in respect of the Clive Insurance Co., Ltd.?

(b) Will Government state the reasons as to why these figures are not published?

THE HONOURABLE MR. J. C. B. DRAKE : (a) Yes.

(b) The figures are not supplied to Government, and I may explain that as this Company submits no revenue account to its share holders or policy holders, it is not under an obligation to submit to Government the statements prescribed by section 8 of the Indian Insurance Companies Act.

MUSLIM JUDGES IN HIGH COURTS.

154. THE HONOURABLE MR. ABU ABDULLAH SYED HUSSAIN IMAM : (1) Will Government lay on the table a statement giving the communal composition of the High Courts on the 31st March, 1932?

(2) Is it a fact that from 1921 to 1931 there were more than 90 vacancies on the Bench of the Madras High Court and more than 45 on the Bench of the Rangoon High Court; and that not one of them has been filled by a Muslim Judge?

(3) Is it a fact that in the Calcutta High Court, out of 101 vacancies up to 31st August, 1931, only one was filled by a Muslim?

(4) Have Government taken, or do Government propose to take, any action to give adequate representation to the Muslims on the Benches of the High Courts? If not, why not?

THE HONOURABLE MR. M. G. HALLETT : (1) The Honourable Member is referred to the answer given to his question No. 121 in this House on the 28th March, 1931, which gave the communal composition of the High Courts and Courts of analogous jurisdiction up to that day. For subsequent information I would refer the Honourable Member to the periodical editions of the various civil lists which are available in the Library.

(2) I have not verified the Honourable Member's figures of the appointments but am prepared to accept them. One Muhammedan Judge retired from the Madras High Court in 1921.

(3) Presumably the Honourable Member is referring to the period from 1921—1931. The 101 vacancies referred to occurred during the period 1921 to April, 1931. A few more vacancies occurred between April and 31st August, 1931, and a Muslim Judge was appointed as an acting Judge in one of these vacancies. At the same time there was a permanent Muslim Judge in this Court.

(4) The Honourable Member is referred to the answer mentioned in reply to part (1) of this question.

THE HONOURABLE MR. ABU ABDULLAH SYED HUSSAIN IMAM : Sir, I want to know how many Judges there are in each High Court and how many are Muhammedans, etc. That is what I was referring to in part (1).

THE HONOURABLE THE PRESIDENT : I think it hardly arises out of the answer to part (1).

THE HONOURABLE MR. ABU ABDULLAH SYED HUSSAIN IMAM : I was giving an explanation of the communal composition, Sir. I think the Honourable Member mistook my meaning.

THE HONOURABLE THE PRESIDENT : So far as that is concerned, the Honourable Member has referred to the answer which was given to a previous question in March, 1931.

THE HONOURABLE MR. ABU ABDULLAH SYED HUSSAIN IMAM : That did not give the present composition of the High Courts, Sir. That only dealt with the filling up of vacancies. I want to know the strength of each High Court and how many Judges are Europeans, Indians, etc.

THE HONOURABLE MR. M. G. HALLETT : That information was, I think, given in reply to the question answered in March last. If, however, that information is not correct and if the Honourable Member puts forward another question I will obtain the information for him.

COMMUNAL COMPOSITION OF THE GAZETTED STAFF OF THE INCOME-TAX, CUSTOMS AND SALT DEPARTMENTS.

155. **THE HONOURABLE MR. ABU ABDULLAH SYED HUSSAIN IMAM :** What is the number and the communal composition of the gazetted staff of the Income-tax, Customs and Salt Departments of the Government of India ?

THE HONOURABLE SIR ALAN PARSONS: A statement is laid on the table.

Statement showing the communal composition of the gazetted staff of the Income-tax, Customs and Salt Departments as it stood in March, 1932.

| Department. | No. of appointments. | Europeans. | Anglo-Indians. | Hindus. | Muslims. | Sikhs. | Indian Christians. | Others (including Jains, Burmans, Parsis, etc.). |
|------------------------|----------------------|------------|----------------|---------|----------|--------|--------------------|--|
| Income-tax Department. | 388 | 10 | 32 | 211 | 64 | 9 | 14 | 48 |
| Customs Department . . | 70 | 28 | 6 | 24 | 3 | .. | 4 | 5 |
| Salt Department . . . | 61 | 15 | 18 | 15 | 8 | 1 | 2 | 2 |

MUSLIMS IN PORT TRUSTS.

156. THE HONOURABLE MR. ABU ABDULLAH SYED HUSSAIN IMAM :
 (1) Will Government state the amount of salaries drawn by the permanent superior staff of the different Port Trusts under the Government of India showing the amounts drawn by Europeans, non-Muslim Indians and Muslims ?

(2) What is the number of permanent Indian employees in the superior staff of the Port Trusts and how many of these are Muslims ?

(3) Has the attention of Government been drawn to the paucity of Muslims in the service of the Port Trusts and what steps have Government taken or propose to take to remedy this ? If none, why ?

THE HONOURABLE MR. J. C. B. DRAKE : (1) and (2). The information asked for is being obtained and will be supplied to the Honourable Member when received.

(3) In July last a Mr. Haque drew the attention of the Government of India to a letter which appeared in the *Mussalman* of the 7th July, 1932, complaining of the paucity of Muslims in the service of the Port Commissioners, Calcutta. This complaint was forwarded for disposal to the Government of Bengal as under the Calcutta Port Act, 1890, the power to fill appointments under the Calcutta Port Commissioners vests in the Chairman or Deputy Chairman, the Commissioners and the Local Government. The Government of India have not received similar complaints as regards other Port Trusts.

SUPPLY OF COPIES OF THE ANNUAL REPORT OF THE SEA-BORNE TRADE OF INDIA TO MEMBERS OF THE COUNCIL OF STATE.

157. THE HONOURABLE MR. ABU ABDULLAH SYED HUSSAIN IMAM :
 Have Government considered the advisability of issuing the Annual Report of the Sea-borne Trade of India to the non-official Members of this House ? What would be the cost ?

THE HONOURABLE MR. J. C. B. DRAKE : As copies of the Annual Sea-borne Trade Accounts are available in the Library of the Legislature, the Government of India do not consider it necessary to supply copies to individual Members of the House. The cost of supply of the two volumes of the Accounts to non-official Members of this House alone would amount to about Rs. 1,650 inclusive of despatching charges.

TERMS ON WHICH ADVOCATES HAVE BEEN APPOINTED TO APPEAR ON BEHALF OF INDIA AT THE CAPITATION RATE TRIBUNAL.

158. THE HONOURABLE MR. ABU ABDULLAH SYED HUSSAIN IMAM : Will Government state the terms on which advocates have been appointed to appear on behalf of the Government of India at the Capitation Tribunal? What is the estimated total expenditure? Under what head and how is this to be accounted?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : I lay on the table a statement showing the terms on which Sir Jamshedji Kanga has been appointed. The Government have no information yet with regard to the terms granted to the English Counsel.

It is not possible at this stage to give the Honourable Member an estimate of the total expenditure that will be incurred in connection with the Tribunal. All the expenditure will be borne by Civil Estimates and debited to head "47—Miscellaneous, Special Commissions of Enquiry."

Statement showing the terms on which Sir Jamshedji Kanga, Kt., Advocate-General, Bombay, has been appointed in connection with the Capitation Rate Tribunal.

(i) First class return passage, Grade "A" from Bombay to Marseilles and overland from Marseilles to London and back by P. and O. Special.

(ii) Full pay as Advocate-General, Bombay, less 10 per cent. cut during the period of deputation.

(iii) Special pay, which will not be subject to the 10 per cent. cut, at Rs. 6,000 per mensem for the period of the deputation.

INDIAN CADETSHIPS AT THE DEHRA DUN MILITARY ACADEMY.

159. THE HONOURABLE MR. V. V. KALIKAR : Will Government be pleased to state :

(a) The conditions governing the nomination of members of the Auxiliary and Territorial Forces to Indian cadetships at the Dehra Dun Military Academy?

(b) Is it a fact that the members of the University Training Corps have been declared ineligible for nomination to any Army cadetship?

(c) If the answer to part (b) be in the affirmative, the reasons thereof?

(d) Are the members of the University Training Corps in England eligible for nomination to Army cadetships?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : (a) The information desired by the Honourable Member will be found in Chapter X of the Regulations respecting Admission to the Indian Military Academy, copies of which are in the Library.

(b) and (c). Yes, but the decision merely embodied the conclusion of the Indian Military College Committee, which gave full reasons for their view in paragraph 57 of their Report.

(d) No, Sir, but on obtaining certain qualifications they are eligible for direct commissions.

**RECOMMENDATIONS OF THE STORES, PRINTING AND STATIONERY
RETRENCHMENT SUB-COMMITTEE.**

160. THE HONOURABLE RAI BAHADUR LALA JAGDISH PRASAD :
(a) Is it a fact that the Stores, Printing and Stationery Retrenchment Sub-Committee have in their final report recommended that Government should issue definite orders to all departments that all stores, other than those of a specially technical nature, should in future be purchased through the Indian Stores Department ?

(b) Has the above Sub-Committee also suggested the appointment of an advisory committee, presided over by the Member for Industries, to review from time to time how far the policy of Government regarding the purchase of the stores is being given effect to ?

(c) What is the intention of the Government of India with regard to these proposals ?

THE HONOURABLE MR. J. A. SHILLIDY : (a) and (b). Yes.

(c) These recommendations are under consideration.

**VISIT OF MR. C. F. ANDREWS TO DELHI IN CONNECTION WITH INDIAN
AFFAIRS IN SOUTH AFRICA.**

161. THE HONOURABLE RAI BAHADUR LALA JAGDISH PRASAD :
(a) Is it a fact that the Government of India wanted to consult Mr. C. F. Andrews in connection with Indian affairs in South Africa and that in response to these wishes of the Government Mr. Andrews visited Delhi in April last ?

(b) Is it a fact that among the persons who sought Mr. Andrews' advice on the occasion and thanked him for the service that he had rendered to the Indian community in South Africa were His Excellency the Viceroy himself and the Honourable Sir Fazl-i-Husain ?

(c) Is it a fact that on this occasion Mr. Andrews was shadowed by the police and was ordered to be arrested at the Delhi railway station under a warrant of arrest ?

(d) If so, what were the reasons for the arrest of Mr. Andrews ?

THE HONOURABLE MR. M. G. HALLETT : (a) and (b). Yes. During the visit Mr. Andrews did have interviews with His Excellency the Viceroy and the Honourable Sir Fazl-i-Husain.

(c) There is no truth whatever in the allegation as regards arrest. Mr. Andrews complained of being subjected to police surveillance and steps were taken forthwith to remove any cause for complaint.

(d) In view of the reply I have given to part (c), this does not arise.

OTTAWA TRADE AGREEMENT.

162. THE HONOURABLE RAI BAHADUR LALA JAGDISH PRASAD : Will Government be pleased to state if in case the Ottawa Agreement is ratified further measures of taxation will be introduced as a sequel to the ratification of the Agreement ?

THE HONOURABLE MR. J. C. B. DRAKE : The reply is in the negative.

MOUNT EVEREST AIR EXPEDITION.

163. THE HONOURABLE RAI BAHADUR LALA JAGDISH PRASAD : (a) Has the attention of Government been drawn to the forthcoming Mount Everest air expedition and to the remarks reported to have been made by Lord Clydesdale, M.P., the chief pilot, at a public meeting in England, in showing the political effects of the enterprise in India ?

(b) Will Government be pleased to state what help, if any, is being given at India's expense to the expedition ?

THE HONOURABLE MR. J. BARTLEY : (a) Yes.

(b) The facilities ordinarily afforded to such expeditions are being given, but no share of the cost of the flight is being borne by Indian revenues.

HAR KISHAN, UNDER-TRIAL PRISONER IN THE DELHI CONSPIRACY CASE.

164. THE HONOURABLE RAI BAHADUR LALA JAGDISH PRASAD : (a) Is it a fact that one Har Kishan, an under-trial prisoner in the Delhi Conspiracy Case, was not allowed to perform *Havan* on a day of festival and that as a protest he went on hunger strike ?

(b) Is it a fact that the Secretary of the International Aryan League sent a telegram to His Excellency the Viceroy and the Chief Commissioner of Delhi requesting them to intervene and save the prisoner's life by granting him permission to perform this religious ceremony ?

(c) If so, what steps, if any, were taken by Government in the matter ?

THE HONOURABLE MR. M. G. HALLET : (a) and (b). Yes.

(c) No action was necessary, as the prisoner decided on further consideration to abandon his hunger strike.

STATEMENT LAID ON THE TABLE.

PASSENGER COACHES HELD UP FOR WANT OF OVERHAUL OR REPAIRS ON THE STATE RAILWAYS.

THE HONOURABLE MR. J. C. B. DRAKE: Sir, I lay on the table the information promised in reply to question No. 65 asked by the Honourable Rai Bahadur Lala Ram Saran Das on the 20th September, 1932.

Number of passenger coaches held up for want of overhaul or repairs on the State Railways.

There are no instances that have come to the notice of the Railway Board of railway administrations finding difficulty in providing passenger coaches for the traffic offering as a result of their being held up for want of overhaul or repairs.

2. The average monthly output of repairs of such stock for the period January to June, 1932, as compared with the same period of 1929 is given below :

| Railways. | 1932. | 1929. |
|---|-------|-------|
| East Indian | 496 | 570 |
| North Western | 208 | 244 |
| Great Indian Peninsula | 195 | 340 |
| Eastern Bengal. { Broad gauge | 97 | 195 |
| { Metro gauge | 139 | 111 |
| Burma | 63 | 85 |

GOVERNOR GENERAL'S ASSENT TO BILLS.

SECRETARY OF THE COUNCIL: Sir, information has been received that His Excellency the Governor General has been pleased to grant his assent to the following Bills which were passed by the two Chambers of the Indian Legislature during the Simla Session, 1932, namely :

- The Indian Emigration (Amendment) Act, 1932.
- The Cantonments (Amendment) Act, 1932.
- The Ancient Monuments Preservation (Amendment) Act, 1932.
- The Trade Disputes (Amendment) Act, 1932.
- The Port Haj Committees Act, 1932.
- The Code of Criminal Procedure (Amendment) Act, 1932.
- The Tea Districts Emigrant Labour Act, 1932.

COMMUNICATION FROM THE GOVERNMENT OF BENGAL
THANKING THE MEMBERS OF THE COUNCIL OF STATE FOR
THE MOTION ADOPTED BY THEM ON THE 26TH SEPTEMBER,
1932, IN CONNECTION WITH THE TERRORIST OUTRAGE
PERPETRATED AT THE RAILWAY INSTITUTE, PAHARTALI.

THE HONOURABLE THE PRESIDENT: I have to read to the Council a communication which has been received from the Government of Bengal in connection with the motion adopted by the Council at the session in September. The letter runs :

"I am directed to acknowledge receipt of your letter dated the 29th September, 1932 forwarding a copy of a motion unanimously adopted by the Council of State at its meeting held on the 26th September, 1932 in connection with the terrorist outrage perpetrated at Pahartali, Chittagong, and to request you to be so good as to convey to the said body the thanks of the Government for the sentiments expressed therein."

RESIGNATION OF HIS SEAT IN THE COUNCIL OF STATE BY SIR
DINSHAW WACHA.

THE HONOURABLE THE PRESIDENT: I have to refer this morning to a second event which I think I might equally describe as an event of some moment in the history of the Council. Honourable Members will have heard, I know with regret, that our old friend Sir Dinshaw Wacha has felt compelled at last to resign his seat in this Council. I know that it was with great regret and the greatest reluctance that he accepted the advice of his physicians in this matter, for nothing but the direst necessity would have driven him to sever his long and distinguished association with the Central Legislature of British India. Sir Dinshaw Wacha was taking a prominent part in the public affairs of India when many of us here, probably most of us here, were young men; some indeed were children and indeed some others had not even been born. For instance, it is over 30 years ago that Sir Dinshaw Wacha was chosen to preside over the annual meeting of the Indian National Congress and it is quite obvious that he must have made his mark in public affairs some time before that if he were chosen to fill what was at all events in those days a post of such considerable importance. There are a few public bodies in Bombay, his home city, with which Sir Dinshaw Wacha has not at some time or other been connected and indeed in many cases he has presided over the committees that administer the affairs of those bodies. Further than that Sir Dinshaw Wacha's co-operation and advice have been sought, and have been readily given, by institutions of an all-India character. But it is as a Member of the Central Legislature that we here have known him best. There are one or two Members of this House who were associated with him in the days of the old Imperial Legislative Council and there are many here who have been his colleagues since the day when under the Reforms the Council of State was inaugurated. It is remarkable evidence of the estimation in which he is held that three successive Viceroys have nominated him as a Member of this House. For the last year or two the opportunities on which we have had the privilege of listening to Sir Dinshaw's speeches have been getting fewer. His failing health led him to realise that he must confine his intervention in our debates to matters of real moment; but when he

did speak we on our part realised that despite the waning to a certain extent of his physical powers his brain was as active as ever and his grasp of the essential details of the subject he was discussing was as great as ever. Particularly I might mention in that connection his grasp of matters connected with high finance. With a remarkable acumen in business affairs Sir Dinshaw combined an intense and deep-seated patriotism. He always has, he always had and he always will have, the courage of his convictions and whether any of his outspoken views were going to prove distasteful to or render him unpopular with certain sections of his fellow-countrymen Sir Dinshaw cared not a jot. His disappearance from public life is a loss to India and for us in particular it is a melancholy reflection that we shall not see him here in his place in this House again. I personally have cause to thank him and the members of his family for many great kindnesses received since I came first to this place. I would like the House to authorise me to send to Sir Dinshaw a message assuring him of our great regret that he has severed his connection with us, wishing him yet many happy days and in particular praying that he may live long enough to see the realisation of some of his hopes for India.

THE HONOURABLE SIR MANECKJI DADABHOY (Central Provinces : Nominated Non-Official) : Sir, I would like your permission to add a word to the weighty and appropriate remarks which have just fallen from you, particularly as I have been associated with Sir Dinshaw Wacha both in this Council ever since its inception and also for many years in the late Imperial Legislative Council. We have all heard, Sir, with great sorrow the news that Sir Dinshaw Wacha has been compelled under medical advice to resign his seat in this Council. Sir Dinshaw's public career you have just briefly but rightly described and I entirely endorse all what you have said. He is a publicist of great fame and renown in the Bombay presidency, not only in the Bombay presidency but he has distinguished himself in the whole of India. His connection as a publicist nearly extends to half a century and he has been associated in Bombay with all the important political, social and other movements for over 40 years. His presence here was a great stimulus to many young men and personally I often derived from him a lot of wisdom and advice. I always found him one of the ablest financiers, one of the best informed men, one of the best read men and he took always a great delight in imparting his knowledge and information to his friends and helping them and many Members in this Council also to put their case properly and adequately before the Legislature. We are all, Sir, very sorry that now we shall miss his valuable personality and presence from this Council. It will be a great loss to the Council and the Council will be much poorer by his absence.

I entirely endorse, Sir, your expression of opinion that you should on our behalf convey to him and his family how sorry we are to lose him from this Council and that this Council shall always have happy reminiscences of his presence here and it will pray for his long life and good health.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS (Punjab r Non-Muhammadan) : I rise to associate myself with the sentiments expressed by you, Sir, and by the Honourable Sir Maneckji Dadabhoj regarding the loss that this Council has suffered by the resignation of the Honourable Sir Dinshaw Wacha. Sir Dinshaw Wacha has been a famous all-India leader and we all wish the grand old man of our Council peace in his retirement.

*THE HONOURABLE SAYYED MOHAMED PADSHAH SAHIB
BAHADUR (Madras : Muhammadan) : Sir, I rise to associate myself

with all that has been said to express our sense of loss at the resignation of Sir Dinshaw Wacha from his place in this House. As has been rightly remarked by you, Sir Dinshaw Wacha was one of the pioneers in the field of politics in our country and had attained a distinguished position in public life in India long before most of us here had succeeded in spelling our way through the first reader in our elementary classes. Sir Dinshaw Wacha was one of the most earnest patriots and one who took seriously to public life. He was well-informed and never attempted to meddle with any public question unless he felt that he was perfectly well posted in the subject. In this House, Sir, there never was an occasion when he took part in any debate when he failed to make a valuable contribution to the discussion in the House. Sir, it is nothing short of a cruel wrench to this House to make up its mind to cease its connection forever with one of its most distinguished Members. I close my remarks, Sir, by joining in the prayer which has been uttered by my distinguished colleague, the Honourable Sir Maneckji Dadabhoj, that providence will be pleased to bless him with long life, health and happiness.

THE HONOURABLE MR. E. MILLER (Bombay Chamber of Commerce) : Sir, on my own behalf and on behalf, I feel sure, of the other non-official Europeans of this House I should like to associate myself with your remarks. I have had the privilege of sitting next to Sir Dinshaw in this House for the past two years and I have always been a great admirer of his and held him in the highest regard—I might say affection. I probably have seen Sir Dinshaw more recently than any Member in this House for I called on him last Friday and although he was confined to bed he was still full of his usual mental vigour. It would, however, be manifestly unfair to ask him to continue his public services any longer and I only hope that he will have many years of quiet retirement.

THE HONOURABLE KHAN BAHADUR MIAN SIR FAZL-I-HUSAIN (Leader of the House) : Sir, on behalf of Government I associate myself with the views expressed by you. Sir Dinshaw Wacha was one of the pioneer band of great political workers and founders of political movement in India. In those days, when political workers studied political affairs deeply and extensively, unlike the present-day practice, he made his mark, as I have said, amongst a band of great political workers. His extensive and deep knowledge of political affairs, coupled with lucidity of expression and dignified diction (which lost nothing of its force because of the dignity of diction), helped him to attain eminence. And when, after about a quarter of a century's work, he realised that the ideas and the ideals for which he and other political workers of his school of thought stood were failing to satisfy the more enthusiastic section of the rising generation who chafed and fretted at slow progress made, it was a matter of very great credit indeed for him to forego the popular applause which is after all a thing which public men very naturally appreciate. He, I have no doubt, like many others must have had many misgivings as to the course political affairs or events in India were taking and it must have cost him a great deal to make up his mind whether to swim with the current, or take up the more arduous course of fighting it. All credit to him for the decision he took, and thus saved his

* Speech not corrected by the Honourable Member.

country to a large extent from going wrong. His association with any legislative body would have lent weight and dignity to that body. I cannot put the case for our expression of regret higher than that. I am sure as long as he was able to serve his country he never hesitated for a moment to do so, running the risk of being misunderstood by those who at one time were his fellow-workers; and again that is a matter on which we can congratulate not only him but also India. Now the time has come for him to enjoy his well-earned rest, and with the House I wish him good health and may he be long spared. I, Sir, beg you to convey to him the message that you have stated your propose conveying to him. I have no doubt it is the wish of the whole House that it be done. (Applause.)

DEATH OF SIR ALI IMAM.

THE HONOURABLE KHAN BAHADUR MIAN SIR FAZL-I-HUSAIN (Leader of the House): May I, Sir, refer to the great loss India has suffered in the death of Sir Ali Imam? The news of this sad event came with a great shock because those who have had the privilege of knowing Ali Imam knew him as one possessed of magnificent physique, robust health and great vitality. Till recently he enjoyed very good health. The charm of his manner, the pleasure one derived from his company, the enthusiasm and zeal that he communicated to all with whom he came in contact have made this sudden loss all the greater. Ali Imam having been called to the Bar in 1890 practised for about 20 years and took part in public life during his moments of leisure, and was in 1910 appointed Law Member of the Governor General's Executive Council. It was during his period of office that Delhi regained its position as the capital of the Indian Empire, and it was during his time that the province of Bihar and Orissa came into being. Not only did these momentous events take place but it will be remembered by Honourable Members that that was the period during which the Morley-Minto Reforms were in operation and the ground was being prepared for further reforms. When he vacated the office of Law Member in 1915 he was not allowed to continue his practice for any length of time because he was elevated to the Patna High Court Bench, later on asked to take a place in the Executive Council of the Bihar Government and a little later had the unique distinction of representing India in the first meeting of the League of Nations at Geneva. Off and on for a number of years he presided over the Executive Council of His Exalted Highness the Nizam of Hyderabad's Government. The variety of offices he filled indicate his great ability as an administrator and his great ability as a statesman. Those who have had the pleasure of knowing him know what a wonderful companion he was and also know what a great administrator and statesman he was. India could not spare men of that type at any time and in particular at a juncture like the present. It is, Sir, I have no doubt the wish of the House that a message of sympathy and condolence be conveyed to the family of Sir Ali Imam and it is my request that that be done.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS (Punjab: Non-Muhammadan): Sir, I fully endorse what has been said by the Honourable the Leader of the House as regards the loss which India has sustained in the death of Sir Ali Imam. Sir Ali Imam was a great personality and was popular among all classes, Muhammadans, Hindus, Christians, Sikhs and others, whom he gave the right lead. He was a great advocate of unity

[Rai Bahadur Lala Ram Saran Das.]

among the various communities and that was one of the reasons why he was so popular and had great influence all over the country. It is with deep sorrow that we give expression to our feelings here of the great loss that India has suffered. I wish that the feelings of sorrow of this House and their condolence and sympathy be conveyed to the members of his family.

THE HONOURABLE SIR MANECKJI DADABHOY (Central Provinces : Nominated Non-Official) : Sir, I wish also to associate myself with all the observations that have fallen from the Honourable the Leader of this House. I had the pleasure of working in the late Imperial Legislative Council when Sir Ali Imam was the Law Member and I recollect many reminiscences of the good work which he did and the fight which he often put up not only for Government but also for the public. He was a distinguished Muhammadan and that community was justly proud of him. We all knew that his unfortunate end was close. Last November he was invited to the Round Table Conference but on account of his very bad health he was not able to attend the Round Table Conference even for a single day. I remember the day when he left Victoria Station when he told me himself that he was not meant to be in this world for more than a few weeks. Sir, the Muhammadan community had many reasons to be justly proud of him. He was a leader of men, a gifted man, a good and trusted friend and companion, as the Honourable the Leader of the House has put it. We all share the sorrow that has fallen on his family in their great loss and I agree that you, Sir, should convey to his bereaved widow the sympathy and condolence of this House.

***THE HONOURABLE SAIYED MOHAMED PADSHAH SAHIB BAHADUR** (Madras : Muhammadan) : Sir, I rise to join in the tribute paid to the memory of the late Sir Ali Imam. Sir, he was one of the greatest sons of India and his death is a national calamity of a very serious nature. At a time when the country is on the eve of great changes it could ill-afford to lose one like Sir Ali Imam who with his wealth of experience, soundness of judgment and breadth of view would have been of invaluable help at the present moment. Sir, so versatile was his genius, so varied his activities, so distinguished his record of public services, that it is impossible in the brief compass of a speech to make even a passing reference to them, nor is it necessary that an attempt should be made, for nobody who is anybody in the field of politics is unacquainted with the great services rendered by the late Sir Ali Imam to the cause of his country and community. Sir, I close my remarks by joining in the message of condolence which may be sent to his bereaved family.

THE HONOURABLE MR. E. MILLER (Bombay Chamber of Commerce) : Sir, on behalf of the non-official European Members of this House I wish to associate myself with the message which it is proposed should be sent.

THE HONOURABLE THE PRESIDENT : I shall communicate the sentiments of the House to the bereaved relatives of the late Sir Ali Imam.

STATEMENT OF BUSINESS.

THE HONOURABLE KHAN BAHADUR MIAN SIR FAZL-I-HUSAIN (Leader of the House) : I greatly regret, Sir, that owing to the course which events have taken elsewhere Government are not yet in a position to place

* Speech not corrected by the Honourable Member.

before the Council any of the business to be dealt with at this Session. In the circumstances, Sir, I can only suggest adjournment of the Council to a date to be notified hereafter and that a meeting should be called for the day following that on which any of the measures which it is sought to pass during the present Session is passed by the Legislative Assembly. I cannot anticipate with any confidence what that date will be, but if Honourable Members will follow the proceedings of the other House they will be in as good a position as I am to judge the probable course of events.

I may add that a Resolution standing in the name of the Honourable Mr. Shillidy and the Honourable Mr. Clow on the subject of a Geneva Convention relating to the age of employment of children is to be moved during the course of this Session. The period of notice is unlikely to have expired on the day on which the Council meets for the laying of the first Bill, but if you are pleased to allow the Resolution to be moved with short notice, it would be placed on the paper for that day.

THE HONOURABLE THE PRESIDENT: With regard to the Resolution just mentioned by the Honourable Leader, if an application is made to me to that effect I do not think I shall have any difficulty in acceding to it and in allowing the Resolution to be put on the list of business for our next meeting. As regards our next meeting, I have no option but to accept the suggestion made by the Honourable Leader. The Council will adjourn to a date to be notified to Honourable Members hereafter.

The Council then adjourned.