

5th February 1935

THE
LEGISLATIVE ASSEMBLY DEBATES

Report)

Volume I, 1935

(21st January to 18th February, 1935)

FIRST SESSION

OF THE

FIFTH LEGISLATIVE ASSEMBLY,
1935



NEW DELHI
GOVERNMENT OF INDIA PRESS
1935

Legislative Assembly.

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Deputy President :

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Committee on Petitions.

MR. AKHIL CHANDRA DATTA, M.L.A., *Chairman.*

MR. S. SATYAMURTI, M.L.A.

DR. ZIAUDDIN AHMAD, C.I.E., M.L.A.

RAJA SIR VASUDEVA RAJAH, KT., C.I.E., M.L.A.

MR. N. M. JOSHI, M.L.A.

CONTENTS.

VOLUME I.—21st January to 18th February, 1935.

	PAGES.		PAGES.
MONDAY, 21ST JANUARY, 1935—		THURSDAY, 24TH JANUARY, 1935—contd.	
Message from His Excellency the Governor General	1	Agreement between His Majesty's Government in the United Kingdom and the Government of India	99—103
Members Sworn	2—7	Statements laid on the Table	103—06
Deaths of Sir Abdulla Suhrawardy, Mr. M. V. Abhyankar, Mr. B. N. Sasmal, Mr. Price and Rai Bahadur Lala Brij Kishore	7—13	Election of the President	106—11
Statements laid on the Table	13—41	Statement of Business	111
Motion for Adjournment re Confidential Circular issued by the Home Department of the Government of India on the decisions of the Bombay Congress—Talked out	41—44, 46—74	Speech delivered to the Legislative Assembly by His Excellency the Viceroy	112—22
Election of the Standing Finance Committee	44	MONDAY, 28TH JANUARY, 1935—	
Election of the Standing Finance Committee for Railways	44—45	Members Sworn	123
Election of the Standing Committee for Roads	45	Motions for Adjournment re—	
Election of two Members to serve on the Reserve Bank of India (Issue and Allotment of Shares) Committee	45—46	Action of the Government of India in concluding the Indo-British Trade Agreement without consulting any Indian Mercantile Organisations—Not moved	123
TUESDAY, 22ND JANUARY, 1935—		Refusal of Permission to Mr. Sarat Chandra Bose to attend the Session of the Legislative Assembly—Not moved	123—24
Member Sworn	75	Governor General's assent to Bills	124
Motion for Adjournment re Prevention of Mr. Sarat Chandra Bose from attending to his duties as a Member of the Legislative Assembly—Adopted	75—76, 77—98	Election of the Deputy President	124—25
The Indian Mines (Amendment) Bill—Introduced	76	Election of Members to the Standing Committee for Roads	125
The Indian Naturalization (Amendment) Bill—Introduced	76—77	Statements laid on the Table	125—29
THURSDAY, 24TH JANUARY, 1935—		Election of the Standing Committee on Emigration	129
Members Sworn	99	Election of the Standing Committee for the Department of Education, Health and Lands	129
Motions for Adjournment	99	Election of the Standing Committee on Pilgrimage to the Hedjaz	129—30
		Election of the Standing Committee for the Department of Industries and Labour	130

PAGES	TUESDAY, 5TH FEBRUARY, 1935— <i>contd.</i>	PAGES.
MONDAY, 28TH JANUARY, 1935— <i>contd.</i>		
The Hedjaz Pilgrims Guides Bill—Introduced	131	
The Indian Mines (Amendment) Bill Referred to Select Committee	131—45	
The Indian Naturalization (Amendment) Bill—Passed	145—48	
TUESDAY, 29TH JANUARY, 1935—		
Statements laid on the Table	149—53	
Motion re Indo-British Trade Agreement—Discussion not concluded	154—96	
Election of the Standing Finance Committee	154	
Statement of Business	179—80	
WEDNESDAY, 30TH JANUARY, 1935—		
Death of Mr. M. K. Acharya	197—98	
Orders from H. E. the Governor General	198—99	
Election of the Standing Finance Committee for Railways	199	
Nominations to the Library Committee	200	
Motion re Indo-British Trade Agreement—Amendment to terminate adopted	200—50	
MONDAY, 4TH FEBRUARY, 1935—		
Members Sworn	251	
Short Notice Question and Answer	251—54	
Statements laid on the Table	254—60	
Election of the Deputy President	260—61	
Election of the Standing Committee on Emigration	261	
Report of the Joint Parliamentary Committee on Indian Constitutional Reform—Discussion not concluded	262—313	
TUESDAY, 5TH FEBRUARY, 1935—		
Questions and Answers	315—57	
Unstarred Questions and Answers	358—65	
Election of Members to the Standing Committee on Roads	365	
Election of Members to serve on the Reserve Bank of India (Issue and Allotment of Shares) Committee	365	
Election of the Deputy President	365	
Allotment of seats in the Chamber	366	
Resolution re Removal of ban on the Khudai Khidmatgars' Organisation in the North-West Frontier Province—Adopted	366—408	
Message from His Excellency the Governor General	408	
Resolution re Prevention of importation of foreign rice—Discussion not concluded	408—09	
WEDNESDAY, 6TH FEBRUARY, 1935—		
Questions and Answers	411—57	
Report of the Joint Parliamentary Committee on Indian Constitutional Reform—Discussion not concluded	457—503	
THURSDAY, 7TH FEBRUARY, 1935—		
Nomination of the Panel of Chairmen	505	
Election of the Standing Committee for the Department of Education, Health and Lands	505	
Report of the Joint Parliamentary Committee on Indian Constitutional Reform—Amendment of Mr. M. A. Jinnah—Adopted	505—79	
MONDAY, 11TH FEBRUARY, 1935—		
Member Sworn	581	
Questions and Answers	581—622	
Short-Notice Question and Answer	622—24	
Motions for Adjournment <i>re—</i>		
Conduct of the Honourable the President in conducting the debate during the discussions of the Joint Parliamentary Committee Report—Ruled out of order	625—28	

	PAGES.
MONDAY, 11TH FEBRUARY, 1935—contd.	
Motion for Adjournment <i>re—contd.</i>	
Decision of the Government of India to disregard the verdict of the Assembly on the Indo-British Trade Agreement—Ruled out of order	628—32
Committee on Petitions	632
Resolution <i>re</i> Prevention of importation of foreign rice—Adopted as amended	632—52
Resolution <i>re</i> Removal of disqualification in respect of Pandit Dwarka Parshad Misra and Chowdhury Ashrafuddin for election as a Member of the Legislative Assembly—Adopted	652—64
Resolution <i>re</i> Revision of the taxation policy—Discussion not concluded	664—71
TUESDAY, 12TH FEBRUARY, 1935—	
Questions and Answers	673—711
Statements laid on the Table	711—14
The Indian Criminal Law Amendment (Repeal) Bill—Introduced	714—15
The Code of Criminal Procedure (Amendment) Bill (Amendment of section 103)—Introduced	715
The Code of Criminal Procedure (Amendment) Bill (Amendment of section 408)—Introduced	715
The Code of Criminal Procedure (Amendment) Bill (Repeal of sections 30 and 34 and Amendment of sections 34A and 35)—Introduced	716
WEDNESDAY, 13TH FEBRUARY, 1935—	
Questions and Answers	717—50
Unstarred Questions and Answers	750—64
Election of the Standing Committee for the Department of Commerce	764
Election of the Standing Advisory Committee for the Indian Posts and Telegraphs Department	764
The Payment of Wages Bill—Introduced	765

	PAGES.
WEDNESDAY, 13TH FEBRUARY, 1935—contd.	
The Code of Civil Procedure (Amendment) Bill (Amendment of section 51)—Introduced	765
The Code of Civil Procedure (Second Amendment) Bill—Insertion of new section 44A)—Introduced	765—66
Resolution <i>re</i> Draft Convention of the International Labour Conference concerning the regulation of hours of work in automatic sheet-glass works—Adopted as amended	766—91
Resolution <i>re</i> Draft Convention of the International Labour Conference concerning unemployment insurance and other forms of relief—Discussion not concluded	791—806
THURSDAY, 14TH FEBRUARY, 1935—	
Questions and Answers	807—47
Short Notice Question and Answer	847
Election of the Standing Committee on Pilgrimage to the Hedjaz	847
Election of the Standing Committee for the Department of Industries and Labour	847
Resolution <i>re</i> Revision of the taxation policy—Adopted as amended	847—88
MONDAY, 18TH FEBRUARY, 1935—	
Questions and Answers	889—928
Short Notice Question and Answer	928—29
Motion for Adjournment <i>re</i> Removal of ban from the All-India Hindustani Seva Dal and the Prem Maha Vidyalaya, Brindaban—Ruled out of order	929—31
Message from H. E. the Governor General	931
Presentation of the Railway Budget for 1935-36	932—38

	PAGES.		PAGES.
MONDAY, 18TH FEBRUARY, 1935—<i>concl.</i>		MONDAY, 18TH FEBRUARY, 1935—<i>concl.</i>	
Election of Members to the Governing Body of the Indian Research Fund Association	938	The Code of Civil Proce- dure (Amendment) Bill (Amendment of section 51)—Circulated	939—60
The Code of Civil Procedure (Third Amendment) Bill (Amendment of section 60)—Introduced	939	The Payment of Wages Bill —Discussion on the mo- tion to refer to Select Committee not conclud- ed	960—70

LEGISLATIVE ASSEMBLY

Tuesday, 5th February 1935.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

QUESTIONS AND ANSWERS.

DISABILITIES OF INDIANS DOMICILED IN CEYLON.

1. ***Mr. Abdul Matin Chaudhury:** (a) Are Government aware that in the new Land Bill which has passed the Second Reading in the State Council of Ceylon, Indians are debarred from holding land in the island, even if they are domiciled there?

(b) Did the Agent to the Government of India protest against such discrimination, and if so, with what result?

(c) Have Government considered the question of making representations to the Colonial Government on the subject? If so, with what result?

(d) Is this discrimination a part of the policy of the Ceylon Government? If not, why are Indians put there under various disabilities in the matter of trade, employment or immigration?

(e) What steps have the Government of India taken to prevent any diminution of or prejudice to the rights or privileges to which Indians are entitled?

Mr. G. S. Bajpai: (a) to (c). The Honourable Member presumably refers to the Land Development Ordinance. The Government of India have had correspondence with the Government of Ceylon about it. The restrictive provision to which the Honourable Member refers is to be limited only to a portion of Crown land. The Government of India represented that even for this limited area, Indians permanently resident in Ceylon, whether possessing a Ceylon domicile of origin or not, should be eligible. This representation was not successful. Further representations have been made.

(d) and (e). Not so far as the Government of India are aware. They do not know of any discriminatory treatment in the matter of trade, employment or immigration. If the Honourable Member is in possession of information to the contrary, Government will gladly look into it, and, if necessary, take action.

Mr. Lalchand Navalrai: May I know if there is any such rule that Ceylonese should not hold land in India?

Mr. G. S. Bajpai: No: not apart from the provisions of the Land Alienation Restriction Acts which are in force in the Punjab and the United Provinces.

Mr. Lalchand Navalrai: Do I understand the Honourable Member aright that they are considering not to put that restriction there?

Mr. G. S. Bajpai: No: what I said was that an Ordinance which has already passed the Legislative Council or the State Council, as it is called in Ceylon, wants to limit the right of acquisition of certain areas of land to Ceylonese: but we have protested against it.

Prof. N. G. Ranga: With what result?

Mr. G. S. Bajpai: The first result, as I have already said, is negative: I hope the second will be positive.

Prof. N. G. Ranga: Is the Honourable Member aware that Indians are not eligible for the Ceylon Civil Service?

Mr. G. S. Bajpai: That is so.

Prof. N. G. Ranga: And that Ceylonese are eligible for the Indian Civil Service?

Mr. G. S. Bajpai: That, again, is true, Sir.

Prof. N. G. Ranga: Will the Government of India make suitable representations to the Government of Ceylon that Indians should be given the same privileges there as Ceylonese are given here?

Mr. G. S. Bajpai: I believe that matter is already under consideration.

RE-EMPLOYMENT OF THE RETRENCHED STAFF OF THE NORTH-WESTERN RAILWAY
ACCOUNTS DEPARTMENT.

2. ***Bhai Parma Nand:** (a) Will the Honourable Member for Railways place on the table a list of men of the North Western Railway Accounts Department brought under reduction in pursuance of the economy campaign?

(b) How many of them have since been re-appointed and how many are still on the waiting list?

(c) Is the Honourable Member aware of the Railway Board's decision in the matter of re-appointment of the retrenched staff as published in their letter No. 1635-E. G., dated the 30th December, 1932, North Western Railway Extraordinary Gazette of the 15th February, 1933, also the report of the Court of Enquiry (formed under Trades Dispute Act, *vide* paragraphs 411 and 412) that until all the retrenched staff are absorbed, no outsider will be taken?

(d) Is the Honourable Member aware of the fact that the Chief Accounts Officer, North Western Railway, Lahore, has decided to cancel the waiting list on the 31st December, 1934 (*vide* his staff office Order No. 186, dated the 4th August, 1934) and to hold a recruitment examination on the 4th and 5th February, 1935 in which outsiders will be taken in contravention of the orders of the Railway Board without absorbing the men still on the waiting list?

(e) Is the Honourable Member also aware of the fact that some of the temporary staff brought under reduction and now re-appointed are also required to appear in the said examination, failing which they would be replaced by the qualified outsiders? Is this not against the orders of the Government of India?

(f) Is it a fact that the seniority of temporary routine clerks in the North Western Railway Accounts Department is being fixed on a wrong basis, i.e., undue preference is being shown to men appointed originally as routine clerks while retrenched accounts clerks class III taken as routine clerks irrespective of their length of service and qualifications are being treated as junior to the routine clerks?

Mr. P. E. Rau: (a) and (b). 262 men were retrenched and of these 125 men have been re-appointed. In view of the numbers concerned, I am sure, my Honourable friend will agree with me, that it is unnecessary to place a list of the names on the table.

(c) Government are aware of the documents referred to.

(d) and (e). When a separate Railway Accounts Department was constituted in 1929, it was decided, in consultation with the Standing Finance Committee for Railways, that all fresh recruits to clerical grades should ordinarily be selected by means of a competitive examination. Till such recruits were available it was necessary to appoint certain men in a temporary capacity, but all those so recruited after 1st January, 1929, were distinctly warned that they were liable to discharge on 24 hours notice and to make room for those recruited through a competitive examination later. Even if there had been no retrenchment, they were thus liable to be replaced. When it was recently decided to revert to the normal method of recruitment, for the subordinate staff of the Railway Accounts Department, steps were taken to consider the particular claims of men with long temporary service, and those who had rendered sufficiently long service are being retained as a matter of grace. Even as regards the others a concession has been given by relaxing the age limit for admission to the examination.

(f) No. I am informed that the retrenched class III Accounts Clerks taken back as Routine Clerks have only been shown in the list of Routine Clerks for convenience, and the places assigned to them in that list do not signify relative seniority.

LEASES OF WASTE LANDS IN THE KARACHI CANTONMENT BOARD AREA.

***Seth Haji Abdoola Haroon:** (a) Will Government be pleased to state whether it is a fact that waste lands in the Karachi Cantonment Board Area have been given on permanent leases to several persons during the last 20 years?

(b) If the reply to part (a) be in the affirmative, will Government please state the names of such persons with area of land granted on permanent lease to each?

(c) Is it a fact that certain persons who have been holding land on temporary leases for the last ten years and over have made several applications to the Cantonment authorities for renewing their leases on permanent basis and their applications have been rejected? If the reply is in the affirmative, will Government please state reasons for such an action?

(d) Is it a fact that the Cantonment authorities have issued instructions to holders of land on temporary leases renewable after every five years and terminable on three months' notice at any time that they were not to construct any permanent or even temporary structures on lands so leased out? If so, will Government please state the reasons for such instructions?

(e) If the reply to the first portion of part (d) be in the affirmative, are Government aware that leasing out waste land on such strict terms causes great loss of public revenues?

(f) Will Government be pleased to indicate in a tabular statement the area of waste lands within the limits of the Karachi Cantonment area, showing (i) vacant land (ii) land leased out temporarily, and (iii) land leased out permanently?

Mr. G. B. F. Tottenham: (a) Yes—but the lands are not waste lands. They are valuable building sites.

(b) A statement is laid on the table.

(c) Yes. For some time now permanent leases have been refused because the Government of India have been contemplating the outright sale of the land for the purposes of town extension.

(d) Yes—because it is undesirable to confer permanent rights in land which might interfere with the town planning scheme.

(e) There may be some small temporary loss of revenue but it is hoped that the eventual return will more than cover this loss.

(f) A statement is laid on the table.

Statement referred to in the Answer to part (b).

Name of lessee.	Area.
Mrs. A. St-Ives Currie	0·21 acres.
Hony. Secretaries, Karachi Parsi Co-operative Housing Society Ltd.	19·45 ..
Mr. L. Braganza	2·17 ..
Mr. S. P. Kotwal	·51 ..
Mr. S. P. Kotwal	·72 ..
Mr. S. P. Kotwal	·61 ..
Mr. S. P. Kotwal	·67 ..
Mr. S. P. Kotwal	·47 ..
Mr. P. J. Daroga	·48 ..
Mr. I. Sequiera	1·65 ..
Messrs. Shewaram Nandaram and Naraindas Keshow Das	·34 ..
Mr. Nadirshaw Naoroji	0·25 ..
Total	27·53 ..

Statement referred to in the Answer to part (f).

Area of vacant land.	Area of land leased temporarily.	Area of land leased permanently.
50·7 acres.	14·196 acres.	27·53 acres.

DELAY IN THE SUPPLY OF COPIES OF THE JOINT PARLIAMENTARY COMMITTEE
REPORT BY THE CENTRAL PUBLICATION BRANCH.

4. ***Maulvi Muhammad Shafi Daudi:** (a) Are Government aware that a money order of Rupees six was received by the Manager of Publications, Civil Lines, Delhi, on the 19th November, 1934, for despatching twelve copies of Volume I, Part I, of the Joint Parliamentary Committee on Indian Constitutional Reforms to me?

(b) Is it a fact that in response to the same, Voucher No. 10059 V. P. was prepared by the office of the Government of India, Central Publication Branch, Civil Lines, Delhi, on the 25th November, 1934 for rupees six, annas ten but a V. P. P. for annas ten, the balance charged for packing, was despatched to my address on the 30th November, 1934, under Memorandum No. S.P.-29625 which was received by me on the 4th December, 1934?

(c) Are Government aware that in spite of ordering twelve copies of the Joint Parliamentary Committee Report so early by the despatch of a money order covering the price of the books as advertised, delay was caused by the Government of India Central Publication Branch, Delhi?

(d) Will Government be pleased to state the reasons for such delay and inform this House as to what steps have been taken to stop the recurrence of such inordinate delay in complying with the orders from the public in such important matters?

The Honourable Sir Frank Noyce: (a) and (b). The facts are as stated, except that the money order was received on the 20th November.

(c) and (d). I regret that the Honourable Member did not get his copies when the Report was first available but I cannot agree that there was inordinate delay. This was not a Government of India publication and by special arrangements, designed to secure that copies reached all provinces in time for the date of release, the first consignment of copies was distributed to provincial agencies from Bombay. Each province thus received a limited number of copies designed to meet the local needs, and the number received in Delhi in the first consignment was not equal to the local demand. Demands from other provinces sent to Delhi were, therefore, met from the second consignment which reached Delhi on the 24th November. These were complied with in the order of their receipt in the Central Publication Branch and the 12 copies ordered by the Honourable Member were despatched on the 30th November. There was, unfortunately, some railway delay in his case as he had omitted to state the name of his nearest railway station—Patna City—and had only given his address as Bankipore.

INCONVENIENCE CAUSED TO ROAD TRAFFIC BY CLOSING THE BRIGADE OVER THE
GANGES NEAR BENARES.

5. ***Dr. Ziauddin Ahmad:** (a) Is it a fact that the Grand Trunk Road between Delhi and Calcutta passes through Benares and crosses the river Ganges between Kashi Station and Bichupur Station near Moghulsarai?

(b) Is it not a fact that the Ganges bridge is common to road and railway traffic?

(c) Is it not a fact that the bridge is closed to road traffic whenever any train leaves Moghulsarai on one side and Benares Cantonment on the other?

(d) Are Government aware that the bridge is sometimes kept closed for four hours or more continuously and the entire traffic is held up during this interval, and that this causes great inconvenience to the travelling public?

(e) Are Government prepared to consider the desirability of duplicating the bridge as in Delhi or regulating the time by stopping trains on either side of the bridge?

Mr. P. E. Rau: I am making enquiries from the Railway Administrations and will place a reply on the table in due course.

Dr. Ziauddin Ahmad: May I ask whether it is intended by this answer simply to avoid supplementary questions?

Mr. P. E. Rau: Not at all.

INCONVENIENCE TO THIRD CLASS PASSENGERS AT AJMER.

6. **Dr. Ziauddin Ahmad:** Are Government aware that third class passengers at Ajmer are locked up in an enclosure, where they are kept for several hours without supply of water or eatables and wait the arrival of trains, and the lock is not opened for the passengers to get out either on the side of platform or the town?

Mr. P. E. Rau: The Agent, Bombay, Baroda and Central India Railway, states that the allegation in the Honourable Member's question is not correct. Passengers are not allowed on the platforms till trains are due to arrive, but otherwise their movements are in no way controlled. Drinking water and refreshments at vendors' stalls are always available.

Mr. Lalchand Navairai: May I know how much time it takes them to come out of the enclosures? There are enclosures there.

Mr. P. E. Rau: I am afraid my Honourable friend must give me notice of that question.

Mr. N. M. Joshi: May I ask why there is this discrimination against third class passengers, when the other class passengers are allowed to come on the platform?

Mr. P. E. Rau: Numbers, Sir.

Mr. N. M. Joshi: May I ask whether there will be a safeguard against this discrimination? (Laughter.)

Dr. Ziauddin Ahmad: Is it a fact that water is available to the third class passengers in the enclosure?

Mr. P. E. Rau: I have been informed by the Agent of the Railway that drinking water and refreshments at vendors' stalls are always available.

Dr. Ziauddin Ahmad: Within the enclosure?

Mr. P. E. Rau: I suppose so.

INCONVENIENCE TO PILGRIMS RETURNING FROM AJMER.

7. ***Dr. Ziauddin Ahmad:** Is it not a fact that the special trains which the Bombay, Baroda and Central India Railway provides for the exit of pilgrims from Ajmer, are sometimes stopped at intermediate stations and are not taken to foreign junction stations, causing great inconvenience to pilgrims?

Mr. P. R. Rau: The Agent, Bombay, Baroda and Central India Railway, reports that trains are always run to their advertised destinations. I understand my Honourable friend's question suggests that these destinations should be junction stations with foreign railways. If there is a sufficient number of passengers offering to justify running special trains for such destinations, the Administration would, I am sure, be quite prepared to do so. I am bringing the Honourable Member's question and my reply thereto to the notice of the Agent, Bombay, Baroda and Central India Railway.

NON-GRANT OF CONCESSION TO PILGRIMS ON THE BOMBAY, BARODA AND CENTRAL INDIA RAILWAY.

8. ***Dr. Ziauddin Ahmad:** Is it not a fact that the Bombay, Baroda and Central India Railway contrary to other Railways does not give any concession to pilgrims?

Mr. P. R. Rau: I am not aware of any Railway Administration allowing a concession to pilgrims as such. The Bombay, Baroda and Central India Railway, like other Railways, allow concessions for special occasions when the Administration is satisfied that they will result in an increase of revenue.

Dr. Ziauddin Ahmad: Is it not a fact that the East Indian Railway allows such concessions and even when the pilgrims go to Ajmer, that railway allows concessions up to Agra, but afterwards the Bombay, Baroda and Central India stops such concessions?

Mr. P. R. Rau: No Railway allows concessions only to pilgrims: these concessions apply to all passengers.

Dr. Ziauddin Ahmad: It is allowed to all passengers, but on the occasion and at the time these pilgrimages are performed?

Mr. P. R. Rau: The East Indian Railway administration must have been satisfied that such a concession must result in increased traffic.

Dr. Ziauddin Ahmad: I am sorry my friend does not appreciate my question: during the time of pilgrimages, the East Indian Railway allows pilgrims and other passengers travelling at that time concession rates from Calcutta to Agra, but afterwards the Bombay, Baroda and Central India Railway does not allow the concession and passengers have to pay full fare.

Mr. P. R. Rau: May I ask my Honourable friend to explain what he means by "the time for pilgrimages". In India, so far as I know, there is no time for pilgrimages: every time is a time for pilgrimages.

Sir Muhammad Yakub: If I may be allowed to say that my Honourable friend is not right in saying that in India every time is pilgrimage time. It is not correct in the case of Muslim shrines: they have got fixed days every year for pilgrimages on the occasion of *Urs*, when pilgrimages are performed to the tombs of saints, and it is for this that my Honourable friend asks for concessions. At Ajmer, Roorkee and certain other places, these *Urs* or death ceremonies of saints are performed, and thousands and thousands of pilgrims flock to these places.

Mr. P. B. Rau: If my Honourable friend is referring to the *Urs* fair of the Khwaja Sahib at Ajmer, I understand the Bombay, Baroda and Central India Railway have considered it for a long time, but have come to the conclusion that the grant of the concession was not justified as it was not a paying proposition.

Dr. Ziauddin Ahmad: As regards its being a paying proposition, the pilgrims come at a particular time of the year, not throughout the year, from all parts of India: only a portion of the pilgrims travel on the East Indian Railway which considers it a paying proposition to grant these concessions, but the Bombay, Baroda and Central India Railway, as it is not a State-managed Railway, considers it not as a paying proposition.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member must put it in the form of a question.

Dr. Ziauddin Ahmad: When it is a paying proposition for part of the traffic, why is it not a paying proposition for the whole?

Mr. P. B. Rau: That is an assumption: it is quite possible that the East Indian Railway are wrong.

Mr. M. S. Aney: Will the Honourable Member place before this House the data on which the Bombay, Baroda and Central India Railway have come to that conclusion?

Mr. P. B. Rau: I have not got any data here.

Dr. Ziauddin Ahmad: But only the opinion of the Agent: that is all.

Mr. P. B. Rau: I understand from the Agent that in September, 1932, he sent a long letter to my Honourable friend explaining the reasons for it.

Dr. Ziauddin Ahmad: I received no reply except an opinion of the Agent, and nothing more than what he has said on the floor of the House.

THIRD CLASS FARE ON THE METRE GAUGE SECTION OF THE BOMBAY, BARODA AND CENTRAL INDIA RAILWAY.

9. ***Dr. Ziauddin Ahmad:** What is the third class fare per mile in metre gauge section of the Bombay, Baroda and Central India Railway between Delhi and Ahmedabad? Is it the same as in the broad gauge of the Bombay, Baroda and Central India Railway?

Mr. P. R. Rau: I am placing on the table a statement showing the basis of third class passenger fares on the Bombay, Baroda and Central India Railway. There is no difference between the broad and metre gauge sections.

Third class Passenger Fares on the Bombay, Baroda and Central India Railway.

Miles.	Pies per mile.	
	By mail or express trains.	By ordinary trains.
1—50	4 1/2	3 3/4
Plus 51—200.	4	3 1/4
Plus 201—300	3 3/4	3
Plus 301 and over.	3	2 3/4

TERMINATION OF THE CONTRACT OF THE BOMBAY, BARODA AND CENTRAL INDIA RAILWAY.

10. ***Dr. Ziauddin Ahmad:** (a) When will the contract of the Bombay, Baroda and Central India Railway come to an end?

(b) Will Government be pleased to lay a copy of the contract on the table?

(c) Can Government in the interest of the comforts of travelling public acquire the line earlier?

Mr. P. R. Rau: (a) The contract may be determined, with 12 calendar month's notice, on the 31st day of December, 1941, or on the 31st day of December, in any succeeding 5th year, reckoning from that date.

(b) A copy is available in the Library.

(c) The earliest possible date under the contract is the 31st of December, 1941.

Dr. Ziauddin Ahmad: What is the answer to part (c) of the question, please?

Mr. P. R. Rau: The earliest possible date under the contract is the 31st December, 1941.

CASUALTIES BETWEEN ALLAHABAD AND BENARES ON THE BENGAL AND NORTH WESTERN RAILWAY.

11. ***Dr. Ziauddin Ahmad:** (a) Is it a fact that in the year 1933-34, twenty-seven men and women and 107 cattle were killed between Allahabad and Benares on the Bengal and North Western Railway?

(b) What is the list of casualty on the East Indian Railway between the same stations?

(c) Is it a fact that there is no fencing on either side of the line on the Bengal and North Western Railway?

(d) What action, if any, do Government propose to take to avoid such casualties?

Mr. P. B. Rau: (a) No. Government are informed that the number was nine and one respectively.

(b) Similar figures for the East Indian Railway are as follows:

	Route via Janghai (partly unfenced).	via Moghalsarai.
Persons	34	36
Head of cattle	31	56 respectively.

(c) The main line Sonapur-Gorakhpur to Burhwal, and the section Chupra to Ravelganj, are fenced.

(d) The question of the advantages or disadvantages of fencing was considered very carefully by the Government some years ago and a statement explaining the conclusions arrived at by them was laid on the table of the House on the 2nd September, 1929. I would ask my Honourable friend to study this document at his convenience.

Mr. Lalchand Navalrai: In regard to part (c), may I know if the Railways are going to adopt any measures with regard to fencing on either side of the line with a view to avoiding casualties? Do the Railways contemplate erecting more fencing or adopting some other devices to avoid casualties?

Mr. P. B. Rau: The policy of the Government was, as I have said, considered very carefully some years ago and a statement was laid on the table of the House in 1929.

Mr. Lalchand Navalrai: Does the Honourable Member know that in America there is a system of bells, and when trains pass through thickly populated portions where there is no fencing, these bells ring and thus casualties are avoided there. Do Government contemplate doing something of that sort in this country or they propose to take no notice of these casualties?

Mr. P. B. Rau: I am afraid I do not know anything about the practice in America.

Mr. Lalchand Navalrai: May I know if the Honourable Member will make inquiries and instruct the Agents to devise some means to avoid casualties?

(After a pause.)

Will the Honourable Member reply to my question?

Mr. P. B. Rau: I shall consider that point.

Sir Muhammad Yakub: Probably in America human life is not so cheap as in India.

ADMINISTRATION IN THE MORADABAD DIVISION OF THE EAST INDIAN RAILWAY.

12. ***Dr. Ziauddin Ahmad:** (a) Did Government send a copy of the questions asked in this House about the administration in the Moradabad division, to the Agent of the East Indian Railway?

(b) What reply did Government receive from the Agent and what action did the Agent take on the matters referred to in the questions?

(c) Was a copy of the debate held in this House in August, 1984, on the supply of food and drinks on railway stations, sent to the Railway Advisory Committees? If so, what was their opinion?

Mr. P. E. Rau: (a) Yes.

(b) A report has just been received from the Agent, and will be examined by the Railway Board.

(c) A copy of the debate was forwarded to Agents of Class I Railways, who were asked to discuss the matter with their Advisory Committees, and to report to the Railway Board. Seven reports have been received, and the others are expected shortly.

Dr. Ziauddin Ahmad: Will these Reports be made available to Members of the Assembly?

Mr. P. E. Rau: After the Reports have been received, Government will consider in what form they should be made available to Honourable Members.

AMALGAMATION OF THE ROHILKUND AND KUMAUN AND THE BENGAL AND NORTH WESTERN RAILWAYS.

13. ***Dr. Ziauddin Ahmad:** (a) Have Government been approached for permission to amalgamate the administration of the Rohilkund and Kumaun Railway with that of the Bengal and North Western Railway, and to transfer the offices of the Rohilkund and Kumaun Railway from Izatnagar to Gorakhpur? If so, what reply did Government give?

(b) In view of the contemplated purchase of the Bengal and North Western Railway by Government in 1987, do Government propose to postpone any administrative action on such amalgamation?

Mr. P. E. Rau: (a) No.

(b) Does not arise.

SENIORITY LIST OF THE OFFICES OF THE EAST INDIAN RAILWAY.

14. ***Dr. Ziauddin Ahmad:** (a) Will Government please place in the Library of this House a copy of the seniority list of the offices of the East Indian Railway?

(b) Do Government propose to take immediate action to get such a list prepared if it does not exist?

(c) Are Government aware that the absence of such a seniority list is a source of great dissatisfaction among the officers of the East Indian Railway?

Mr. P. E. Rau: A copy of the combined seniority list for Company and State Railway Officers on the East Indian Railway has been placed in the Library of the House.

Dr. Ziauddin Ahmad: Thank you very much. It is ready, after all.

CONTRACT FOR THE SUPPLY OF COOLIES ON STATIONS BETWEEN SAHARANPUR
AND MOGHULSARAI.

15. ***Dr. Ziauddin Ahmad:** (a) Is it a fact that one individual had the contract of the supply of coolies at all the Railway stations on the East Indian Railway between Saharanpur and Moghulsarai?

(b) Is it a fact that that individual is now dead, but the contract has passed on to his son?

(c) Is the contract a permanent one, or is it revised periodically?

(d) Who gives the contract?

Mr. P. R. Rau: (a) Government were informed by the Agent, East Indian Railway, in 1933, this was so at that time.

(b) Government have no information, but I think I can safely assure my Honourable friend that the contract is not hereditary.

(c) The period of the contract is not fixed, and it can be terminated, after due notice, at the discretion of the officer authorised to give the contract.

(d) The Divisional Superintendent, Moradabad.

Dr. Ziauddin Ahmad: May I know.

Mr. President (The Honourable Sir Abdur Rahim): Is that a supplementary question?

Dr. Ziauddin Ahmad: Yes, Sir.

Have Government inquired if this system of contract has been going on for a very long time, and whether they are renewed secretly year after year or they are permanent?

Mr. P. R. Rau: They are not permanent in the sense that they cannot be revised.

Dr. Ziauddin Ahmad: After what period are these contracts renewed?

Mr. P. R. Rau: As found necessary.

SELECTION OF CONTRACTORS FOR THE SUPPLY OF COOLIES.

16. ***Dr. Ziauddin Ahmad:** On what principle are the contractors for the supply of coolies selected:

(i) by inviting tenders,

(ii) by public auction,

or

(iii) as gift?

Mr. P. R. Rau: On the Great Indian Peninsula Railway and for important stations on the Eastern Bengal Railway tenders are invited.

On the East Indian Railway contractors are selected by the Divisional Superintendents except in the case of Howrah where the selection is made by the Chief Operating Superintendent.

On the North Western Railway Jamadars are selected from amongst approved coolies at large stations and are given licences free of charge for the supply of coolies. At other stations coolies are licensed by the Station Master.

Prof. N. G. Ranga: Could the Honourable Member give me information with regard to the M. & S. M. Railway?

Mr. P. R. Rau: I am afraid I have got information only in regard to State-managed Railways on this question.

Mr. N. M. Joshi: May I ask if these contracts are necessary at all? Do Government find it difficult to get porters at the stations?

Mr. P. R. Rau: In large stations there is some difficulty in controlling porters if they are kept under the Station Masters.

Mr. N. M. Joshi: May I ask whether the Railway authorities cannot get suitable staff to control the porters?

Mr. P. R. Rau: These porters can be controlled if there is a sufficient number of staff.

Mr. N. M. Joshi: May I ask why Government do not employ staff instead of giving a contract?

Mr. P. R. Rau: I am afraid it will be more expensive.

CONTRACT FOR THE SUPPLY OF COOLIES ON THE EAST INDIAN RAILWAY.

17. ***Dr. Ziauddin Ahmad:** (a) Is it not a fact that in certain sections of the East Indian Railway contracts for the supply of coolies are given to the Station Masters?

(b) Is it not a fact that complaints against the misbehaviour of coolies are referred to the Station Masters? Will not, in the cases referred to in part (a) the complaints against the Station Masters be made to themselves?

(c) On what principle is this additional work given to the Station Masters?

(d) Are Station Masters eligible to hold contracts of tea stalls on the Railway platforms? If not, why are they considered eligible to hold cooly contracts?

Mr. P. R. Rau: I have asked the Agent, East Indian Railway, for certain information and will place a reply on the table of the House when it is received.

ALLEGATIONS AGAINST THE CONTRACTORS OF COOLIES ON THE EAST INDIAN RAILWAY.

18. ***Dr. Ziauddin Ahmad:** (a) How much does a contractor take from each cooly at a railway station per day? Is it not two annas to four annas per day?

(b) Is it not a fact that the cooly contractors are paid separately for the loading and the unloading of goods in the trains other than goods trains?

(c) Are Government aware that those contractors get the work done by coolies in *begar* (without payment) and thus pocket the entire amount?

(d) How much money does the East Indian Railway administration pay for loading and unloading goods at Moghulsarai, Bareilly, Lucknow, and Saharanpur?

Mr. P. R. Rau: I am assuming that my Honourable friend's question refers to the East Indian Railway:

(a) Government have no information. The Railway does not prescribe any scale.

(b) Yes, in some cases.

(c) The Agent, East Indian Railway, states that any complaints made in regard to this point are immediately investigated and suitable action taken.

(d) I have called for the information and will lay it on the table of the House when received.

Mr. Lalchand Navalrai: May I know if the Honourable Member himself had, at any time, been charged more than the fixed coolie rate?

(No answer.)

Mr. Lalchand Navalrai: Perhaps the Honourable Member has not understood my question, and so I will repeat it. I want to know whether these coolies are charging more to the passengers on account of their having to pay something to the contractors, and I also want to know if the Honourable Member has himself at any time not been asked to pay more than fixed rates?

Mr. P. R. Rau: Has my Honourable friend any right to question me with regard to my private affairs?

Mr. N. M. Joshi: The Honourable Member said that it would cost the Government more if they did not employ the contractors. May I ask, Sir, when the contractors are able to make money out of the contract, why can't the Government make that money?

Mr. P. R. Rau: I am afraid that the question of controlling the porters departmentally has not been considered, at any rate I have not myself seen any discussion on it.

Mr. N. M. Joshi: May I ask whether Government will consider that question?

Mr. P. E. Rau: Yes, Sir.

Dr. Ziauddin Ahmad: The Honourable Member may take it from me that this is a fact that the coolie contracts from Mughalsarai to Saharanpur, including Cawnpore Station, are given to one person, and he takes all the work from the poor coolies in *begar*; that is, without payment. Will the Honourable Member write to the Agents concerned and inquire if this is a fact or not and report the result to the Assembly?

Mr. P. E. Rau: I shall obtain whatever information is considered necessary.

Dr. Ziauddin Ahmad: If he finds that this is a fact, will he take steps to prevent that kind of thing going on?

Mr. P. E. Rau: That is a hypothetical question.

Dr. Ziauddin Ahmad: I did not catch what the Honourable Member said, will he please repeat it?

Mr. P. R. Rau: That is a hypothetical question.

RESPONSIBILITY FOR THE GOOD BEHAVIOUR OF COOLIES ON RAILWAY STATIONS.

19. **Dr. Ziauddin Ahmad:** (a) Who is responsible for the good behaviour of coolies, contractors or Station Masters?

(b) What are the responsibilities of the coolie contractors? Are they responsible for the theft of the passengers luggage committed by coolies?

(c) Are they responsible for forcibly demanding from passengers wages above the scheduled rates, on the ground that they pay large sums to the contractors and carry on *begar*?

Mr. P. R. Rau: (a) The person who has the contract is responsible. He is subject to the control of the station master.

(b) I understand contractors are generally held responsible for seeing that the number of coolies is adequate, that they are of good character, that they are properly and neatly dressed, that they are orderly in their conduct, are regular in attendance and do not charge more than the rates authorised. They are also presumably responsible for theft of luggage committed by coolies supplied by them, but this depends on the circumstances of each case and may have to be decided in a Court of law.

(c) I am sure my Honourable friend does not seriously expect me to reply to a hypothetical question of this nature. If he personally comes across any such instance, I hope he will bring it immediately to the notice of the station master, so that steps might be taken to fix the responsibility and take suitable action.

Dr. Ziauddin Ahmad: May I know if the coolie contractor is responsible for the loss of luggage of passengers?

Mr. P. R. Rau: No, Sir; I am quite unable to give a categorical reply to that sort of question. It may have to be decided in a Court of law.

Dr. Ziauddin Ahmad: Then, what is he responsible for? Is he not responsible for the good behaviour of coolies which includes theft?

Mr. P. E. Rau: Good behaviour does not include theft.

Dr. Ziauddin Ahmad: Does the Honourable Member mean that a theft is committed by a person of good behaviour? May I have an answer to this?

(No reply.)

REMOVAL OF WAGE-CUTS ON RAILWAYS.

20. ***Mr. Lalchand Navalrai:** (a) Will Government be pleased to state if they intend to remove the wage-cuts on the State Railways? If so, when, and if not, why not?

(b) Do Government propose to advise the Company-managed railways to remove the wage-cuts on their railways? If not, why not?

Mr. P. E. Rau: (a) As announced in the Press communiqué issued yesterday, it has been decided not to reimpose the emergency deductions from pay when they cease on the 31st of March.

(b) Company-managed Railways will be advised to follow State-managed Railways in this matter.

Mr. B. Das: May I ask the Finance Member to tell me whether this restoration of the salary cut of Government servants from the 1st April also implies the abolition of the lower limit of the amount liable to income-tax and the abolition of the surcharge on the income-tax as was assured to this House before?

The Honourable Sir James Grigg: I must ask my Honourable friend to wait and see.

Mr. B. Das: Why should not the Honourable Member wait till his budget speech to announce this restoration of salary cut?

The Honourable Sir James Grigg: Because it was impossible to deal with the Railway Budget until the question of the restoration of the pay cut had been determined.

Mr. B. Das: Is the Honourable Member aware of the promise that was given by his predecessor that both the things would be considered simultaneously?

The Honourable Sir James Grigg: I am aware of my predecessor's pledge, but I am also aware that the Honourable Member states it somewhat inaccurately.

Mr. S. Satyamurti: May I know the reason why the Government have decided to remove the wage-cuts on State Railways?

Mr. P. E. Rau: The State Railways have been treated all through in the same manner as other Government Departments.

Mr. B. Das: May I enquire from the Honourable the Finance Member what is his correct reading of the pledges of his predecessor?

The Honourable Sir James Grigg: I do not think that arises out of the present question.

Mr. S. Satyamurti: May I know if the financial position of the State Railways has so improved as to justify the Government in restoring the wage-cuts?

Mr. P. E. Rau: My Honourable friend will, I am sure, have no objection to wait till the 18th February when the Railway Budget will be placed before the House.

Mr. S. Satyamurti: May I know why, when I am asked to wait, the Government do not wait before they make up their mind to restore the wage-cuts?

Mr. P. E. Rau: The Government have to prepare the Budget.

Mr. S. Satyamurti: May I know, therefore, whether the Government had any reasons for making up their mind to restore the wage-cuts, that is to say, an improvement in the financial position, or any other reason?

Mr. P. E. Rau: The reasons will be made known to my Honourable friend when he hears the budget speech.

Mr. S. Satyamurti: I want to know, Mr. President, what are the reasons which actuated the Government, as a matter of fact, in restoring the wage-cut? This is a serious matter.

The Honourable Sir James Grigg: The main reason is the pledge given by the Government of India on innumerable occasions.

Mr. S. Satyamurti: May I know what were the other reasons, Mr. President?

Mr. President (The Honourable Sir Abdur Rahim): If the Honourable Member is not prepared to give the information, what can the Chair do?

Mr. S. Satyamurti: I am much obliged to you. I see that he is not prepared to give any reasons.

Mr. President (The Honourable Sir Abdur Rahim): Question No. 21.

Mr. Lalchand Navalrai: I do not want to put No. 21 today.

Mr. S. Satyamurti: Why? I put question No. 21.

Mr. President (The Honourable Sir Abdur Rahim): The Chair will take it at the end.

†21*.

†This question will be answered on the 6th February 1935.

LOW PRICES IN THE TRADE MARKET IN INDIA.

22. ***Mr. Lalchand Navalrai:** (a) Will Government be pleased to state what steps they have taken to improve the low prices of trade in India?

(b) Is there any committee appointed to examine the export and import trade of India as a whole and the trade of other countries with which India is in competition in the world's markets, with a view to help the Indian agriculturist and the trader? If so, how far has the committee progressed in its work?

The Honourable Sir James Grigg: (a) A good deal has been attempted in one direction and another (e.g., import duties, restriction schemes, etc.), which might have been expected to raise internal commodity prices.

(b) No, Sir. Nor do I think that there is any prospect of useful employment for such a committee, so long as the present universal desire simultaneously to export freely, and to import as little as possible continues.

Mr. Lalchand Navalrai: May I know if any method is going to be found out in this direction or not, or are you going to leave it as it stands?

The Honourable Sir James Grigg: I am sorry I am not a prophet.

Mr. Lalchand Navalrai: It is not a question of being a prophet. The Honourable Member is in charge of this and he can probably take steps for the purpose of removing this evil.

The Honourable Sir James Grigg: I wish I were in charge of this, but as the Honourable Member knows, experiments to cure the present depression are going on in every country in the world, but so far they have not been very successful.

Mr. Lalchand Navalrai: Does the Honourable Member think that it should go on in every country and in India also without any remedy?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has already answered the question.

The Honourable Sir James Grigg: I am always open to consider suggestions from the Honourable Member for putting the world right.

Mr. B. Das: May I know what steps the Honourable Member has taken in respect of the planned economy suggestion which his predecessor gave out in his budget speech before he retired from this country?

The Honourable Sir James Grigg: I think that is a matter for debate and not for question and answer.

Dr. Ziauddin Ahmad: What steps have Government taken to raise the prices of agricultural products? They can give it either in a reply, or they may issue a statement.

The Honourable Sir James Grigg: I have made an attempt to reply to it in the first part of this answer. Beyond that I have nothing to say.

Dr. Ziauddin Ahmad: Or, in other words, no steps have been taken?

The Honourable Sir James Grigg: Perhaps I may read out my answer again.

"A good deal has been attempted in one direction and another (*e.g.*, import duties, restriction schemes, etc.), which might have been expected to raise internal commodity prices".

Dr. Ziauddin Ahmad: If questions are objected to that they are vague, may I also not object that the answers are vague?

The Honourable Sir James Grigg: The Honourable Member is entitled to his own opinion just as I am entitled to mine.

Mr. S. Satyamurti: What is the "good deal"? Will the Honourable Member be good enough to specify in some detail what are the import duties and on what goods they have been imposed, and to what extent, and what has been the effect of all that on the raising of prices in this country?

The Honourable Sir James Grigg: I think the Honourable Member had better put that down on paper. That is a very large question.

Mr. S. Satyamurti: May I seek your protection, Mr. President? He is here to answer the questions that are put.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is not prepared to answer the question straight off.

Mr. S. Satyamurti: Thank you, Sir.

COMPETITION OF THE MOTOR TRAFFIC WITH THE RAILWAYS.

28. ***Mr. Lalchand Navalrai:** (a) Will Government be pleased to state the extent to which the motor traffic is competing with the goods and passenger traffic on the Indian railways at present?

(b) Have any measures been taken to adjust equitably the clash between the motor and railway traffic?

(c) Have Government considered the desirability of reducing the freight charges and the fares on the railways in order to meet the competition of the motor traffic? If not, why not?

Mr. P. B. Rau: (a) The latest information available is contained in the Mitchell-Kirkness report on road and rail competition, etc., issued in 1933, a copy of which is in the Library of the House.

(b) The question of road-rail competition has been engaging the attention of Government since 1927. The steps taken by them culminated in December last in the first meeting of a body called the Transport Advisory Committee, which Government hope will be a permanent institution. It consists of representatives from each Governor's Province, ordinarily a Minister with one or two technical advisers. In his inaugural address to that body the Honourable Sir Frank Noyce gave a short history of the various measures taken by Government. I lay the relevant extract on the table. At its meeting the Transport Advisory Committee formulated a

precise statement of policy to secure the co-ordinated development of road and rail transport, a copy of which I also lay on the table. The Government of India will now place this statement before Local Governments with a view to its adoption by them.

In addition to these steps to secure a sound policy in the future, the Government of India have always administered the Road Account, which at present forms the chief source of funds for the development of roads, in a manner designed to avoid undesirable competition between motor and railway traffic.

(c) Railways have constantly under examination the question of making such adjustments in fares and freight rates as circumstances call for. For example, on the North Western Railway third class passenger fares have been reduced and one-day return journey third class tickets introduced between certain stations. Similarly, rates for parcels traffic have been quoted from and to certain stations to prevent diversion of the traffic to the road.

Extract from the inaugural address by the Honourable Sir Frank Noyce at the meeting of the Transport Advisory Council held on 7th January, 1935.

* * * * *

Our progress, though apparently slow, has been steady. It began with the Jayakar Committee which, as I have said before well and truly laid the foundations of further progress. There followed next the Mitchell-Kirkness Report, which is and will continue to be a mine of well ordered information. Then we had the Road-Rail Conference of 1933, which first formulated the outstanding problems now facing us and suggested means for their solution. The Resolutions drafted by that Conference were the basis of a prolonged and intricate correspondence with local Governments in which most of you must have taken an active part. That correspondence disclosed a considerable amount of agreement on the problems and solutions stated by the Conference, and raised some new questions. We have now come together to give more precise form to the various problems and solutions proposed in the correspondence, and to evolve a statement of common policy which we hope will be energetically pursued by all interests concerned. I hope also that our discussions will indicate further lines of investigations to be pursued in the interval elapsing before our next meeting, and that we shall then be in a position further to develop the statement of common policy, to the benefit of the Government of India, of local Governments and of the people of India.

Concise Statement of Policy to secure the Co-ordinated Development of Road and Rail Transport, formulated by the Transport Advisory Council at its meetings on the 7th, 8th and 9th January, 1935.

PART I.—THE CONSTRUCTION OF ROADS AND RAILWAYS.

1. For the present, funds available for roads, other than funds required for maintenance or for the fulfilment of existing commitments, should be applied largely to the development of roads which do not duplicate existing means of transport.
2. Where a metalled road runs parallel to a railway, feeder roads giving access from or to that road to or from railway stations, towns and large villages close to it, should be constructed and maintained up to a standard which will secure that the access is unimpeded.
3. (a) In the administration of the Road Account, any scheme for the construction or improvement of a road included in an accepted skeleton system of trunk roads should not be opposed by the Government of India merely on the ground that such a

road is parallel to a railway, and a scheme for the construction or improvement of any other road parallel to a railway should require special justification with reference to the circumstances of the particular case;

(b) the accepted skeleton system of trunk roads referred to above should be settled in agreement with Local Governments.

PART II.—THE CONTROL OF TRAFFIC.

1. For the double purpose of promoting the public safety and convenience and of placing competition between road and rail on an equal footing, the following measures should be adopted in regard to motor buses :

(a) a reasonable standard of maintenance of vehicles;

(b) the medical inspection of drivers;

(c) insurance against passenger and third party risks; and

(d) the adequate inspection and enforcement of regulations.

2. The number of motor buses should be restricted so as to avoid wasteful competition.

In order to secure this end :

(a) motor buses or services of motor buses should be licensed, for a specified route or specified routes only; and

(b) in determining whether a license should be granted or not, regard should be had to the following four tests, namely :

(i) the extent to which the needs of the proposed routes are already served;

(ii) the extent to which the proposed service is desirable in the public interest;

(iii) the traffic needs of the area as a whole, including the need to link up routes with railways and other routes; and

(iv) the suitability of the routes for the proposed traffic.

3. It may be expedient in order that fuller advantage may be taken of a particular road :

(a) to grant a monopoly of motor bus traffic for a limited period on that road to a well organised service, and

(b) to arrange for the issuing of through tickets for journeys partly by such a service and partly by a railway fed by it.

PART III.—ADMINISTRATIVE MACHINERY.

(a) The Government of India and the local Governments, particularly under the new Constitution, should, as far as may be feasible and constitutionally possible, place in the charge of one Member or Minister all matters relating to communications.

(b) The annual meetings of the Transport Advisory Council, as an Advisory body, for the co-ordination of road and rail transport, should be continued.

(c) Each local Government should create or maintain provincial Boards of Communications with advisory functions relating to matters concerning the co-ordination of road, rail and inland water transport, on which the railways and inland water transport of the province should be adequately represented, and no important scheme of road, rail or inland waterway development should be approved by the local Government until it has been discussed by the Board after adequate notice has been given to the various interests concerned.

(d) Each local Government should take measures to establish machinery for the control of motor transport according to the circumstances of each province, which will be adequate to carry out the detailed measures recommended by this Council and accepted by the local Government for the control of motor transport.

NOTE.—All the above recommendations were adopted unanimously, except Part I items 1 3 (a) and (b), Part II items 1, 2 and 3, and Part III item (a) which were carried by a majority of more than two-thirds of the members.

(Sd.) D. G. MITCHELL,

Secretary to the Government of India,
Department of Industries and Labour.

Mr. Sami Venkatchelam Chetty: May I know if, in pursuance of this policy, the Central Government have addressed Local Governments to raise the motor vehicle taxation?

The Honourable Sir Frank Noyce: No. That is a question for Local Governments.

Prof. N. G. Ranga: Have the Central Government addressed the Local Governments or not?

The Honourable Sir Frank Noyce: Not, so far as I am aware, on that point.

Mr. F. E. James: With reference to the answer to part (c) of the question, can the Honourable Member tell the House at what stage the enquiry into the revision of the tariff in regard to goods traffic on the railways is at present?

Mr. P. E. Rau: As my Honourable friend is aware, a Sub-Committee was appointed by the Indian Railway Conference Association to ascertain what statistics would be required in order to embark upon an exhaustive enquiry of this nature. That report was considered by the Association at their meeting in October and certain proposals were made by them. The Railway Board propose to discuss the question with the Indian Railway Conference Association in the March meeting.

Dr. Ziauddin Ahmad: Will those proposals be available to the Members of the Assembly?

Mr. P. E. Rau: Not at present.

Mr. S. Satyamurti: With reference to the answer to part (c) of the question, may I know if the Government of India have any policy of co-ordinating the railway and motor traffic, or is it a case of railways being encouraged to kill the motor traffic?

The Honourable Sir Frank Noyce: No, certainly not. The object of Government is to co-ordinate the two methods of transport in the best interests of the country.

IMPROVEMENT IN THE EARNINGS OF THE RAILWAYS.

24. ***Mr. Lalchand Navalrai:** Is it a fact that there has been an improvement in the earnings of the railways, and that it is due entirely to improvement of goods traffic?

Mr. P. E. Rau: Yes, Sir.

NON-APPLICABILITY OF SECTION 45 OF THE SPECIFIC RELIEF ACT TO SIND.

25. ***Mr. Lalchand Navalrai:** (a) Has the attention of Government been drawn to the repeated remarks of the highest Court in Sind with regard to the non-applicability of section 45 of the Specific Relief Act to the province of Sind?

(b) Is it a fact that cases do arise in Sind similar to those in places where the Chartered High Courts have jurisdiction?

(c) Is it a fact that much as the High Court in Sind wished to interfere in the case reported in A. I. Reporter 1934, Sind 136, they could not exercise this jurisdiction and give relief for want of power under section 45, Specific Relief Act?

(d) Will Government be pleased to state what difference they make in this respect between the impotence of Sind Province and the other parts of Bombay Presidency where Section 45, Specific Relief Act does apply?

(e) Do Government propose, in view of the public and judicial authorities' opinion, to take early measures to amend section 45, Specific Relief Act, and make it applicable to the Province of Sind and such other suitable parts of India to which it does not apply?

The Honourable Sir Henry Craik: (a) to (d). The Government of India are fully aware that the Court of the Judicial Commissioner in Sind has no power to issue an order under section 45 of the Specific Relief Act. In that respect the position of Sind is the same as the position of all other parts of British India, except those small areas to which the original civil jurisdiction of the High Courts at Calcutta, Madras, Bombay and Rangoon extends.

(e) The answer is in the negative.

Mr. Lalchand Navalrai: May I know what are the reasons for not making that improvement and applying the provisions of section 45 to other places where it is not applicable, where they are doing the same work as the Chartered High Courts?

The Honourable Sir Henry Craik: That, I understand, is a very contentious question on which opinion is greatly divided.

Mr. Lalchand Navalrai: May I request the Honourable Member to make enquiries on this point and ask the Provincial Governments whether they are in favour of this section 45 being applied or not. Something should be done.

The Honourable Sir Henry Craik: The whole question was fully considered about two years ago and the decision was that there was no case for extending the section to other parts of India.

Mr. Lalchand Navalrai: Two years is a long time. The new Constitution is coming in. Greater powers are being given to some other High Courts. Why should not this section be applied and powers given to Courts which do not possess them? I will request the Honourable Member now to make an inquiry and take some steps.

The Honourable Sir Henry Craik: I will consider that.

Mr. Lalchand Navalrai: Thank you.

Mr. M. A. Jinnah: May I press the Home Member to consider the case of Sind particularly?

The Honourable Sir Henry Craik: On what grounds?

Mr. M. A. Jinnah: Very many grounds.

REDUCTION OF RAILWAY FREIGHT ON SIND RICE.

26. ***Mr. Lalchand Navalrai:** (a) Is it a fact that a representation was made to the North Western Railway authorities by the Karachi merchants that railway freight on rice be reduced?

(b) If so, what steps were taken in that direction?

(c) Is it a fact that the Railway freight on rice is about eight annas per maund from Upper Sind to Karachi?

(d) Will Government be pleased to state what the freight is on rice imported from Upper Sind to Punjab and Delhi?

(e) Is it a fact that in 1914 paddy was selling at Re. 1-8-0 per maund and the railway freight was three annas nine pies?

(f) Is it a fact that the price of paddy is nearly the same as it was in 1914, and that the freight is eight annas per maund from Upper Sind to Karachi?

(g) Will Government be pleased to explain this difference?

(h) Will Government be pleased to state if it is a fact that Rangoon has facilities to export rice to the Persian Gulf on cheaper steamer charges, and are Government aware that that causes great hardship to Karachi port in competing with Rangoon rice for export to the Persian Gulf?

(i) Are Government aware that Rangoon white rice is being sold with Karachi delivery at Rs. 2-8-0 per maund, and that with eight annas freight per maund on Upper Sind white rice it is not possible to compete with Rangoon rice at Karachi?

(j) Do Government propose to reduce the railway freight on the carriage of Sind rice in order to allow it to have a fair competition with the Rangoon rice? If not, why not?

Mr. P. R. Rau: (a) Yes.

(b) The Agent, North Western Railway, states that enquiries made showed that traffic in rice was moving freely to Karachi. The Administration did not, therefore, consider that any reduction in freight rates was necessary.

(c) The freight varies with the distance: from Sukkur, which I understand is the principal Upper Sind Centre, to Karachi it is Re. 0-7-10 per maund.

(d) The railway freight varies with the distance: that from Sukkur to Amritsar is Re. 0-9-10 per maund and to Delhi Re. 0-10-11.

(e) The annual average wholesale price of paddy in 1914 at Sukkur was, I understand, Rs. 2-9-6 per maund, and the railway freight from Sukkur to Karachi was Re. 0-4-6 per maund.

(f) The wholesale price on the 31st December, 1934, was Rs. 1-12-6 per maund, and the railway freight from Sukkur to Karachi was Re. 0-7-10 per maund.

(g) The difference in railway freight rates for rice to Karachi, comparing 1914 with 1935, is due to the fact that in 1914 special rates were being quoted for rice, as for other grain and pulses, from most stations on the North Western Railway to Karachi. If the ordinary rates that were applicable on the North Western Railway generally were charged in 1914 for bookings to Karachi, the rates now in force would be only 20 per cent. more than the 1914 rates.

(h) Government understand that the freight charge on rice from Rangoon to the Persian Gulf is about Re. 0-8-6 per maund. The freight from Karachi is less and is about Re. 0-5-6 per maund. The reply to the latter part of the question is in the negative.

(i) The Agent, North Western Railway, states that enquiries made showed that the selling price for Rangoon rice in Karachi in July, 1934, was Rs. 2-8-0 per maund, whereas the price of Upper Sind rice varied from Rs. 2-9-0 to Rs. 4-8-0 according to quality.

(j) For reasons already explained in reply to part (b), no reduction in the rates is contemplated at present.

Mr. Lalchand Navalrai: I did not quite follow the Honourable Member's replies to these long paragraphs. I take it that there is a difference in the price of Rangoon rice, Karachi rice and Sind rice there, and that some provision should be made to vouchsafe that there should be fair competition.

Mr. President (The Honourable Sir Abdur Rahim): Will the Honourable Member put it in the form of a question?

Mr. Lalchand Navalrai: Is it not a fact that there is competition, and that, in that competition, Sind rice is suffering?

Mr. P. B. Rau: The qualities are not the same, I believe.

Mr. Lalchand Navalrai: Has the Honourable Member any information that the quality is not the same?

Mr. P. B. Rau: Yes, Sir.

Mr. Lalchand Navalrai: Is it not a fact that the quality being the same, there is a difference?

Mr. P. B. Rau: I am not aware of that.

Mr. Lalchand Navalrai: Will the Honourable Member then make inquiries and ask the Agent to do something in this direction to find out if there is a competition which is not fair?

Mr. P. B. Rau: My Honourable friend is assuming that the competition is not fair.

Mr. Lalchand Navalrai: May I request the Honourable Member, as he does not know the conditions, to ask the Agent to make inquiries and do something?

Mr. P. B. Rau: The Agent has made inquiries.

Mr. Lalchand Navalrai: I mean further inquiries on the points I have submitted to the Honourable Member.

Mr. President (The Honourable Sir Abdur Rahim): Next question.

VOTERS ON THE ELECTORAL ROLL OF THE WEST AND EAST PUNJAB SIKH CONSTITUENCIES OF THE LEGISLATIVE ASSEMBLY.

27. *Sardar Sant Singh: (a) Will Government be pleased to state the number of voters on the electoral roll of the West Punjab Sikh constituency and those on the East Punjab Sikh constituency? How many votes were polled during the last election?

(b) What candidates contested these two seats and how many votes did each candidate receive?

The Honourable Sir Henry Craik: (a) and (b). I place on the table a statement showing the information asked for.

Statement containing information relating to the East and the West Punjab Sikh Constituencies.

	No. of voters on the Electoral Roll.	No. of votes polled.
(a) East Punjab Sikh Constituency . . .	3,122	2,367
West Punjab Sikh Constituency . . .	16,134	9,296
	Candidates.	Votes.
(b) East Punjab Sikh Constituency . . .	Sardar Harbans Singh	624
	Sardar Rajindar Singh	69
	Sardar Fatehjang Singh	807
	Sardar Mangal Singh	864
West Punjab Sikh Constituency . . .	Sardar Sant Singh	7,106
	Sardar Gulab Singh	2,078
	Sardar Anup Singh	95

Sardar Sant Singh: Is it not a fact that there is a wide divergence between the two lists?

The Honourable Sir Henry Craik: Yes.

DISTRICTS INCLUDED IN THE WEST AND EAST PUNJAB SIKH CONSTITUENCIES OF THE LEGISLATIVE ASSEMBLY.

28. *Sardar Sant Singh: (a) How many districts of the Punjab are included in the West Punjab Sikh constituency and how many in the East Punjab Sikh constituency?

(b) What is the area of each of these two constituencies?

(c) In view of the large difference in the number of votes of the two constituencies, do Government propose to re-arrange these constituencies in such a manner as to divide the voting strength equally?

The Honourable Sir Henry Craik: (a) and (b). The information asked for by the Honourable Member is contained in Part I(1) of Schedule I to the Legislative Assembly Electoral Rules and in Table I in Part II of Volume XVII (Punjab) of the report of the Census of India, 1931, copies of which are available in the Library.

(c) Government consider that no useful purpose would be served, by taking the action suggested, at this stage.

Sardar Sant Singh: What are the reasons as to why the Government consider that no useful purpose would be served by making a change in the constituency?

The Honourable Sir Henry Craik: I trust that any contingency which would deprive this House of the Honourable Member's presence is so remote that it will never arise.

Sardar Sant Singh: In view of the fact that this House is likely to reject the recommendations of the Joint Parliamentary Committee Report and in view of the fact that better sense will prevail in England by withdrawing the Bill which is before the Parliament, the contingency may now arise?

Mr. President (The Honourable Sir Abdur Rahim): It is a hypothetical question.

APPOINTMENT OF SIKH OFFICERS IN THE GOVERNMENT OF INDIA OFFICES.

29. ***Sardar Sant Singh:** (a) Will Government please state the number of officers belonging to each of the All-India and Provincial Services working in the Government of India Secretariat, including the Railway Board and the Intelligence Bureau and other attached offices, in December, 1922 and December, 1933? How many of them were Europeans, Hindus, Muhammadans and Sikhs each time?

(b) Which of the communities have increased their share of representation in these offices as compared with 1922 and by how much? Has the total number of Sikhs increased? If not, why not?

(c) What is the total service of each of the Indian officers, who are working at present in these offices? Was there no Sikh having as much or more service, available for employment in the Secretariat or its attached offices?

(d) Are Government prepared to consider the advisability of giving a chance in the future vacancies to Sikh officers? Is it a fact that Government have in the past recruited in the Secretariat and the Railway Board and other attached offices a sufficient number of Muhammadan officers?

The Honourable Sir Henry Craik: I lay on the table a statement which will give the Honourable Member the information required by him in parts (a), (b) and (c) of the question. As to the employment of Sikhs and Muslims in superior Secretariat posts, I would refer the Honourable Member to the reply given to part (a) of starred question No. 134 on the 4th February, 1924. The position was also explained in greater detail in connection with the Resolution regarding the Indianization of the Indian Civil Service moved in another place on the 10th February, 1934.

Statements showing the number of officers, etc., belonging to each of the 148 Posts in 14 Provincial 1922 and December, 1933 together with the length of service of each of the Indian Officers

Department or Office.	1st December 1922										In Decem-								
	Officers of All-India Services.					Provincial Service Officers.					Officers of All-India Services.								
	Europeans.	Hindus.	Muslims.	Sikhs.	Indian Christians.	Total.	Europeans.	Hindus.	Muslims.	Sikhs.	Indian Christians.	Total.	Europeans.	Hindus.	Muslims.	Sikhs.	Indian Christians.	Total.	
Home Department	5	..	..	..	..	5	..	..	..	..	..	..	4	(a)	..	..	..	..	6
Bureau of Public Information.	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Intelligence Bureau.	4	..	..	..	..	4	3	2	..	..	..	5	4	..	..	..	..	..	4
Foreign and Political Department.	1	..	..	..	..	1	..	1	..	..	..	1	..	..	..	..	..	..	..
Office of Military Adviser in Chief, Indian States Forces.	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Finance Department	3	..	..	..	..	3	..	..	..	..	..	..	4	..	..	..	..	..	4
Central Board of Revenue	This office was not constituted in 1922.										..	..	2	..	..	..	..	..	2
Army Department	2	..	..	..	..	2	..	..	..	..	..	..	2	..	..	..	..	..	2
Legislative Department	4	..	..	..	..	4	..	..	..	..	..	..	3	..	..	..	..	..	3
Department of Commerce	3	..	..	..	..	3	..	..	..	..	..	..	2	(b)	(c)	1	..	..	5
Railway Department. (Railway Board.)	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Department of Education, Health & Lands.	7	..	1	..	..	8	..	..	..	..	..	1	1	(c)	2	1	..	..	4
Office of the Director General, Indian Medical Service.	5	..	1	..	..	6	..	..	..	..	..	..	4	..	..	..	..	..	4
Office of the D. G. of Archaeology.	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Department of Industries and Labour.	6	..	..	..	..	6	..	..	..	..	..	..	4	..	1	..	..	..	5
Office of the Director of Civil Aviation.	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Office of the D. G. of Posts and Telegraphs.	1	..	..	..	..	1	..	..	..	..	..	..	1	..	..	..	..	..	1
Office of the Chief Controller of Stores.	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Office of the Chief Engineer, C. P. W. Department.	(e)	11	2	1	1	15	1	3	..	4	..	5	2	3	2	2	..	..	15
Office of the Controller of Printing and Stationery.	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Military Finance Department.	..	..	..	..	..	..	..	..	..	..	..	..	1	..	..	..	..	..	1
Office of the Military Accountant General.	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Total.	52	2	3	1	..	58	1	6	3	1	1	12	40	9	4	2	1	..	66

Services employed in the Government of India Secretariat and Attached Offices in December employed in January, 1935.

ber 1935.						Length of service of each of the Indian Officers employed in January 1935.	Remarks.
Provincial Service Officers.							
Europeans.	Hindus.	Muslims.	Sikhs.	Indian Christians.	Total.		
						Length of service.	
						1 Hindu ... 17 years.	(a) Including one tempy.
	1				1	1 Muslim ... 25 years.	
	2	3			5	2 Hindus ... 26 and 27 years. 3 Muslims ... 27, 19 and 19 years. No Indian Officer.	
						No Indian Officer.	
						No Indian Officer.	
						No Indian Officer.	
						*1 ... 24 years.	* Appointed since December 1933 in a leave vacancy.
						1 Indian Christian 23 years.	(b) Including one temporary (I. E. S Officer)
						1 Sikh ... 13 years.	(c) Excluding one retired I. E. S. officer re-employed.
						1 Hindu ... 19 years.	(d) One Sikh has since been employed.
						2 Hindus ... 19 and 21 years. 1 Muslim ... 15 ... years.	
						No Indian Officer.	
						1 Muslim ... 6 ... years.	
						1 † Hindu ... 22 ... years.	† Appointed since December 1933.
1	2				3	2 25 years. 2 24 " 1 21 " 1 17 " 1 13 " 1 11 " 1 5 "	(a) Excluding one retired officer re-employed temporarily.
						No Indian Officer.	
1	4	4			9		

APPOINTMENT OF SIKH JUDGES IN THE LAHORE HIGH COURT.

30. *Sardar Sant Singh: (a) Is it a fact that the Secretary of State for India, before making the appointments, asks for the nomination of persons fit for the appointment of a Judge of a High Court?

(b) Is it also a fact that the Government of India in turn enquires from the Chief Justice of a High Court the name of persons whom he considers suitable for the appointment?

(c) If the reply to the preceding parts be in the negative, will Government please state the procedure followed in selecting persons for appointment as Judges of the High Courts of Judicature?

(d) How many vacancies of Judges of the High Court of Lahore occurred since August 1933, and by whom was each of them filled up?

(e) How many of the appointments were made out of the District and Session Judges and how many by direct nominations?

(f) How many of the appointments were given to Sikhs as against Muhammadans and Hindus?

(g) Is it a fact that Sikhs have always been representing to Government through deputations, press and the Indian Legislature for their claims to such appointments?

(h) Is it a fact that similar sort of representations were made by the Muhammadans and they have been given a fair representation in this service and that the claims of the Sikhs have been totally ignored?

(i) Is it not a fact that last year on the retirement of a Muhammadan Judge of the High Court, Lahore, another member of the same community was given the chance?

(j) What are the necessary qualifications for such appointments? Was there no Sikh with necessary qualifications available for any of the appointments made by Government during the period mentioned above? If so, in what way?

(k) Do Government now propose to take steps for giving the Sikh community its due share in the High Court of Lahore by appointing at least a couple of Sikhs in future vacancies? If not, why not?

The Honourable Sir Henry Craik: (a) to (c). Permanent appointments to the High Courts are made by His Majesty, under section 101 of the Government of India Act, and not in the manner suggested by the Honourable Member.

(d) The Governor General in Council has no information in regard to acting appointments which are made by the Local Government under sub-sections (1) and (2) of section 105 of the Government of India Act. I lay on the table a statement showing the persons appointed to fill permanent vacancies and temporary additional judgeships.

(e) Seven of the persons appointed had previous experience as District and Sessions Judge.

(f) None.

(g) and (h). Government have received representations from Sikhs and also from Muhammadans and they have dealt with these representations in exactly the same way and without showing favour to either community as such.

(i) Yes.

(j) and (k) The qualifications for High Court Judges are laid down in sub-section (3) of section 101 of the Government of India Act. The claims of Sikhs receive and will continue to receive due consideration along with those of persons belonging to other communities with due regard to the provisions of sub-section (4) of that section. But these appointments are not made on a communal basis.

STATEMENT.

Permanent.

1. The Honourable Sir Douglas Young, Barrister-at-Law, Chief Justice.
2. The Honourable Mr. Justice Monroe, K.C., Barrister-at-Law.
3. The Honourable Mr. Justice Skemp, I.C.S.

Temporary Additional Judges.

1. The Honourable Mr. Justice Bhide, I.C.S.
2. The Honourable Mr. Justice Currie, I.C.S.
3. The Honourable Mr. Justice Abdul Rashid, Barrister-at-Law.
4. The Honourable Mr. Justice Rangilal, P.C.S.
5. The Honourable Mr. Justice Hilton, I.C.S.
6. Sir Abdul Qadir, Barrister-at-Law.
7. The Honourable Mr. Justice Din Muhammad.
8. The Honourable Mr. Justice, Beckett, I.C.S.
9. The Honourable Mr. Justice Blacker, I.C.S.

NOTE.—In some cases the same person was reappointed as Additional Judge.

APPOINTMENT OF A SIKH IN THE OFFICE OF THE DIRECTOR OF PUBLIC INFORMATION.

31. *Sardar Sant Singh: (a) Is it a fact that there is no Sikh in the Public Information Bureau office? If so, since how long has there been no Sikh in that office?

(b) Is it a fact that there is a permanent vacancy in that office? If so, do Government propose to appoint a qualified Sikh in that vacancy?

The Honourable Sir Henry Craik: (a) There is one Sikh at present employed in a temporary post in the Bureau.

(b) No. There was a vacancy recently which has been filled by the confirmation of a Muslim who was holding a temporary post in the Bureau.

Mr. Lalchand Navalrai: May I inquire how many Hindus and how many Muhamadans are there?

The Honourable Sir Henry Craik: I must, I am afraid, have notice of that question.

Sardar Sant Singh: May I inquire what is the total strength of the clerical staff of this Public Information Bureau office?

The Honourable Sir Henry Craik: I must have notice of that too.

SELECTION OF CANDIDATES FOR ADMISSION TO THE INDIAN MILITARY ACADEMY.

32. *Sardar Sant Singh: (a) What control or check have the Army Headquarters got over the Officers Commanding to see that the so-called 'Y' cadets nominated by them, whose selection was made very carefully, are not got rid of on ordinary pretext in order to make room for their (Officers Commanding) own recruited men?

(b) Will Government please state whether it is a fact that, in one or two cases, nominees of the Officers Commanding who were admitted to the Dehra Dun Academy, could not get along in the class for want of adequate knowledge of English and, as such, were detained for six months or so in the Academy in recent years and the Commandant of the College brought such cases to the notice of the Army Headquarters and they in turn warned the Officers Commanding for this?

(c) Is it also a fact that some of the Cadets recruited from the Army are considered unsuitable and are about to be discharged now? If so, what are their names and on what grounds and from which regiments were they selected and on whose recommendations?

(d) Are the 'Y' Cadets selected by the Army Headquarters in 1930 and 1931 on being unfavourably reported upon by their Officers Commanding given a second chance to show their worth under other Officers Commanding also? If not, why not?

(e) Are Government prepared to lay down an open departmental competitive examination or any other procedure, which a Committee of this House may suggest, to the Government in replacement of the present kind of selection made through the commands? If not, what are the difficulties?

Mr. G. R. F. Tottenham: (a) No 'Y' cadet is discharged without the orders of the Army Headquarters. The question, however, insinuates that Commanding Officers are actuated by unworthy motives in recommending Cadets for nomination to the Academy. His Excellency the Commander-in-Chief desires me to say that this suggestion is entirely baseless. Commanding Officers are selected and appointed by him for the very responsible positions that they hold; and there is no reason, whatever, to believe that their recommendations are based on any considerations other than those of efficiency.

(b) It is true that some of the I. A. cadets have dropped a term or been removed from the Academy, but there was nothing in their failure to call for a warning to Commanding Officers.

(c) Five Indian Army cadets had to be removed from the Academy in January, 1935, as being unlikely to make efficient officers. I lay on the table a statement giving their names and units. In accordance with the usual procedure, they were originally selected for cadetships by His Excellency the Commander-in-Chief after the most careful analysis had been made by a Committee at Army Headquarters of the comparative claims of the different candidates recommended by Unit Commanders.

(d) No, because there is no reason to believe that such a course is necessary.

(e) No. It was agreed, after full discussion in the Indian Military College Committee, that 50 per cent. of the cadets entering the Academy should be nominated by H. E. the Commander-in-Chief from the ranks of the Indian Army. In exercising his power of nomination His Excellency has no object in view except efficiency and can accept no advice except from his own officers, in whom he has the most complete trust.

Statement.

Name.	Unit.
Parbhathi Singh	Skinner's Horse.
Jetha Singh	Sikh Pioneers.
Sayad Sarfaraz Hussain Shah	3rd Bn., 10th Baluch Regiment.
Trilok Singh	1st Bn., 13th F. F. Rifles.
Makhan Singh	Signal Training Centre.

Sardar Sant Singh: May I know whether there is any difference in the recommendations for the selection of the 'Y' cadets from the units as they are at present and as they were before in the time of the predecessor of the present officer—Colonel Mallock, I believe?

Mr. G. R. F. Tottenham: I believe the Honourable Member has another question on the subject on the paper, but I can assure him that there is no difference.

Captain Sardar Sher Muhammad Khan: May I know if there are any 'Y' cadets existing in the Army now-a-days?

Mr. G. R. F. Tottenham: Does the Honourable Member mean among the commissioned officers or in the ranks?

Captain Sardar Sher Muhammad Khan: In the ranks.

Mr. G. R. F. Tottenham: The 'Y' cadet is merely a term which is applied to certain persons in the ranks of the Indian Army who are selected for training as commissioned officers. Every Indian Army cadet who goes to the Academy is in that sense a 'Y' cadet.

Sardar Sant Singh: May I ask if it is a fact that several of the Indians who had joined the 'Y' cadets in the hope that they would be selected for the Dehra Dun Academy have left the service, and, if so, how many?

Mr. G. R. F. Tottenham: I cannot give the precise figures, but I think they are roughly as follows. There were 36 special enlistments of 'Y' cadets in 1930 and 1931. Out of those thirty-six, four, I believe, have resigned at their own request entirely, eight have been discharged as being unlikely to make efficient officers, twelve have already been given cadetships at the Academy, and the remaining twelve are still serving in their units and have every chance, so far as I know, of obtaining cadetships at the Academy in due course.

EMPLOYMENT OF FEMALES AS TELEPHONE OPERATORS.

33. ***Sardar Sant Singh:** (a) Will Government please state whether it is a fact that the Director General, Posts and Telegraphs, has decided to give preference to females, who invariably belong to the Anglo-Indian community, in the appointments of operators in the Telephone Branch of the Indian Posts and Telegraphs Department?

(b) Will Government please state the number of female operators, community-wise, at present employed as telephone operators at different exchanges?

(c) Will Government please state whether their observation that women are better suited than men in this particular work, is based on any facts and whether they observed any difficulties in carrying on the work at Delhi Trunk Exchange (which is the busiest and the biggest exchange in India), or anywhere else till the year 1932, when it was operated by men operators only? If they did not observe any difficulties till 1932, what led Government to condemn men operators all of a sudden? In case Government observed difficulties, why were not steps taken to remove them earlier?

(d) What vernacular standard of qualifications has been prescribed for these Anglo-Indian female operators?

(e) Will Government please state the academic qualifications of the Anglo-Indian girls employed during the last five years as operators?

The Honourable Sir Frank Noyce: (a) With the approval of Government, the Director-General has issued orders that female telephone operators should, so far as practicable, be employed in telephone exchanges in preference to male operators subject to certain conditions. The preference applies to female telephone operators of all communities.

(b) 51, of whom one is a Portuguese Indian, two are Indians and the rest Anglo-Indians.

(c) As regards the first part, the observation is based on the experience of the telephone administration of India, as well as of the telephone administrations in other parts of the world, and the measure is designed to improve the efficiency of the telephone service.

As regards the second part, Government have no information as to the position prior to 1932 in the Delhi trunk exchange.

As regards the third part, I may state that Government have not condemned men operators, all of a sudden, as will be clear from the fact that while there are more than 600 telephone operators in the department only 51 of them are females. All that Government have done is to order the employment of female operators in preference to male operators, so far as practicable. The last part of the question does not, therefore, arise.

(d) A colloquial knowledge of the prevailing local vernacular has been prescribed for all candidates including female Anglo-Indian candidates.

(e) Government have no information.

Mr. Lalchand Navalrai: May I know if this preference is being given to the females when they possess the same merits as the males, or whether, if there is any difference in the merits also, still they are preferred?

The Honourable Sir Frank Noyce: The same qualifications are laid down in both cases.

Sir Cowasji Jehangir: May I ask the Honourable Member whether there is any economy effected by employing women?

The Honourable Sir Frank Noyce: Indirectly, yes, Sir, as the wastage amongst women is greater than amongst men owing to the fact that they have an alternative career open to them, namely, marriage.

Dr. Ziauddin Ahmad: May I draw the Honourable Member's attention to the fact that in other countries females are employed in the interests of economy, but here, in India, it is the other way. May I ask, whether in India it is not more economical to employ men than women?

The Honourable Sir Frank Noyce: No, Sir. I have just said that the rates paid in both cases are the same, but there is an economy in employing women owing to the fact that when women marry, others are brought in on the minimum of the scale. The reason why women are employed in preference to men for this particular class of work is—if I may say so without disrespect in a House which consists entirely of men—that they have clearer voices and more pleasant manners. (Laughter.)

Sir Cowasji Jehangir: May I ask the Honourable Member whether, in view of unemployment in this country, he should not reconsider the position, as in all parts of the world, where there is unemployment, the question of employing women is being considered? Here unemployment is a serious problem, and women are being given the preference. I would ask the Honourable Member to consider the question from that point of view.

The Honourable Sir Frank Noyce: May I point out two facts? One is that there are roughly 600 telephone operators altogether, and that, if the employment of this number were confined to men, that would be merely a drop in the ocean as regards relief of unemployment. As to the other point, I cannot believe this House would accept the view that no work of any kind should be open to women. That seems to me—to use an expression which has been used in this House a great deal lately—a distinctly "reactionary and retrograde" proposition.

Sir Cowasji Jehangir: I would draw the Honourable Member's attention to the fact that this question is being discussed all over the world just now—and the view generally held is that women should not be employed in preference to men when there is unemployment to the extent that exists today. I believe the Honourable Member will find that in most towns in England today that question is one which has been under discussion, and I believe it has been decided that men should get preference over women when there is a question of the employment of women.

Mr. B. Das: Regarding this employment of women in the Telephone Department, may I ask whether only Anglo-Indian women are employed, or whether other Indian women are also recruited?

The Honourable Sir Frank Noyce: I would invite my Honourable friend's attention to part (b) of my reply, in which I said that there were 51 women telephone operators of whom 48 are Anglo-Indians. I would

also invite his attention to the fact that there is no preference to the members of any particular community in this respect. It does happen that at the moment Anglo-Indian women are coming forward in greater numbers for this class of employment than members of other communities, but there is no reason whatever why the existing inequality should not adjust itself in a very short time, and I very much hope it will do so.

Mr. B. Das: For the recruitment of these posts, will Government bear in mind that the Anglo-Indian women get only eight per cent. of the posts reserved for Telephone Operators?

Lieut.-Colonel Sir Henry Gidney: Will the Honourable Member inform this House whether it is not a fact that the Anglo-Indian employees render very good service in these posts?

The Honourable Sir Frank Noyce: I hardly think that that question arises out of this particular question. We all know the merits of Anglo-Indian employees, but I do not know that I am called upon in this connection to give them a special certificate.

Sardar Sant Singh: May I ask from the Honourable Member if, while taking into consideration the percentage of the employees belonging to the Anglo-Indian community in the Posts and Telegraphs Department as a whole, the employment of these Anglo-Indian ladies will be considered as part of the quota assigned to that community?

The Honourable Sir Frank Noyce: I should not like to answer that question off-hand. I think the probabilities are that the answer is "Yes", but I should like to have notice of the question.

RECRUITMENT OF SIKHS AS TELEPHONE OPERATORS.

34. ***Sardar Sant Singh:** (a) What is the number of Sikh telephone operators at Delhi, Simla and Lahore, and how do Government account for their total absence or very meagre representation at these places?

(b) In order to give the Sikhs their due share, are Government prepared to order the recruitment of Sikh operators in future vacancies? If not, why not?

The Honourable Sir Frank Noyce: (a) The number of Sikh Telephone Operators in the exchanges in question is—Delhi, one; Simla, two and Lahore, nil. The actual communal composition of any existing cadre is, as has been frequently pointed out in this House, the result of recruitment over a great many years.

(b) Government consider that the rights of minority communities, including Sikhs, to a legitimate share in all services in the Posts and Telegraphs Department, are already sufficiently protected by the orders of Government regarding the adjustment of communal inequalities.

REPLACEMENT OF UNQUALIFIED CLERKS BY QUALIFIED ONES IN THE GOVERNMENT OF INDIA OFFICES.

35. *Sardar Sant Singh: With reference to the reply to the starred question No. 968, dated the 31st August, 1934, will Government please state whether they have arrived at any decision in regard to the replacement of unqualified men—particularly those who are working against permanent and semi-permanent vacancies—in the Government of India Secretariat, including the Foreign and Political Department and their attached offices, by the candidates who have passed the competitive examination held by the Public Service Commission and are eligible for such appointments? If not, what are the difficulties and how long are they likely to take to decide this point?

The Honourable Sir Henry Craik: Government are considering the matter in consultation with the Public Service Commission and it is hoped that orders will be issued shortly.

Mr. S. Satyamurti: May I know what is meant by "shortly"? After how many months will the orders be issued?

The Honourable Sir Henry Craik: In a short period.

Mr. S. Satyamurti: After how many months, may I know?

Mr. President (The Honourable Sir Abdur Rahim): Next question.

EMPLOYMENT OF UNQUALIFIED CLERKS IN THE FOREIGN AND POLITICAL DEPARTMENT.

36. *Sardar Sant Singh: (a) Will Government please state how many vacancies in the First, Second and Third Divisions of the clerical establishment of the Foreign and Political Department of the Government of India occurred since April, 1928, and how each of them was filled up, i.e., whether by departmental promotion or by external recruitment through the Public Service Commission?

(b) Will Government please state how many of these vacancies were (i) leave vacancies, (ii) temporary vacancies, (iii) permanent vacancies, and (iv) semi-permanent vacancies? Will they please also state in the case of (i) and (ii), the length of each vacancy?

(c) Will Government please state whether in making the promotion and appointments, the rules promulgated by the Home Department and the Public Service Commission for reservation of appointments for departmental promotion as well as external recruitment were duly given effect to? If so, how, and if not, why not?

(d) Will Government please state the number and the names of the unqualified men employed in the Foreign and Political Department and for how long each of them has been working?

(e) What claims each of these unqualified men recruited from outside will have over permanent appointments?

(f) How many of the Second and Third Division permanent men are officiating in the First and Second Divisions, respectively, of that Department? Were each of such appointments made after filling up every two or three vacancies through the Public Service Commission or from other Departments where qualified men are working in their lower divisions for which they are qualified in accordance with the Home Department Resolution?

(g) Are Government aware that most of the unqualified men so employed in the Foreign and Political Department in the Third Division are either relations of one or the other of the men at present working in that office or who have retired from there?

(h) Are Government aware that there are many appointments which could be made in either Division of the establishment during the period 1928 to 1934 but were not so filled up? If so, why were these appointments not filled up?

(i) If the answer to the first portion in part (h) be in the affirmative, is there any other Department of the Government of India where the powers delegated by the Home Department in regard to the recruitment of outsiders in temporary short vacancies have been exercised in the way as in the Foreign and Political Department? If so, which are those offices?

Mr. H. A. F. Metcalfe: (a) Eighteen, twenty-one and ten vacancies have occurred in the First, Second and Third Divisions, respectively, since 1928. Of these eighteen, sixteen and ten have been filled. Each vacancy was filled in accordance with the rules and orders of the Government of India.

(b) There are no leave and semi-permanent vacancies in the Foreign and Political Department. The number of permanent vacancies is stated in reply to part (a) of the question. To collect statistics of temporary vacancies will entail considerable time and labour which will not be commensurate with the result achieved.

(c) Yes. By appointing eligible and qualified men.

(d) A statement is placed on the table.

(e) None. Unless they qualify after appointment.

(f) Ten permanent Second Division men and twelve Routine Division men are officiating in the First and Second Divisions, respectively. To the second part, the answer is "No" because, under the rules, the Department has discretion to fill temporary vacancies by departmental promotion if they consider it desirable to do so.

(g) No.

(h) There are only five appointments in the Second Division which have not yet been filled permanently pending certain readjustments of the cadre.

(i) The question does not arise.

Statement showing the names, etc., of unqualified men employed in the Foreign and Political Department.

Names of unqualified men employed on 1st January, 1935.	Date from which employed.	Division in which employed.	Length of service on 1st January, 1935.	Remarks.
1. Mr. S. K. Ayangar .	4-6-30	Upper Division.	Y. M. D. 4 6 28	These five men who originally belonged to the Bombay Secretariat have been brought on to the Foreign and Political Department cadre temporarily in the first instance on the establishment of direct relations between the Bombay States and the Government of India in April, 1933.
2. Mr. T. C. L. Shah .	17-2-31	Do.	3 10 15	
3. Mr. G. R. Choubal .	17-4-33	Do.	1 8 15	
4. Mr. C. K. Maru .	17-4-33	Lower Division.	1 8 15	
5. Mr. T. R. Choubal .	17-4-33	Do.	1 8 15	
6. Mr. D. Y. Pradhan .	17-4-33	Do.	1 8 15	
7. Mr. B. B. Benjamin .	17-4-33	Do.	1 8 15	
8. Mr. Sher Mohd. Khan .	4-3-30	Routine Division.	4 9 28	
9. Mr. S. K. Nundy .	1-11-30	Do.	4 2 0	
10. Mr. Abdul Rahman .	7-11-30	Do.	4 1 25	
11. Mr. G. B. Ghosh .	18-11-30	Do.	4 1 14	
12. Mr. Mohd. Aslam Khan .	23-6-32	Do.	2 6 9	
13. Mr. Sarnagat Singh .	24-6-32	Do.	2 6 8	
14. Mr. D. D. Sharma .	27-8-32	Do.	2 5	
15. Mr. Habitualla Jan .	28-10-32	Do.	2 2 4	
16. Mrs. M. S. Hosley .	3-11-33	Do.	2 1 29	
17. Miss G. L. Robertson .	22-1-32	Do.	2 1 1	
18. Mr. Nabi-ul-Hasan .	26-11-32	Do.	2 1 6	
19. Mr. M. S. Sharma .	30-11-3	Do.	2 1 2	
20. Mr. Teja Singh .	2-1-32	Do.	2 1 0	
21. Mr. Banwari Lal .	24-7-33	Do.	1 5 8	
22. Mr. S. K. Roy .	21-9-33	Do.	1 11	
23. Mr. Asmat Ali .	23-10-33	Do.	1 2 9	
24. Mr. Tufail Ahmed .	7-7-34	Do.	0 5 25	
25. Mr. A. Narasinga Rao .	17-9-34	Do.	0 3 15	
26. Mr. C. Jacob .	1-11-34	Do.	0 2 0	
27. Mr. Mohd. Tahir .	1-11-34	Do.	0 2 0	
28. Mr. C. R. deMagry .	13-12-34	Do.	0 0 19	
29. Mr. K. P. Bose .	13-12-34	Do.	0 0 19	
30. Mr. Mohd. Rafiq .	13-12-34	Do.	0 0 19	
31. Mr. N. N. Kalia .	13-12-34	Do.	0 0 19	

Mr. Lalchand Navalrai: May I know, Sir, whether these temporary appointments, when they are made and when they are going to be made permanent, are made through the Public Service Commission or by the Department itself?

Mr. H. A. F. Metcalfe: They are made in accordance with the instructions issued by the Home Department.

Mr. Lalchand Navalrai: May I know what those instructions are?

Mr. H. A. F. Metcalfe: They can be laid on the table, if necessary. I have not got them here.

Mr. Ahmed Ebrahim Haroon Jaffer: May I ask if any consideration is paid to the ratio of 25 per cent. which is fixed by Government and are the claims of Muhammadans considered by giving them these appointments?

Mr. H. A. F. Metcalfe: I do not know exactly what the Honourable Member means by the 25 per cent. ratio.

Mr. Ahmed Ebrahim Haroon Jaffer: My question is that when Government fill these appointments by recruiting members from outside, do they consider the fact of 25 per cent. ratio fixed for the employment of Muhammadans to these posts?

Mr. H. A. F. Metcalfe: The Honourable the Home Member informs me that that will certainly be kept in mind with regard to the question which he just answered.

Mr. Ahmed Ebrahim Haroon Jaffer: May I know the procedure adopted in making these appointments? For example, there are four appointments to be filled up, will one of these appointments go to the Muhammadans?

Mr. H. A. F. Metcalfe: I am not in a position to give the Honourable Member details at the present moment. If he wishes to ask a question of that sort, he had better put it down on the paper.

UNQUALIFIED CLERKS IN THE GOVERNMENT OF INDIA DEPARTMENTS.

37. ***Sardar Sant Singh:** Will Government please place on the table a statement showing the names of the unqualified men employed by each Department and the length of service each one has put in?

The Honourable Sir Henry Craik: The information is being collected and will be laid on the table in due course.

NON-EMPLOYMENT OF QUALIFIED CLERKS IN THE GOVERNMENT OF INDIA DEPARTMENTS.

38. *Sardar Sant Singh: (a) Are Government aware that recently in the Legislative Department there was a vacancy in the Second Division which was given to one of their departmental men by promotion and the vacancy thus created in the Third Division was filled up by a Muhammadan qualified for the Second Division after thorough search by the Public Service Commission?

(b) Are Government aware that similarly there are many men working in the different offices of the Government of India and their attached offices in the Third Division and are qualified for the Second Division since 1925?

(c) Are Government further aware that these qualified men have so far neither been promoted permanently in their own offices nor the Foreign and Political Department, nor any other Department where vacancies have often occurred since then, nor has it been tried to secure the services of these qualified candidates either through the Public Service Commission or by enquiry from different offices, as sometimes many departments do?

(d) How many vacancies were filled up recently in the Foreign and Political Department in the different grades and how was each of them filled up?

(e) Is it a fact that they have asked for sanction for additional staff?

(f) In view of the above-mentioned facts, do Government propose to appoint a small committee of this House to look into these affairs in order to have the right thing done by the qualified men? If not, why not?

The Honourable Sir Henry Craik: (a) and (b). Yes.

(c) I would invite the Honourable Member's attention to the answers given by my predecessor to Mr. Uppi Sahab Bahadur's questions Nos. 805 and 806 on the 2nd March, 1934, from which it will be seen that Government have made all reasonable provision for the promotion of qualified candidates. Transfers from one Department or office to another, in the same grade, are also permitted on certain conditions and can be arranged direct between the Departments concerned, but candidates cannot claim to be provided for by transfer.

(d) During the last six months, one vacancy in the First Division has occurred and it will be filled by the promotion of a qualified departmental candidate.

(e) Yes, for temporary staff.

(f) Government see no reason to appoint a Committee of the Assembly to deal with a departmental matter of this kind.

APPOINTMENT OF AN INDIAN IN THE CYPHER BUREAU OF THE FOREIGN AND POLITICAL DEPARTMENT.

39. *Sardar Sant Singh: Will Government please state if any vacancy occurred in the Cypher Bureau of the Foreign and Political Department

since the reply to starred question No. 69, dated the 20th August, 1934, and whether any Indian was appointed in it? How long is it likely to take to open this Branch to the Indians?

Mr. H. A. F. Metcalfe: No.

Recruitment will be open to Indians in vacancies occurring after the new cyphers have been brought into use. This date is as yet uncertain.

Sardar Sant Singh: May I ask how long will it take to bring these new rules of cypher into force?

Mr. H. A. F. Metcalfe: It is not a question of bringing in new rules; it is a question of introducing new cyphers which are the property of the Government of India and not of His Majesty's Government. I trust that the new cyphers will be ready within the next few months, but the House will understand that it would be extremely undesirable to give public information as to the exact time when the new cyphers will be introduced.

RECRUITMENT OF A SIKH IN THE STATISTICAL RESEARCH BRANCH OF THE COMMERCIAL INTELLIGENCE AND STATISTICS DEPARTMENT.

40. ***Sardar Sant Singh:** Will Government please state the number of temporary, leave and permanent vacancies that occurred since January, 1934, in the Statistical Research Branch of the Commercial Intelligence and Statistics Department and whether any steps were taken by Government to recruit a Sikh? If not, why not?

The Honourable Sir Joseph Bhore: There have been one temporary and four leave vacancies in the Statistical Research Branch of the Department of Commercial Intelligence and Statistics. No permanent vacancy occurred as the Branch is temporary. The claims of Sikh candidates, whose names are on the register maintained by the Commercial Intelligence and Statistics Department, were considered, but no suitable candidate was immediately available.

OCCUPATION WITHOUT PAYING RENT OF A GOVERNMENT QUARTER IN NEW DELHI BY A CONTRACTOR.

41. ***Sardar Sant Singh:** (a) Is it a fact that a contractor has been occupying a Government quarter in Schedule B at New Delhi without rent? If so, who allowed him to live in a Government building and under what rules?

(b) Are Government prepared to realize rent from him now? If not, why not?

The Honourable Sir Frank Noyce: (a) Eight peons' quarters in Schedule B in the Viceregal Estate, New Delhi, have been allotted, rent free, with the sanction of the Government of India, to petty contractors and shopkeepers.

(b) No; the shops maintained by the contractors have to be kept open all the year round, and the concession allowed them is reasonable.

EXCLUSION OF SIKHS FOR EMPLOYMENT AS EXTRA ASSISTANT SUPERINTENDENTS OF THE SURVEY DEPARTMENT.

42. *Sardar Sant Singh: (a) Have Government seen the "Hand Book of General Instructions, Volume II"? If so, do Government subscribe to the policy laid down therein that 40 per cent. appointments of the Extra Assistant Superintendents of the Survey Department are reserved for Anglo-Indians and at least half of the remaining, i.e., 30 per cent. for Muslims? If so, who fixed this proportion and when?

(b) Has there been any alliance between the Muslims and the Anglo-Indians of the Survey Department in this matter? If not, why has no mention been made of the Sikhs or other communities?

Mr. G. S. Bajpai: (a) Yes. These proportions were fixed by the Government of India, with the approval of the Secretary of State, in 1920, for a period of five years. Since 1925, candidates to the Survey of India, Class II, have been recruited in the proportion of two Anglo-Indians, two Muhammadans and three non-Muhammadan Indians, but of the 60 officers, actually in employment today, 26 are Anglo-Indians, 22 Hindus, one Sikh and 11 Muhammadans. These proportions are of course liable to revision.

(b) Instructions for recruitment are issued by the Government of India. Sikhs are included amongst non-Muhammadans and one was actually appointed in 1933.

Sardar Sant Singh: May I ask, Sir, how is it that in this particular branch the Sikhs are included amongst non-Muslims?

Mr. G. S. Bajpai: That has been the practice of the Department and I presume that the Sikh is a non-Muslim. My Honourable friend does not dispute that.

Sardar Sant Singh: May I inform my Honourable friend that the expression "non-Muslims" is too general a term and it can include even the Germans and the French? Will the Honourable Member say how is it that, though the policy has been changed in the Railway Department and the Sikhs have been allotted a separate column for statistical purposes, his Department does not follow the same rule?

Mr. G. S. Bajpai: Sir, inasmuch as appointments to the Survey of India are reserved for Indians, that is to say, Statutory Indians and Indians, Germans and Frenchmen do not enter into our consideration at all. As regards the rest, when we do reconsider the proportions which are now in force, my Honourable friend's suggestion that the Sikh should be specifically called a Sikh will be borne in mind.

UNSTARRED QUESTIONS AND ANSWERS.

EMPLOYEES IN THE KARACHI DIVISION OF THE NORTH WESTERN RAILWAY.

1. **Mr. Nabi Baksh Illahi Baksh Bhutto:** Will the Honourable Member for Railways be pleased to give the following information, in a tabular form, in respect of employees in the Karachi Division of the North Western Railway?

Particulars of employees.	Percentage of their population in the province of Sind.	Guards (State grade and salary).	Station Masters (State grade and salary).	A. S. Ms. (State grade and salary).	Signalers (State grade and salary).	Engine Drivers (State grade and salary).	Firemen (State grade and salary).	Booking Clerks (State grade and salary).	Goods and Train Clerks (State grade and salary).	Watch and Ward Inspectors (State grade and salary).	Watch and Ward Staff (State grade and salary).	Permanent Ways Inspectors (State grades and salary).	Sub-Permanent Way Inspector (State grade and salary).
Pure Sindhi Muslims													
" " Hindus													
Non-Sindhi Muslims													
" " Hindus													
" " Christians													
" " Anglo-Indians													
" " Europeans													
" " Parsees													
" " Other Communities													
Total													

Particulars of employees.	Works Inspectors (State grade and salary).	Assistant Works Inspectors (State grade and salary).	S. D. Os. (State grade and salary).	T. Is. (State grade and salary).	C. Is. (State grade and salary).	Ticket Collectors (State grade and salary).	T. F. Examiners (State grade and salary).	Inspectors of Coaching and Goods.	Claims Inspectors.	Inter-Locking Inspectors.	Foremen in Workshops.	Total
Pure Sindhi Muslims												
" " Hindus												
Non-Sindhi Muslims												
" " Hindus												
" " Christians												
" " Anglo-Indians												
" " Europeans												
" " Parsees												
" " Other Communities												
Total												

Mr. P. R. Rau: Government regret they are unable to supplement with figures for individual offices or divisions the information in regard to communal representation in railway services which is given in the Annual Report by the Railway Board on Indian Railways.

CASES DECIDED *EX PARTE* BY THE INCOME-TAX OFFICERS IN SIND.

2. **Mr. Nabi Baksh Ilahi Baksh Bhutto:** Will Government be pleased to state:

- (a) the number of cases decided *ex parte* by the Income-tax Officers in Sind within the last seven years;
- (b) the number of such decisions revised or set aside in appeal; and
- (c) the number of cases decided by the Income-tax Officers on information gleaned by them from private sources as to the assets and income of the assesses?

Mr. A. J. Raisman: (a), (b) and (c). Statistics are not compiled on such lines as to supply the answer to the Honourable Member's question. That answer could only be obtained from a study of all the proceedings—original, appellate, and revisional—arising in connection with assessments in Sind for a period of seven years; and this would involve an expenditure of time and labour which would be entirely incommensurate with the value of the results secured.

COMMUNAL COMPOSITION OF INCOME-TAX OFFICERS AND EXAMINERS IN SIND.

3. **Mr. Nabi Baksh Ilahi Baksh Bhutto:** Will Government be pleased to state:

- (a) the number of Sindhi Mussalmans serving as Income-tax Officers and Assistant Income-tax Officers in Sind at present;
- (b) the number of non-Muslim Income-tax Officers and Assistant Income-tax Officers serving at present in Sind;
- (c) the number of Muslim Income-tax Examiners in Sind;
- (d) the number of non-Muslim Income-tax Examiners in Sind;
- (e) the number of Muslim Income-tax Inspectors in Sind; and
- (f) the number of non-Muslims serving as Income-tax Inspectors?

Mr. A. J. Raisman: (a) and (b). Sindhi Mussalman one and non-Muslims seven. There is no post of Assistant Income-tax Officer in Sind.

- (c) one.
- (d) seven.
- (e) three.
- (f) three.

PROTECTED ANCIENT MONUMENTS IN SIND.

4. **Mr. Nabi Baksh Illahi Baksh Bhutto:** Will Government be pleased to place on the table:

(a) a list of protected ancient monuments in Sind;

(b) a statement showing the figures of annual expenditure incurred on repairs to and maintenance of each of such monuments?

Mr. G. S. Bajpai: (a) A list is laid on the table.

(b) If the Honourable Member will kindly specify the period for which the information is required, an effort will be made to supply it.

List of Protected Ancient Monuments in Sind.

District (Revenue.)	Locality.	Name of monument.
Hyderabad	Hyderabad	Tomb of Gulam Shah Kalhora.
Do.	Do.	Tomb of Gulam Nabi Khan Kalhora.
Do.	Do.	Tomb of Sarfaraz Khan Kalhora.
Do.	Do.	Haram of (Talpur) Mirs in the Hyderabad fort.
Do.	Do.	Ruins of old city at Badin (Southern half of No. 59).
Do.	(Gaja) a few miles from Tando Muhammad Khann	Buddhist stupas.
Nawabshah	Village Mir Rukan	Thul or Buddhist stupas.
Do.	Deh of village Nur Muhammad (about seven miles off Daulatpur).	Tomb of Nur Muhammad Kalhora.
Do.	Shahpur	Kuba Mir Shahad.
Karachi.	Tatta	Dabgir masjid.
Do.	Do.	Jami masjid.
Do.	Do.	Jam Nizamuddin's tomb.
Do.	Do.	Baradari.
Do.	Do.	Nawab Amir Khalil Khan's tomb.
Do.	Do.	Nawab Isakhan's tomb.
Do.	Do.	Nawab Surfa Khan's tomb.

District (Revenue).	Locality.	Name of Monument.
Karachi	Tatta	Tughral Beg's tomb.
Do.	Do.	Mirza Jani Beg's tomb.
Do.	Do.	Tombs of Zenana of Nawab Isakhan.
Do.	Do.	Mirza Isakhan's tomb.
Do.	Do.	Kalan Kot.
Do.	Mirpur Sakro (Bhamoor)	Sasin-jo-Takar.
Do.	Do.	Jam Bijar fort.
Do.	Tatta	(1) Stone tomb with a dome on stone pillars by the side of Mirza Jani Beg's tomb.
Do.	Do.	(2) Brick masjid and enclosures near Nawab Surfa Khan's tomb, supposed to be the tomb of Syed Amir Khan.
Do.	Do.	(3) Large brick dome near Khalil Khan's tomb.
Do.	Do.	(4) Stone tomb with enclosure to the south of Mirza Isak Khan's tomb.
Do.	Do.	(5) Tomb with enclosure to the north of Mirza Isak Khan's tomb.
Do.	Do.	(6) Brick tomb near the tomb of Aulia Pir.
Do.	Do.	(7) Tomb with superstructure on stone pillars to the north of the tomb of Jam Nizam-ud-din.
Do.	Do.	(8) Brick structure to the north of the tomb of Jam Nizam-ud-din.
Do.	Do.	(9 & 10) Two pavilions on stone pillars over tombs to the south-west of tomb of Jam Nizam-ud-din.
Do.	Do.	(11) Tomb of Mubarak Khan, son of Jam Nizam-ud-din to the west of No. 9.
Do.	Do.	(12) Brick dome to the north of the tomb of Mubarak Khan.
Do.	Do.	(13) Tomb and compound wall of yellow stone at a distance from and to the south of the tomb of Jam Nizam-ud-din.
Do.	Do.	(14) Tomb and enclosure to the south west of No. 13.

District (Revenue).	Locality.	Name of monument.
Karachi	Tatta	(15) Tomb and enclosure to the west of No. 14.
Do.	Do.	(16) Brick dome to the south of No. 15.
Do.	Do.	(17) Tomb and compound wall of yellow stone to the south of No. 16.
Do.	Between Landi and Sanro	Chaukhandi tomb.
Do.	Khudabad	Tomb of Yar Muhammad Khan Kalhora and its adjoining Masjid.
Do.	Do.	Jumma masjid.
Do.	Sehwan	The fort.
Larkana	Mitho-daro	Jhukar mound
Do.	Mohenjodaro	Buddhist stupa.
Do.	Do.	Buddhist monastery.
Do.	Near Dhamrao	Square tower.
Do.	Deh Dhamraho	Three groups of mounds known as Dhamraha Dero.
Sukkur	Rohri	Shrine known as Satyan-jo-than.
Do.	Sukkur	Mir Masum's minars.
Thar and Parker	Mirpurkhas S. No. 7	The main Buddhist stupa 150' x 150' square piece of land, with various other small votive stupas, rooms platforms, 239' x 150' x 195' triangular piece of land.
Do.	Bhodesar	A stone mosque with white marble pillars.
Do.	Do.	Temple I.
Do.	Do.	Temple II.
Do.	Do.	Temple IV.
Do.	Virawah	Jain temple.
Do.	Naokot	Fort.
Do.	Umarkot	Fort.

INCOME AND EXPENDITURE OF THE GOVERNMENT OF INDIA IN BURMA UNDER CERTAIN HEADS.

5. **Mr. Muhammad Anwar-ul-Aziz:** Will Government please state the total income and expenditure of the Government of India in Burma under the following heads: (1) Customs, (2) Posts and Telegraphs and (3) Military Defence?

The Honourable Sir James Grigg: (1) The total customs revenue realised in Burma during 1933-34 was Rs. 9,26,95,000, but this figure includes the excise duty on motor spirit and kerosene consumed in India, for which separate figures are not yet available. The total customs expenditure in Burma was Rs. 8,53,000.

(2) Rs. 71,20,000 and Rs. 89,40,000 respectively in 1933-34.

(3) It is not possible to separate Defence expenditure in Burma from the rest of the Defence expenditure. But it has been estimated that if Burma were separated from India, there would be a net saving of about 5 crore.

EFFECT OF CHRISTMAS CONCESSIONS ON VARIOUS RAILWAYS.

6. **Mr. V. V. Giri:** Will Government be pleased to lay a statement on the table showing the effect of Christmas Railway concessions on various Railways, comparing the corresponding traffic in previous years?

Mr. P. R. Rau: To judge with any approach to definiteness the effect of the concessions which Railways allow during the Christmas holidays, it is necessary to compare statistics for years before the concession was started with statistics for later years. Such concessions have been in existence now on most railways for a long period and there are no recorded statistics for periods before the concessions were first given.

CONSTITUTION AND WORKING OF STAFF COMMITTEES ON STATE RAILWAYS.

7. **Mr. V. V. Giri:** Will Government be pleased to lay a statement on the table showing the constitution and the working of various Staff Committees on different State-owned Railways?

Mr. P. R. Rau: The information is being collected and will be laid on the table in due course.

REPRESENTATIONS MADE BY THE ALL-INDIA RAILWAYMEN'S FEDERATION TO THE RAILWAY BOARD.

8. **Mr. V. V. Giri:** Will Government be pleased to lay a statement on the table showing the various representations made by the All-India Railwaymen's Federation to the Railway Board since 1930, and the action taken by the Board in respect of each of the representations?

Mr. P. R. Rau: A statement is being prepared giving information about the action taken on the more important points raised by the Federation, and will be laid on the table when ready.

PROCEEDINGS OF THE HALF-YEARLY MEETINGS BETWEEN THE RAILWAY BOARD
AND THE AGENTS OF RAILWAYS.

9. **Mr. V. V. Giri:** Will Government be pleased to lay on the table a copy of the proceedings of the half-yearly meetings between the Railway Board and the Agents, Class I Railways?

Mr. P. B. Rau: These proceedings are departmental documents and are not meant for publication. Government regret, therefore, being unable to comply with the Honourable Member's request.

PROCEEDINGS OF THE INDIAN RAILWAY CONFERENCE ASSOCIATION.

10. **Mr. V. V. Giri:** Are Government aware that Indian Railway Conference Association have a Personnel Branch attached to them, and if so, will Government be pleased to lay on the table a copy of all the proceedings of the Indian Railway Conference Association received by them?

Mr. P. B. Rau: The Indian Railway Conference Association have constituted a Personnel Section to examine and report on business relating to personnel matters referred to it by the President. The printed proceedings of the Indian Railway Conference Association are not intended for public use and Government are unable, therefore, to comply with my Honourable friend's request.

ACTION TAKEN ON THE RECOMMENDATIONS OF THE ROYAL COMMISSION ON
LABOUR BY THE RAILWAY BOARD AND RAILWAY ADMINISTRATIONS.

11. **Mr. V. V. Giri:** Will Government be pleased to lay a statement on the table showing the action taken by the Railway Board, and the various Railway Administrations in respect of the various recommendations of the Royal Commission on Labour in India?

Mr. P. B. Rau: I would refer the Honourable Member to the first and second reports showing the action taken by the Central and Provincial Governments on the recommendations made by the Royal Commission on Labour in India which are available in the Library. These include the action taken by the Railway Department. The third report on this subject is in the press and copies of it will be circulated to Members shortly.

VIEWS OF THE RAILWAY BOARD ON THE JOINT STANDING MACHINERY.

12. **Mr. V. V. Giri:** Will Government be pleased to lay a statement on the table containing the views of the Railway Board on the joint Standing Machinery and the decision of the Government of India on the recommendations of the Railway Board and representations of the All-India Railwaymen's Federation in this connection?

Mr. P. B. Rau: The views of the Railway Board have been submitted to the Government of India and are at present under consideration. Government regret they are unable to make a statement on the question at this stage.

REVENUE AND EXPENDITURE OF THE KAMARAN QUARANTINE STATION.

13. **Mr. Ahmed Ebrahim Haroon Jaffer:** Will Government please state the revenue and expenditure of the Kamaran Quarantine Station with details, stating separately the amounts of (a) salaries, (b) pensions, (c) allowances, (d) supplies and services, contingencies and other expenses, (e) capital expenditure, etc., for each year from 1915 up to date, and the surplus or deficit thereof?

Mr. G. S. Bajpai: With your permission, Sir, I propose to answer questions Nos. 13 and 14 together. The information asked for by the Honourable Member is not readily available, and Government consider that the labour involved in collecting it will be quite disproportionate to its possible value.

AVERAGE EXPENSE PER PILGRIM AT THE KAMARAN QUARANTINE STATION.

†14. **Mr. Ahmed Ebrahim Haroon Jaffer:** Will Government please state the average expense per head of pilgrims at the Kamaran Quarantine Station in each year from 1919 up to date, both excluding and including pensions, allowances and capital expenditure?

ELECTION OF MEMBERS TO THE STANDING COMMITTEE ON ROADS.

Mr. President (The Honourable Sir Abdur Rahim): I have to inform the Assembly that the following Members have been elected to the Standing Committee on Roads, namely:

- (1) Mr. Sham Lal,
- (2) Mr. G. Morgan,
- (3) Captain Rao Bahadur Chaudhri Lal Chand,
- (4) Mr. Deep Narayan Singh,
- (5) Mr. Umar Aly Shah, and
- (6) Sardar Mangal Singh.

ELECTION OF MEMBERS TO SERVE ON THE RESERVE BANK OF INDIA (ISSUE AND ALLOTMENT OF SHARES) COMMITTEE.

Mr. President (The Honourable Sir Abdur Rahim): I have to inform the Assembly that Mr. Sri Prakasa and Seth Haji Abdoola Haroon have been elected to serve on the Reserve Bank of India Committee.

ELECTION OF DEPUTY PRESIDENT.

Mr. President (The Honourable Sir Abdur Rahim): I have to inform the House that Mr. D. K. Lahiri Chaudhury has intimated to me that he has withdrawn his candidature for the office of Deputy President. There is, therefore, only one candidate left, namely, Mr. Akhii Chandra Datta, whom, under the provisions of Standing Order 5(3), I declare to be duly elected as Deputy President. (Applause.) Under the Government of India Act, this election requires His Excellency the Governor General's approval, which will be sought and announced to the House in due course.

†For answer to this question, see answer to question No. 13.

ALLOTMENT OF SEATS IN THE CHAMBER.

Mr. President (The Honourable Sir Abdur Rahim): I should like to inform the House that it is extremely desirable that Honourable Members should intimate to the office by Thursday noon next the name of the Party to which they belong, because the final allotment of seats in the Chamber will be made by me on Friday, the 8th February, and, after that, no alteration will be made in the seating arrangements during the present Session.

RESOLUTION *RE* REMOVAL OF BAN ON THE KHUDAI KHIDMATGARS' ORGANISATION IN THE NORTH-WEST FRONTIER PROVINCE.

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

"This Assembly recommends to the Governor General in Council to take immediate and necessary steps to remove or cause to be removed the ban on the Khudai Khidmatgars' organisation in the North-West Frontier Province."

Sir, I consider this an auspicious occasion to discuss a Resolution of this type when I find that people who took part in the Frontier movement, whether it is the Khudai Khidmatgar movement or whether it is running the official administration of that Province, are present here on the floor of this House. I am particularly happy to find my Honourable friend, Mr. Metcalfe, present here, and if he likes he can throw some light which his predecessors

Mr. H. A. F. Metcalfe (Foreign Secretary): On a point of explanation, Sir. May I say that I took no part in the Khudai Khidmatgar movement?

Mr. B. Das: As the head of a district, my Honourable friend, Mr. Metcalfe, had to administer the laws as they stood then or the Ordinances that were promulgated thereafter. I particularly welcome my Honourable friend, Dr. Khan Sahib (Applause) on the floor of this House who suffered from repression in the North-West Frontier Province, and although the Doctor is a free man and an honoured Member of this House, some of the volunteers belonging to the Khudai Khidmatgar movement are still in jail and others are banned not to carry out their peaceful service to the people of the North-West Frontier Province. I am also glad that my Honourable friend, Major Nawab Ahmad Nawaz Khan, is here (Hear, hear), and he is here, because my Honourable friend, Dr. Khan Sahib, and his noble brother, the Frontier Gandhi, started the movement which brought the new Constitution to the North-West Frontier Province. (Hear, hear.) If there was no new Constitution for the North-West Frontier Province, Sir Abdur Qavum would have been here representing that province and my Honourable friend, Major Nawab Ahmad Nawaz Khan, would not be here to lend his whole-hearted support to Government on every occasion. Lastly, I welcome the presence of my Honourable friend, Sir Henry Craik, because this House had been discussing this subject of the Khudai Khidmatgar movement and the repression in the North-West Frontier Province for the last five years and his two predecessors maintained a frame

of mind which the present Home Member has not maintained. His predecessor in office, Sir Harry Haig, before he retired from the Home Membership on leave and subsequently to occupy the exalted position of Governor, spoke on the floor of the House, while this House asked questions about the release of Khan Abdul Ghaffar Khan, leader of the Khudai Khidmatgar movement, and said that he was connected with the Khudai Khidmatgar movement and that it was a movement of a definitely revolutionary character, and that, therefore, he could not be permitted to be free, and, yet, a month or two thereafter, my Honourable friend, Sir Henry Craik, after assuming office, had at last appreciated that the demand of the public for the release of Khan Abdul Ghaffar Khan, and his brother, Dr. Khan Sahib, was a legitimate one—that he has conceded—and he released both those leaders. The point is that the Government have released the leaders who were supposed to incite lakhs of people in the North West Frontier Province who were known at the time as Khudai Khidmatgars and whom the officials nicknamed as the "Red Shirts", because the Government of India and the Frontier Government felt that, by dubbing these noble band of workers as Red Shirts, they would create such a tremor in the hearts of loyalists like my Honourable friend, Major Nawab Ahmad Nawaz Khan, that they would rouse revulsion against the movement. I am using this name, "Red Shirts", but, of course, in the eyes of the public and the press, 'Khudai Khidmatgars' mean the servants of the nation.

An Honourable Member: Servants of God.

Mr. B. Das: I beg your pardon,—Servants of God. As my Honourable friend, Mr. Joshi, is there as the servant of India, and as I feel myself as a servant of the nation, these millions of youth in the North-West Frontier Province were trained to be servants of God, to serve God and humanity in the most non-violent ways. Sir, this Khudai Khidmatgar society was formed in 1930. Originally it was purely a social service organisation doing social services in the North-West Frontier Province. Khan Abdul Ghaffar Khan attended the Karachi Congress, and, thereafter, merged himself with his co-workers into the Congress movement, and so these noble volunteers belonging to the Khudai Khidmatgar movement worked with the same non-violent spirit as the Congress volunteers all over the country, be it in Bombay, Calcutta, or my own town of Cuttack, or Madras or Allahabad—in fact all over India. But, in 1930, the Frontier Government, which was still a Chief Commissioner's Government, carried out the principles of the Denys Bray Committee which laid down that the North-West Frontier Province was a powder magazine, and that, therefore, its people should not be allowed any freedom, or even the Montford reforms, and, on the 10th May, 1930, the Chief Commissioner of that Government was so much frightened of the Congress organisations and the Congress movement that he addressed a communiqué to the Khans which shows how he then misunderstood the situation:

"To the Khans, Chiefs and leading men of the district and the City: You people have personally witnessed how the Congress Committee have tried and are still trying to upset the system of Government established by law."

The Honourable Sir Henry Craik (Home Member): May I ask the Honourable Member what he is reading from?

Mr. B. Das: I am reading from a communiqué of the Chief Commissioner of the North-West Frontier Province, that was issued from Peshawar on the 10th May, 1930. I am showing instances as to how the Government officials at the time looked on the Congress with feelings of hatred and suspicion:

"Is the Congress going to leave with you your landed property, *jagirs* and *muafis*? Is it going to protect your frontiers? Will it maintain law and order amongst the people? * * *

Now it is high time for you to help the Government, which has ever been benevolent to you and has done justice towards you. What help can you render to the Government? You must prevent Congress volunteers, wearing red jackets, from entering your villages. They call themselves *Khudai Khidmatgars* (servants of God). But in reality they are the servants of Gandhi. They wear the dress of Bolsheviks, and they are nothing but Bolsheviks. They will create the same atmosphere as you have heard in Bolshevik dominion."

This taught the people of the North-West Frontier Province what really the doctrines of Bolshevism were. This shows what the Chief Commissioner of the North-West Frontier Province thought in 1930. On the 6th May, the Government of India issued a long communiqué from which I will read one sentence:

"Agitators belonging to the Congress and the Naujawan Bharat Sabha have been attempting to produce unrest in the North-West Frontier Province. . . . Regardless of the fact that the Congress party as a whole were among the most enthusiastic supporters of the Sarda Act in the Legislative Assembly, Congress workers in the North-West Frontier Province have, in their attempts to sow dissention between Government and the people, done their utmost to misrepresent its objects and provisions," etc.

Both these communiqués of 1930 were insidious attempts to undermine and insult the Congress at the time. After this communiqué, everybody knows the incidents that happened in the Frontier Province and particularly the riots that took place all over the frontier. I quote from a reply of Sir Harry Haig that the riots took place in Peshawar, Kohat, Bannu, Dera Ismail Khan, Charsadda with Prang, and Utmanzai. In all these places, in their fright of the non-violent movement of the *Khudai Khidmatgars* who were doing social service work and organising the people in the service of their motherland as volunteers and Congress workers all over India, Government started these riots. I have read the reports of both the Sulaiman Committee which was appointed by Government and the Patel Committee which was appointed by the Congress and was presided over by Mr. V. J. Patel, the ex-President of the Assembly; and although the Sulaiman Committee absolved the Frontier Government from all blame in connection with the Peshawar riot and the other riots, it is well known, not only in India, but even in Britain, that the North-West Frontier Government lost their heads.

Mr. H. A. F. Metcalfe: May I ask if the Honourable Member intends to imply that the Peshawar riots, regarding which the Sulaiman report was written, was the work of the *Khudai Khidmatgars*? You will remember, Sir, that this Peshawar riot, regarding which both the Sulaiman report and the Patel report were written, took place in Peshawar City. Does the Honourable Member attribute that to the *Khudai Khidmatgars*? It is rather an important point.

Mr. B. Das: I do not attribute anything, but I attribute something to this communiqué of the Chief Commissioner of the North-West Frontier Province which mentions the name of the Khudai Khidmatgars.

Mr. H. A. F. Metcalfe: Not I think in connection with the Peshawar City riots which have never been attributed to the Khudai Khidmatgars, nor have they been regarded as being concerned with it.

Mr. B. Das: This admission comes from my Honourable friend, Mr. Metcalfe, who knows about it much better than any of us who live in these parts of India, because he was Deputy Commissioner of Peshawar at the time. So I must accept his verdict in this matter that the young volunteers were in no way connected with the Peshawar riots.

Mr. H. A. F. Metcalfe: My point is that, if they were not, then all that the Honourable Member is saying about the Peshawar riots is wholly irrelevant to this discussion.

Mr. B. Das: That may be my Honourable friend's personal opinion, but I am going to demonstrate

Mr. President (The Honourable Sir Abdur Rahim): How does the Honourable Member make it relevant?

Mr. B. Das: I am going to prove that all these riots that took place in Peshawar and other places were due to the **panicky condition of the Chief Commissioner of the province**; and the subsequent action of that Government to suppress the Congress movement is not an isolated instance, but one connected policy.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has to make out that connection.

Mr. B. Das: Yes, Sir. I began my speech by saying that Sir Harry Haig said that Khan Abdul Khaffar Khan is a revolutionary and Government mentioned in their statement that Khan Abdul Ghaffar Khan is the founder of the Khudai Khidmatgar movement.

Mr. H. A. F. Metcalfe: Is that denied?

Mr. B. Das: I deny nothing, but if that be so, why is it that the Government, in the different communiqués, have pointed out that somehow the Frontier Gandhi was directly or indirectly connected with all these riots that took place in the North-West Frontier Province?

Major Nawab Ahmad Nawaz Khan (Nominated Non-Official): May I ask the Honourable gentleman as to what is the definition of "revolution"?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is not giving way.

Mr. B. Das: Sir I wish to remind the House of the Gandhi-Willingdon correspondence and the telegrams that passed between Mahatma Gandhi and the Private Secretary to the Viceroy after Mahatma Gandhi's futile

[Mr. B. Das.]

attendance at the second Round Table Conference and his return. Telegram from the Private Secretary to the Viceroy to Mr. Gandhi, dated 31st December,—and now my Honourable friend, Mr. Metcalfe, will realise how the things are connected:

"In North-West Frontier Province Abdul Ghaffar Khan and bodies he controlled have continuously engaged in activities against Government and in fomenting racial hatred. He and his friends have persistently refused all overtures by the Chief Commissioner to secure their co-operation and rejecting the declaration of the Prime Minister, have declared in favour of complete independence. Abdul Ghaffar Khan has delivered numerous speeches open to no other construction than as incitements to revolution and his adherents have attempted to stir trouble in tribal areas. The Chief Commissioner with the approval of His Excellency's Government has shown utmost forbearance and to the last moment continued his efforts to secure assistance of Abdul Ghaffar Khan in carrying into effect, with the least possible delay, the intentions of His Majesty's Government regarding constitutional reforms in the province. . . . His Excellency understands that Abdul Ghaffar Khan was in August last made responsible for leading Congress movement in province, and that volunteer organisations he controlled were specifically recognized by All-India Congress Committee as Congress organisations."

I will now quote one sentence contained in the telegram of Mahatma Gandhi to the Private Secretary to His Excellency the Viceroy of the 1st January, 1933. He says:

"If Khan Sahib Abdul Ghaffar asserted the right of complete independence, it was a natural claim and the claim made with impunity by the Congress at Lahore in 1929 and by me with energy put before the British Government in London. Moreover, let me remind the Viceroy that despite knowledge on Government's part that Congress mandate contained such claim, I was invited to attend London Conference as Congress delegate."

Then, Mahatma Gandhi comments on the Chief Commissioner's accusation that Khan Abdul Ghaffar Khan and Dr. Khan Sahib did not attend a Durbar and that was their guilt. Many of us do not attend Durbars intentionally and through other engagements at times. But these are the sequence of events. Before I proceed further, I may say that if the North-West Frontier Province got any Constitution, it is solely due to the noble work of the Frontier Gandhi in the country and in the Congress camp. I may remind the House that the same Chief Commissioner, who condemned the frontier people by mercilessly shooting them down in different places and the towns I have mentioned, had suddenly to resign and leave India and go away to England, and, thereafter, the Frontier Province was made into a Governor's province. I may remind the Honourable the Home Member that it was Sir Norman Bolton who had suddenly to resign and leave India. Then came the end of the year 1931 when these Ordinances were promulgated—those Ordinances which made many of my friends present here today to rot in jail for years. When the Frontier Ordinance was promulgated, a loyal friend of the Government of India and a very prominent Member of this House, also, now no more, the late Sir Zulfikar Ali Khan, wept bitter tears and issued a statement from which I would like to quote one or two extracts for the enlightenment of the Honourable the Home Member—I think he must have read it as Sir Zulfikar was his great friend. Sir Zulfikar Ali Khan was then a Member of this Assembly on the 28th December when this Ordinance was published. . . .

Major Nawab Ahmad Nawaz Khan: Which year?

Mr. B. Das: The year in which the Ordinances were introduced: my friend has nothing to fear from Ordinances: he is too much of a loyalist. Sir Zulfiqar Ali Khan said:

"Government are riding a tidal wave of repressive policy and have opened the campaign without waiting for Mr. Gandhi's decision. I have no doubt that the exasperation caused by this policy of repression *à l'outrance* will sweep away Mr. Gandhi and others and will leave the field in the possession of the desperate youth of the country."

This is from a very elderly statesman who was a member of the Central Committee of the Simon Commission. He further says:

"The Frontier Province unfortunately is the first to bear the brunt of the fight in which thousands may be shot down and this shedding of the blood may cause resentment among the Moslems in other provinces who have so far abstained from participation in anti-British propaganda etc., etc."

This was said by a great friend, both of the Punjab Government and of the Government of India. The question is, why is it that while the Government have seen their way to release the leaders who conceived the idea of this service to the people of the Frontier, they do not remove the ban on these Khudai Khidmatgars? They did work as any Congress volunteer has worked in any other part of India. If in the Bombay city and in other places Congress volunteers were accused of picketing or doing Satyagraha, these volunteers did the same; and if other Congress organisations have had the ban removed from them, these Khudai Khidmatgars must be allowed to be reorganised and to work for the service of the Frontier people. What was the use of the Government giving Reforms to the Frontier province and all this franchise and Legislature, when it always works in the Denys Bray spirit, the spirit of the Denys Bray report that the people should be allowed no freedom, that no paper should be published in the Frontier Province, because the people may be incited and that people must be incited only to work in the spirit of loyalist friends like Major Nawab Ahmad Nawaz Khan, and that progressive lines of thought should not permeate that province? I challenge the Government to point one instance whereby they can prove that the Khudai Khidmatgars' organisation or Khan Abdul Ghaffar Khan at any time received any assistance from Russia or the Bolsheviks. It has been given out often by the Frontier Government and the Government of India that this Red Shirt organisation used to be financed by Russian money

The Honourable Sir Henry Craik: I am afraid I cannot allow that to go: I understand, the Honourable Member says that the Government of India repeatedly said that the Khudai Khidmatgars were financed from Russia. Is that so? Because I never remember any authority saying any such thing.

Mr. B. Das: I will quote the exact passage when I reply in the afternoon.

Mr. President (The Honourable Sir Abdur Rahim): I understand the Honourable the Home Member denies the allegation that any charge was brought by Government against the Khudai Khidmatgars that the movement had been financed by Russia.

The Honourable Sir Henry Craik: I go further and I say that no person in authority that I know of ever made such a statement.

Mr. B. Das: I am very glad to hear that, and I am very glad to see that the Honourable Member applies his mind in that way to these problems. It makes my task much easier—the task on this side

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member will have five minutes more.

Mr. B. Das: Now, I must close. My appeal to this House is to record its emphatic vote for the Resolution, or if the Government are wise, let them accept it and allow the House to accept it unanimously that the ban on the Khudai Khidmatgars or these servants of God,—a batch of Congress volunteers who were working in the same way as volunteers in other parts of India work—should be removed. So far the Government have not accused any of these volunteers: their charges were against their leaders: one of them is here and the other has gone again to the Sabarmati jail. But Government took steps to release these leaders last year. If the leaders could be released, their lieutenants, who are only obedient servants of the leaders, should be released and they should be allowed to render such service to their province as the Congress workers in other parts of the country are rendering. With these words, Sir, I place my Resolution before the House for its acceptance.

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

“That this Assembly recommends to the Governor General-in-Council to take immediate and necessary steps to remove or cause to be removed the ban on the Khudai Khidmatgars’ organisation in the North-West Frontier Province.”

Mr. Abdul Matin Chaudhury (Assam: Muhammadan): Sir, I rise to support this Resolution. As Honourable Members are aware, the Government have withdrawn the ban on practically all the Congress organisations except this organisation of the Khudai Khidmatgars

The Honourable Sir Henry Craik: No, Sir; quite incorrect.

Mr. Abdul Matin Chaudhury: I say practically all.

The Honourable Sir Henry Craik: Very far from correct.

Mr. Abdul Matin Chaudhury: Practically, I say.

The Honourable Sir Henry Craik: There are still a great many under a ban in almost every province.

Mr. Abdul Matin Chaudhury: I don't say that Government have withdrawn their ban on all Congress organisations. Anyway, the action of the Government is so illogical and their illogicality is so obvious that one is inclined to think that the Government must have got some other reason for banning this movement

The Honourable Sir Henry Craik: Plenty of reasons.

Mr. Abdul Matin Chaudhury: Is there any other reason than their participation in the Civil Disobedience Movement?

The Honourable Sir Henry Craik: Yes, certainly.

Mr. Abdul Matin Chaudhury: Because, Sir, if the Congress organisations were declared illegal, because they had participated in the Civil Disobedience Movement, after the withdrawal of that movement, the necessity for continuing the ban ceases to exist. And yet, the Red Shirts, who are an integral part of the Congress, are still under a ban, and that is why I say that it creates an impression that the Government must have some other reason at the back of their mind than the participation by the Red Shirts in the Civil Disobedience Movement

The Honourable Sir Henry Craik: Yes, plenty of reasons.

Mr. Abdul Matin Chaudhury: I would like to hear them.

The Honourable Sir Henry Craik: Yes, you will hear them.

Mr. Abdul Matin Chaudhury: Now, Sir, as regards the Red Shirt movement, it was originally a social reform movement. Later on, the Red Shirts threw in their lot with the Congress, and I maintain, Sir, that if there is one group of Congress men who strictly adhere to the creed of non-violence, it is the Red Shirts. Sir, Mahatma Gandhi may or may not have the popularity that he is reported to have, but he has performed one great miracle, and that is, he has converted these militant Pathans to his creed of non-violence (Cheers from Congress Party Benches)

Mr. H. A. F. Metcalfe: Mr. Gandhi was not there.

Mr. Abdul Matin Chaudhury: Mr. Metcalfe says that Mr. Gandhi was not there.

Mr. B. Das: He was not allowed to go there. Why don't you allow him to go there?

Mr. Abdul Matin Chaudhury: Sir, the spirit of non-violence has so permeated that movement that it has secured for the leader of this movement the name of Frontier Gandhi, and a man, who, on account of his pacific and reformist activities, should have been welcomed by the Government as a friend and as an ally, is today, by a strange irony of fate, locked behind the prison bars. Now, Sir, what are the charges against the Red Shirt movement? It is often said that the aims and objects of a movement can be judged by the utterances of its leaders, and on a previous occasion Khan Abdul Ghaffar Khan had utilised the period of his release by indulging in violent propaganda. Now, Sir, I do not know if there is one man in India who indulged in more violent anti-Government propaganda than Mahatma Gandhi

The Honourable Sir Henry Craik: Did the Honourable Member say violent?

Mr. Abdul Matin Chaudhury: I said violent propaganda, not physical violence, but violent propaganda; and, Sir, it was Mahatma Gandhi who invented this favourite appellation of Satanic Government

The Honourable Sir Henry Craik: I thought he was non-violent in thought and word.

Mr. Abdul Matin Chaudhury: But still he characterised this Government as the Satanic Government; still you are not judging the Congress today by the past utterances of its leaders. You are judging the Congress today by its present policy and its present programme. Therefore, why should you discriminate against these Red Shirts? You have welcomed Congressmen to the Legislature; you have declared the organisation as a lawful organisation, and yet the Red Shirt movement, which is an integral part of the Congress, continues to be kept under a ban. Sometimes, Sir, Government attribute to this Red Shirt movement several things and say that they indulge in revolutionary propaganda for intimidation, for coercion, for the restraining of personal liberty of the citizen. These are the charges that we usually hear made against the Red Shirts. I neither dispute nor deny those charges, but what I want to say is this. In the past also Government have ascribed responsibility to the Congress for incidents that took place at Chauri Chaura and Sholapur, and if, in spite of all these incidents which are ascribed to the Congress, you still declare the Congress organisation as a lawful organisation, why should you keep

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member should address the Chair.

Mr. Abdul Matin Chaudhury: why should the Government keep the ban on the Red Shirt movement, even if, for the sake of argument, we admit, which I do not admit, that the Red Shirts are responsible for the allegations made against them? What I suggest is this. When the British Government came to terms with the Irish leaders, they did not judge them by the acts of violence for which they were held responsible. The British Government judged these Irish leaders by the policy pursued by them at the time when they entered into terms with these leaders. And so, in the case of the Red Shirts, why should the Government judge these people by their past conduct or by their past utterances and not by their present policy and present programme? I maintain, Sir, that there is nothing in the present policy or present programme of the Red Shirts to justify the continuance of the ban on them.

Then, again, I would like to ask the Government, for how long they propose to continue this ban? Is it till eternity? Because, Sir, suppose we accept, for the sake of argument, that the Red Shirt movement was a seditious movement, was an unconstitutional movement, was a subversive movement, is there any reason why they should not be given a chance to shape their policy in another direction?

Major Nawab Ahmad Nawaz Khan: How many chances will be given to them? (Cries of "Order, order" from the Opposition Benches.)

Mr. Abdul Matin Chaudhury: Now, the political atmosphere in the country has changed; the Civil Disobedience Movement has been discarded and it has been replaced by more constitutional methods. Even those people who are the protagonists of direct action are now realising the value and importance of the Legislatures for advancing popular causes. We have got Dr. Khan, one of the leaders of the Red Shirts, here, as representing his province. The Red Shirts themselves are realising the value and importance of constitutional agitation, because, if Dr. Khan's election has any meaning, it means that the Red Shirts are themselves realising the value of constitutional agitation. Sir, I hold the view that, by withdrawing the ban, the Government will be giving an impetus to the constitutional tendency of the Red Shirts, and for this reason I support this Resolution.

Mr. A. K. Fuzlul Huq (Bakarganj cum Faridpur: Muhammadan Rural) Sir, I beg to support this Resolution. It might appear somewhat strange that a Member from Bengal should evince some amount of interest in an organisation which has its headquarters in distant Peshawar, but I support the Resolution on a question of principle. It seems to me, Sir, that the time has come when Government should seriously consider the question of continuing these restrictions and bans on activities of societies and organisations which, to all intents and purposes, appear to be more or less of a philanthropic character and engaged on quiet and peaceful social work. My Honourable friend, Mr. Abdul Matin Chaudhury, began his speech by saying that these restrictions have been removed on other organisations and it is only this Khudai Khidmatgars' association that remains under a ban. Government Members reminded the House that there are other organisations also. But this reminds me of the story of a pick-pocket having been detected in the very act of theft. The owner charged him with having stolen his purse. The pick-pocket immediately retorted, "Sir, you are mistaken. I have stolen not only your purse, but your bag also". The Government remark reminds us that there are really many other organisations which are suffering from a ban. We fail to understand why, for the fault, assuming that it is a fault, of one or two members of any organisation, the entire body should be prevented from carrying on activities of a public character. It is certainly inconsistent with the accepted principles of British rule in India. It is no use telling us that you have full freedom of speech and freedom of action and at the same time pursuing unrestricted all Russian methods of administration. It is for this reason that I would ask the Government to take courage in both hands, face the situation and understand truly the signs of the times and not depend entirely on the secret reports of their C.I.D. officers. For aught we know, these estimable gentlemen do sometimes submit reports spun out of their imagination. Government certainly will not accept that position, but there have been instances in which we on this side have had reasons to believe that the reports that are submitted to Government are not always founded on facts. The trouble is that high officials seldom mix with the people, seldom see with their eyes or hear with their own ears. They have got to depend on subordinate after subordinate, and when the ultimate and final report comes to them, it comes soaked with the personal idiosyncrasies of a number of officials many of whom are of an irresponsible kind. Now, it is high time that Government Members realised that their subordinates are not infallible, that they sometimes may be mistaken; at any rate, after all, they are human beings and swayed by human passions and human

[Mr. A. K. Fuzlul Huq.]

feelings. So far as this Khudai Khidmatgars' association is concerned, from all accounts I am personally convinced that they are not the dreadful body of young men which the police reports depict them to be. At any rate, there is a very large population of Peshawaris in Calcutta, and I have heard personally from them accounts which are all to the credit of this body. If somewhere or at some time there have been aberrations of an unfortunate character, the law of the land is clear enough and they can be dealt with strictly and summarily under the ordinary law. But these restrictions are not only felt by the persons who are so restricted, but also by their friends and sympathisers all over the country. I may tell the Honourable the Home Member that the feeling in Calcutta among the Peshawari population regarding this ban on Khudai Khidmatgars is very, very strong.

Major Nawab Ahmad Nawaz Khan: They are now treated under the ordinary law.

Mr. A. K. Fuzlul Huq: I am not going to answer non-official Members at all. If any non-official Member has got anything to say, he has got the right of speech and he has not been put under a ban any way. (Laughter.)

Sardar Sant Singh (West Punjab: Sikh): Does it include an elected Member also?

Mr. A. K. Fuzlul Huq: I am mistaken. I mean the estimable body of men known as the nominated Members who will disappear from the future Constitution in about a year. (Laughter.)

Lieut.-Colonel Sir Henry Gidney (Nominated Non-Official): What about yourself?

Mr. A. K. Fuzlul Huq: I am an elected Member unopposed. (Cheers from Opposition Benches.)

(At this stage, Lieut.-Colonel Sir Henry Gidney interrupted.)

Mr. President (The Honourable Sir Abdur Rahim): Order, order. Let the Honourable Member go on with his speech.

Mr. A. K. Fuzlul Huq: I have practically finished. But the interruptions that are coming from the other side are based on a counsel of despair. They know they have got no case and possibly they want to make it appear to the Government that Government are not yet friendless, that they have friends. Now, Sir, so far as this Resolution is concerned, I submit that it deserves the careful consideration of the Honourable the Home Member, and I am sure that he will give this matter the consideration that it deserves. It would be a very graceful act, if I may say so with due respect, on the part of the Honourable the Home Member if he can see his way to accept this Resolution, or at any rate, make a statement which will go to allay the feelings that have been roused by the action taken with regard to this organisation. With these words, I support the Resolution. (Cheers.)

Mr. H. A. F. Metcalfe: Sir, I rise mainly because the Honourable Member who moved this motion referred to me by name as having been in the Peshawar District at the time that this movement was originally started. That, Sir, is perfectly correct. I happened to be in charge of the Peshawar district at the time that Khan Abdul Ghaffar Khan started this movement and I was able to see for some months how that movement worked.

There are two suggestions that have been made from the opposite Benches. One is that the movement was solely intended to further the social uplift of the Pathan and the second is that it was entirely non-violent. I propose for a few moments to try and correct the impressions which have been created by the speeches from the opposite Benches on those two points. Now, as regards the first point, I may say at once that Khan Abdul Ghaffar Khan, when he originally commenced this movement stated, openly and publicly, that it was intended to promote the social welfare of the Pathan, that it was intended to do away with the blood feud which, as the House knows, is one of the most unfortunate and dreadful things in the Frontier, that it was intended also to reduce marriage expenses and so forth. Well, Sir you will understand that one of my principal duties as Deputy Commissioner was to further those particular objects and, I was originally, being of a simple and credulous nature, much impressed with the programme that Khan Abdul Ghaffar Khan publicly went about to promote. Now, my friend, Dr. Khan Sahib, will, I am sure, not contradict me when I tell the House the following story. I, who was at that time, and I hope still am, a friend of Dr. Khan Sahib, who was at that time practising in Peshawar City, asked him to come and see me and through him I sent a message to Khan Abdul Ghaffar Khan, whom I had previously known, but had not seen for a long time, asking him to come and discuss the whole matter with me. One of the speakers on the opposite side has said that Government should have welcomed this movement and co-operated with it, and I am endeavouring to show that I tried my best to do it. I asked Khan Abdul Ghaffar Khan to come and see me and all I got was a refusal. He stated that he was sorry that he could not come, because to do so would ruin his position. Well, that may be. I then watched the movement grow and what happened? Khan Abdul Ghaffar Khan went about the district making speeches, none of which I admit were particularly objectionable at that time, in the Peshawar District. I am now referring to the latter part of 1929 or the early part of 1930. I am not saying now anything about what happened in 1931 or after I left the district. What happened was this. He set up gradually committees in each village which were intended to further these objects and, in order to give them power to further those objects, he also established the Khudai Khidmatgars, as he called them, or the Red Shirts as we called them, who were subjected to a complete military training so far as it could be done. I received, especially in the early part of 1930, constant reports of large bodies of men, with officers in uniform of their own making, marching about, doing the ordinary sort of parades and so on, which only soldiers are expected to do. I refrained, so far as I could, from taking any action, hoping that the thing might still go on in the way it had done up to that time and that there would be no open outbreak of violence. Well, subsequent history showed that I was completely wrong.

Now, Sir, as I have not much time at my disposal, I propose to take up the other point which has been made, that this movement was always entirely non-violent. I myself, as probably no other Member of this House

[Mr. H. A. F. Metcalfe.]

has seen, have seen the Red Shirts in action and I can assure you that there was no question of their being non-violent unless there was a sufficiently large force there to over-awe them and prevent them from being non-violent. There have been occasions—and there were many occasions—when Government, in order to be merciful, took such large forces to the spot that there was no chance of the Red Shirts being violent. On those occasions they merely adopted a defiant and sullen attitude, but what happened to the ordinary peaceful citizen, when those large forces were withdrawn? What happened to the one or two policemen who were left there to look after things? I can only assure you, Sir, that violence then became the order of the day and there are so many instances which I could quote, that I should only weary the House if I were to narrate them all, but I shall tell you three instances which are within my own personal knowledge. The first took place before Khan Abdul Ghaffar Khan was arrested. There was no question then of his arrest and the Khudai Khidmatgars were functioning in their ordinary way which is said to be non-violent. There was a certain old lumbarदार of my acquaintance. I could give you his name, but I do not think that is necessary. He was a Khan Sahib and a very estimable old gentleman who was known for his loyalty to Government. That old gentleman, who was one of the principal lumbarदारs of the village, had the temerity, against the wishes of the Red Shirts, to send his son to a Government school in Charsadda. He was taken by the Red Shirts and forced to crawl on his hands and knees along the streets of Charsadda in order to teach him that anybody who sent his son to a Government school was only worthy of the grossest humiliation. That is one instance. I will tell you a second instance. . . .

Dr. Khan Sahib (North-West Frontier Province: General): May I ask if this is a fact? May I know the name of the gentleman?

Mr. H. A. F. Metcalfe: Khan Bahadur Muhammad Umar Khan of Peshawar.

Dr. Khan Sahib: Who told you this? Did you see this yourself?

Mr. H. A. F. Metcalfe: No.

Dr. Khan Sahib: May I ask if it is not a fact that that gentleman is well known on the Frontier as the biggest liar that ever existed? I appeal to your honesty to answer this question.

Mr. H. A. F. Metcalfe: I have no knowledge of his being a liar. The story was told to me, not, I think, by Muhammad Umar himself. It was told to me by another gentleman who was witness to it and whose credibility I have no reason to doubt. (Cries of "Oh, Oh" from the Opposition Benches.) May I proceed? The story was told to me by a respectable gentleman whose credibility I have no reason whatever to doubt and I am perfectly certain that the story was true. However, let me go on to the next one. My second story is this. (An Honourable Member: "Story!") Yes. (Interruptions from Non-Official Benches.) There were loud cries of "order" when any sort of interruption was made from this side. . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member must be allowed to continue his speech without interruption.

Mr. H. A. F. Metcalfe: My second story is this. I can vouch for it myself because I actually held the inquest on the body of the unfortunate British officer who suffered. There was a young policeman in the Mardan sub-division. He was well-known throughout the sub-division for his devotion to duty and his devotion to the people. He was extremely popular and I never heard anything except praise of him from all people. On one occasion, a band of Red Shirts wished to come into the Mardan cantonment. They could not be allowed to come in, because if they had been, there would have followed a disturbance and, therefore, Mr. Murphy went out with some police and told them that they could not go on and stopped them at a village three miles outside Mardan. Troops, I may say, were present, on this occasion, but simply in order to avoid the blood-shed which would have occurred, if those troops had been used, Mr. Murphy decided to deal with the situation himself. Those Red Shirts were given a matter of several hours in which to give up the position and go back to their homes. There as a stalemate, which lasted, I think, for something like two hours. At the end of it, the Red Shirts entirely declined to move and Mr. Murphy was forced to lead a charge himself against those Red Shirts in order to try and push them back. There was no violence used and Mr. Murphy was at the head of the force. Directly Mr. Murphy got into the crowd, he was seized and stoned and belaboured to death, his head was beaten in, and his revolver was snatched from his belt and used against him. Troops were present on the spot but no retaliation was done and no shots were fired. His body was recovered later when the crowd dispersed. That is a true story and I saw the body myself when I held the inquest. Is that non-violence?

Prof. N. G. Rangas (Guntur *cum* Nellore: Non-Muhammadan Rural): Did the Honourable Member himself see the incident?

Mr. H. A. F. Metcalfe: I did not see the incident—but I think that interruption was quite unnecessary. My third story relates to
1 P.M. an attack upon a Government force. I went out one morning to Shabqadar taking with me several Press representatives in order to see what was happening out there. On the road we found a Frontier Constabulary lorry which had been attacked the night before as it was patrolling and three or four of the occupants had been killed and the lorry had been burnt. That, Sir, was done entirely with the aid and the guidance of the Red Shirt inhabitants of the neighbouring village.

Dr. Khan Sahib: May I ask the Honourable Member what evidence he has got to say this last thing? Everybody knows that Charsadda is in the Mohmand border and is independent territory and what evidence has the Honourable Member got that that was done by Red Shirts and not by the people of the outside territory?

Mr. H. A. F. Metcalfe: Well, Sir, I did not intend to imply that it had been done by Red Shirts. They are much too clever. (Laughter.) What the Red Shirts had done on that occasion was that they had fed, helped and guided—as they did constantly along that border—the enemies of Government who had come in simply to attack the Government forces

[Mr. H. A. F. Metcalfe.]

and to fight with Government. That is all I said; I did not imply that the Red Shirts themselves were in the fore-front of the battle on this occasion. That would have been contrary to their usual course of action.

Dr. Khan Sahib: May I ask if it is not the case that the insinuation that you are making against the Red Shirts is simply the product of your imagination?

Mr. H. A. F. Metcalfe: That, Sir, I won't admit for a moment. A large number of cattle were actually seized on their way being driven by Red Shirts carrying grain and so forth to the rebels who were staying just across the border. That is not imagination. That was proved. However, I merely quote those three instances to try and show to the House that that was not non-violence.

Pandit Govind Ballabh Pant (Rohilkund and Kumaon Divisions: Non-Muhammadian Rural): When did these incidents take place?

Mr. H. A. F. Metcalfe: All in 1930. I myself left the Province in 1930 and the facts quoted were within my own knowledge. I have here a list of similar acts which has been given to me by an officer who succeeded me as Deputy Commissioner and who was there during the subsequent two years, but I do not propose to quote from this, as I think that that is unnecessary. The only other point I wish to make is this. It has been suggested that whatever may be their past misdeeds—and I should be the last man to wish to rake them up—the Red Shirts have now suffered a change of heart and that there is no reason why Government should not admit that they have suffered a change of heart and agree that they should now be allowed to function as before. Well, I know myself the reputation that they still have and I should like just as the last point to quote from a report which I have here, which is a quotation from a report for the first half of December 1934, barely a month ago.

Prof. N. G. Ranga: Report by whom?

Mr. H. A. F. Metcalfe: A report from official sources in the North-West Frontier Province, but there is no reason for supposing it is untrue; it is not based on police reports, it is based on facts. I may read it, if I may, without interruption:

"On the 6th December, one Amir, a notorious outlaw, said to be wanted for several murders and cousin of the still more notorious Chimnai, was arrested at village Gonda, two miles west of Batagram, on information supplied by a Lambardar, namely, Sultan, along with a fully-loaded revolver and dynamite. (*That was the outlaw who was arrested.*) On the 11th December—in the late afternoon, (*that is, about five days later*),—a gang of outlaws said to include Chimnai himself, Ghairat (*previously a Red Shirt Captain*) and Nauroz (*a Red Shirt volunteer*) descended on the village, and in Sultan's absence, killed a brother and a sister-in-law of Sultan and caused injuries to a child of two and several other children."

Two of the people involved in that had been prominently connected with the Red Shirt movement. Sir, I do not think there is any reason to suppose that if the Red Shirt movement was now allowed to be resuscitated, we should see anything else except again an attempt to over-turn the Government and to re-introduce a reign of disorder. I, therefore, Sir, oppose the motion. (Applause.)

Mr. T. A. K. Sherwani (Agra Division: Muhammadan Rural): Sir, it is with a pent-up feeling of pain, anguish and resentment, that I rise to support this motion, which has been moved by my friend, Mr. B. Das. But I will try to suppress those feelings which, as a member of that race, I entertain while I speak, and will not come down from the high level of debate which has been set as an example before us by my Leader. However, Sir, the fact remains that this unfortunate province of our unfortunate country has been ruled consistently and persistently with an idea and an attitude which were revealed to me by an officer who was and had been long in the Frontier, "that brutes must be ruled brutally", to which I added, "and by brutes".

Sir, it is with this feeling and attitude that this fine race, which possesses many qualities and characteristics of which the English people are so very proud and value so much in their own race, has been ruled throughout.

Sir, after all, what is the fault of these people? Their only fault, so far as I can see, is that they belong to a brave and courageous race and they are a sturdy people. Sir, I will try to suppress my feeling, as I have already said, and will come straight to the question as it is moved before the House.

The question before the House is that the organisation known as the Khudai Khidmatgars is still banned and the motion wants that that ban should be lifted. Sir, for the purposes of the debate, I will go into some details as regards this organisation. Fortunately, the Deputy Commissioner of Peshawar, at that time, is present here in the Assembly, and I hope he will correct me if I am wrong. Whatever facts I have got in my possession have come to me from the people of the Frontier who are, I believe, truthful, whatever other faults they may have. I do not say this because it is my sentiment but because they are not yet so very much civilized. The facts are that this organisation was started, in October 1929, on an occasion which had nothing whatsoever to do with Indian politics. Some friends gathered together at Utmanzai and during their conversations they bewailed the economic and social conditions prevailing in their province. Some of them—probably Khan Abdul Ghaffar Khan—suggested that there was no use bewailing: we must be up and doing: and they decided to call a meeting, a bigger and a larger meeting, to organise an Association for the social and economic uplift of the people of the Frontier. This meeting was called on the 18th and the 19th of April, 1930. In that meeting speeches were made and from the very fact that this meeting was well notified and that it was taking place at Utmanzai it is apparent that Government must be in possession of the C. I. D. reports of those speeches. And I make bold to say here that in those speeches politics was not discussed at all.

Mr. H. A. F. Metcalfe: Does the Honourable Member remember the play that was staged at that time?

Several Honourable Members: That happened later on.

Mr. T. A. K. Sherwani: I do not know anything about that play. Whatever may have been the nature of that play it was not and could not be the part of that organisation. It was an extraneous matter. The organisation as such had for its aims and objects the following ideals: (1) To bring about

[Mr. T. A. K. Sherwani.]

unity between the different tribes of the Frontier and to stop the bloody feuds for ever which are called *Barajamba*. (2) Their second aim was to stop the people from committing crimes and to bring about peaceful life and to make the people peaceful and useful citizens of the country. With these two objects the organisation was started.

The Honourable Sir Henry Craik: I am sorry to interrupt the Honourable Member, but would he mind repeating the date on which this meeting was held?

Mr. T. A. K. Sherwani: It was held on the 18th and the 19th of April, 1930.

The Honourable Sir Henry Craik: Thank you.

Mr. T. A. K. Sherwani: On the very first day this organisation was started, 500 members enrolled themselves as its members. It was further resolved that for the purposes of carrying out the social and economic propaganda among the people, a volunteer corps should be organised, and that volunteer corps was to be named as "Khudai Khidmatgars". Now, I will read to the House the pledge which was framed and is still in existence and by which these Khudai Khidmatgars swore. Fortunately, I have got in my possession the very words which were used in that oath, and I hope my friends from the Frontier will excuse me if I do not pronounce the words correctly. Although I am an Afghan, I am sorry I am not conversant with the language. The 1st paragraph of the oath was:

"I shall always obey the order of God."

Is there any danger of any revolution in this? If there is a danger of revolution in this, then every Mussalman is a revolutionary. The second paragraph of the oath was:

"In my service for the freedom of humanity, I shall ever remain non-violent in thought and deed and will be absolutely fearless."

The third paragraph was:

"I shall never be affected by flattery or abuse."

The fourth paragraph was:

"I shall always protect the oppressed from the oppressors."

The fifth paragraph was:

"I shall never accept any remuneration for my services."

This was the pledge which was taken by these Red Shirt volunteers. Unfortunately, they hit upon a colour which was red and it was really a red rag to the bull. Now, what happened afterwards? The Honourable the Foreign Secretary has said that after this organisation came into existence, Khan Abdul Ghaffar Khan ran about making speeches. He did not say that the Khan was making violent speeches or speeches which incited to violence. Now, Sir, I ask this House to judge the veracity of the allegation made. On the 19th of April, 1930, this organisation was formally promulgated and on the 23rd April, 1930, Khan Abdul Ghaffar Khan, while going to Peshawar, was arrested. Where was the time for him to make violent speeches or speeches which incited to violence?

Mr. H. A. F. Metcalfe: The Honourable Member did ask me to correct him. I hope that he does not imply that the movement was started only on the 19th April, 1930, because, I think, the Honourable Member said at the beginning that it began in October, 1929. My point is, that it now seems that the Honourable Member is inclined to say that the movement was never started until the 19th of April, 1930, whereas, at the beginning, in his speech, he did admit that it was in existence from October, 1929. Is not that so?

Mr. T. A. K. Sherwani: I may remind my Honourable friend, that what I meant was that it was conceived in October, 1929, but it was actually started only on the 19th of April, 1930. Now, Sir, not only was Khan Abdul Ghaffar Khan arrested, but he was taken to Nowshera and was convicted for three years under section 40 of the Frontier Crimes Regulation, the section is only meant for robbers, murderers and notorious outlaws. (*Cries of "Shame"* from Opposition Benches.) He was asked to give security or to go to jail. It was only a farce of a trial. Fortunately, the Honourable the Foreign Secretary is here. In the month of May in the presence of the Honourable the Foreign Secretary a posse of soldiers went to Utmanzai and surrounded the village and would not allow the people even to answer the call of nature which they generally do in the open outside the village. They would not allow even their cattle to go and they also had to starve. They did not stop only there, they surrounded the village and went and occupied the House in which there was the office of Khudai Khidmatgars, not only occupied the house but, I say to the very face of the Honourable the Foreign Secretary, that the people who were there were thrown out from the first storey. (*Shame.*) They were thrown out and several had broken their legs and others broken their arms, not only that, in the very presence of the Honourable the Foreign Secretary that office was burnt to ashes (*Cries of "Shame"* from Congress Party Benches), and yet the Government Members say that these Khudai Khidmatgars were violent. Who should be banned?

Mr. H. A. F. Metcalfe: I might be allowed to answer this point. I admit that there was some regrettable violence by Government forces on that occasion. I quite admit that. I am extremely sorry all that happened. I immediately went to the spot and stopped any further violence and saw that the people who were injured were properly attended to. It was regrettable. What happened was that insults were hurled at some of the troops who were getting the people from out of the house and this led to the regrettable violence on the part of the troops. I very much regret that action, but to say that I encouraged violence on the part of the troops is, I venture to say, entirely untrue.

Sardar Sant Singh: Was any compensation given to the aggrieved persons?

Mr. T. A. K. Sherwani: I never implicated him personally. I am glad that the Honourable Member has admitted that violence was committed by the troops. I will tell you, Sir, one more incident in which he even took no steps to prevent. The young boy of Khan Abdul Ghaffar Khan, about 12 or 13 years old, was attacked by a soldier and he was saved only by the bravery on the part of a policeman who came in between and was wounded instead in so doing.

Mr. H. A. F. Metcalfe: I am not prepared to admit that as being true.

Mr. T. A. K. Sherwani: But that is a fact, all the same. I have given three instances and of which the Honourable Member has admitted at least one. I will tell you some more. That in the month of June you sent your troops to the villages. They went and surrounded the villages and brought out the people and made them stand in the sultry sun. Not only that, they placed heavy stones on their neck and asked them to carry the stones uphill and pile them there and your officers told them that that was the tomb of their leader (*Cries of "Shame"* from Congress Party Benches) and yet you say that Khudai Khidmatgar movement is a violent movement and that your troops are a non-violent lot. Well, the crimes which you have all along committed in that province in the blessed name of law and order are crimes which, if truly recorded in history, I am sure even your own future generations will disown you. Now, Sir

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has already exceeded his time limit.

Mr. T. A. K. Sherwani: I am sorry that my time is over. There is just one more point that I want to notice. The expression used in regard to the Khudai Khidmatgar organisation is that it is a revolutionary body. That is another expression which has become a scare-crow. But there are revolutions and revolutions. You are proud of your industrial revolution.

Mr. H. A. F. Metcalfe: I am sorry to interrupt the Honourable Member? Is he in order in addressing his remarks to me all the time?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member should address the Chair.

Mr. T. A. K. Sherwani: I am sorry, Sir. Now, my point is that there are revolutions and revolutions. There are social revolutions and other revolutions of a peaceful character and the Englishmen are proud of their own industrial and social revolutions. But the Government wants to frighten the House by saying that Khudai Khidmatgar is a revolutionary body. At the time when the Government disbanded the United Provinces Provincial Congress Committee, I was the President of that body, that was also called a revolutionary body, but today the ban from the United Provinces Congress Committee has been removed. May I ask why not remove the ban from the Khudai Khidmatgar also? So far as revolutionary activities are concerned, the Government have been blaming the Congress, that its activities have been revolutionary, when you have removed the ban from the other Congress organisations, why should you make a distinction in the case of the Khudai Khidmatgars, an avowedly Congress organisation.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member must address the Chair.

Mr. T. A. K. Sherwani: I am sorry, Sir. The Government call the organisation dangerous. So far as danger is concerned, the Government scent danger even in the activities of Mahatma Gandhi when he goes to

the villages for their uplift. The Government scent danger in anything and everything which they see us doing for the uplift of our country. Their danger lies in going against the wishes of the people only and in nothing else. I would ask them, is there time yet to retrace their steps and create an atmosphere of peace and harmony and give a chance to these Khudai Khidmatgars to exert their influence and bring about peace in their native province which is their sole aim and object. I hope, Sir, that Members of the Government will realise that:

"It is safer to be that which we destroy
 Than by destruction dwell in doubtful joy."

Sir, with these words, I support the motion.

The Assembly then adjourned for Lunch till a Quarter to Three of the Clock.

The Assembly re-assembled after Lunch at a Quarter to Three of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

Sir Muhammad Yakub (Rohilkund and Kumaon Divisions: Muharimadan Rural): Sir, I rise to associate myself with the Resolution that has been moved by my Honourable friend, Mr. B. Das. Being a lawyer by profession, I cannot encourage or tolerate lawlessness or disturbance in the country, but, at the same time, I desire that the law should be administered, in the country, in a dignified and proper manner, that there should be even-handed administration of law, that there should be no discrimination between one section and another section when a particular law is to be administered. Sir, it has been admitted on all hands that the organisation known by the name of the Khudai Khidmatgars is a branch or a supplement of the Congress organisation; and if Government thought it proper to remove the ban upon the Congress organisation, I do not see any justification for not removing the ban upon the Khudai Khidmatgars which is a branch of the Congress itself. Of course I am not one of those who pressed upon Government that the ban on the Congress activities should be removed. They are for the present the custodians of law and order and it is for Government to see whether the activities of a particular organisation are so dangerous that beside the law of the country there should be placed another ban on that organisation. But once it has been considered proper that extraordinary laws should not govern certain organisations, there should be no discrimination between one organisation and another. If may be said, and probably it has been said, that the Khudai Khidmatgar organisation is a revolutionary organisation, that the people belonging to that organisation committed violence and, therefore, Government did not remove the ban on that organisation. My reply to this argument is that Government have got sufficient weapons in their Statute-book to deal with any crime that may be committed in the country by any individual or by any organisation. Is not the ordinary law of the country sufficient to punish or deal with any sort of crimes that may be committed by this organisation known as the Khudai Khidmatgars? Then on the top of this, the organisation exists mainly in a province where we are spending about 75 per cent. of the revenues of the country on military expenditure. If in spite of all our military forces and in spite of all the

[Sir Muhammad Yakub.]

ordinary laws of the country Government cannot deal with one small organisation without extraordinary laws, then it reflects a good deal upon the capacity of the Government itself and not upon that organisation. Sir, I do not think that a long and a big speech is required to support this Resolution which I think is quite self-evident, and with these few words, I support the proposition before the House.

Maulana Shaukat Ali (Cities of the United Provinces: Muhammadan Urban): Sir, I whole-heartedly support the Resolution proposed by my Honourable friend, Mr. Das. I also heartily wish that when he moved his admirable Resolution he had not made the speech that he did make in support of it. He needlessly opened up questions that it was much better to have left undisturbed. Sir, I think, you will give me credit, that I have got the courage of my convictions. I promised you yesterday that I am going to use every fibre in this big body of mine to bring about hopourable peace in this House and in the whole of India. I am going to try my best for it; and, therefore, if I were asked beforehand and if I knew that my brother, Mr. Das, was going to make that speech, I would have asked him as an elder brother to be calm. I appreciate the difficult position in which the Foreign Secretary found himself and there was a good deal of restraint in the way in which he defended himself. I have been a rebel and an outlaw, but should I say now why I became a rebel and an outlaw? Should I say now what they did to me and to my people? That would serve no real purpose if we mean business, and, I do mean business. Therefore, I do hope that both sides of the House will realise that the time has come when we ought to retrace our steps and do something to bring about a calmer and a better atmosphere—a more conciliatory atmosphere. I do say that peace is always better than war. I have been fighting before and, as I said, I may have to fight again, but I would certainly any day prefer peace to war which will lead us nowhere. Further, to make an honourable effort for peace and to try and see if we can settle things amicably is not a sign of weakness. I know I have friends on this side (Congress). Old co-workers who know me very well and with whom, although I am not working today, I may be working tomorrow—shoulder to shoulder. (*An Honourable Member*: "Tomorrow?") Yes, it is in their hands. If they frame a pact, I can go to the Muslims and say that this is the pact which our brothers have given to us. And God willing, I will not take myself alone to that fold, but I will take the whole of the Muslim community into the Congress ranks. Sir, I have joined the Independent Group under Mr. Jinnah, who may be younger than I am, but I trust he is making honest efforts in that direction. I wish him success and if there is any little thing that I can do, I am simply to be called upon, and I will do it. Therefore, to make peace with the Government on the one side or to make peace overtures to that side is not a sign of weakness and I say that we mean business. We are capable people: we want to show to the world that we can administer India, that we can look after our affairs. I think for us simply to open up unnecessarily old sores, would serve no purpose. One side having suffered so much speaking naturally with some bitterness in their hearts, the other side having got to keep the administration going and probably thinking they are in a powerful position and can rule with force or show of strength should be ended. I know how bitterness creeps into people's hearts. I fully

appreciate the speech that my brother, Mr. Sherwani, made. I can understand it. I have felt like that myself. But without meaning to insult any other province in India—I myself belong to the United Provinces—I think no one in this House will grudge me this when I say that the finest of all people in this country are the people from the Frontier Province. They are powerful, physically strong, handsome and brave. There is Dr. Khan Sahib there and he is a very fine specimen and I hope my brother, Nawab Ahmad Nawaz Khan, will agree with me. He also is my brother and I have known him for long and I am sure he will also help us in bringing about peace and honourable reconciliation. Further, the whole House has seen and felt that Dr. Khan Sahib is the quietest and most peaceful member of this House. I know his younger brother, Khan Abdul Ghaffar Khan: he was a co-worker with me in the Khilafat Movement and, I think, he has great personal affection and regard for me as I have for him. I do not want to say that this or that is a mis-statement or a wrong statement. My brother, Mr. Sherwani, was perfectly justified in saying what he did. As a Muslim I have felt it also and, I think, there is no Muslim organisation worth anything which has not spoken in unmistakable terms to the Government and represented that no reforms would be acceptable to the Muslims unless they include our brothers in the Frontier Province. It is not only the Congress, but we are all united. There is an old Urdu saying: "Jo man say ziyada chahay woh mama kutni kehlay" which means, "whoever pretends to love more than the mother is called a mother-procuress". They are our own people in the Frontier Province. My affection is in fact for all Muslims all over the world. Therefore, without bringing in any unnecessary matter, without opening old sores, without trying to bring in a vote of censure—there will be votes passed against the Government every now and then—let us give them a chance to do the right thing. My appeal may be considered a weakness—I do not care. I am a poor man and I am perfectly happy—I always tease the Government Whip. When he passed me the other day when he was canvassing for votes, I told him "my vote was for sale, but I want my weight in gold—not anybody else's weight but mine. I do not think the Government treasury has got that much money". They cannot buy me and for any less I am not prepared. However, this side (the Congress) may say that the old warrior is getting old and he is feeling tired. My brother died four years ago and he had put himself against the Civil Disobedience Movement, because he thought it was inopportune and he was not conciliated. But I am not going to open old sores. I want that we should all come together to work for the good of the country and I would appeal to the Government here to make a gesture that will be appreciated by everybody. I think that Mr. Jinnah will be the best person to make that appeal; but I think all Muslim Members here and I know that 95 per cent. of the masses outside will respond to a gesture by the Government, and the lifting of this ban will be appreciated by the Muslim community and I think the Government would be doing a very good act for themselves.

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhaimmadan Urban):

3 P.M. Sir, when the discussion on this subject started, I had no intention to take part in it. But it seems to me that it would be desirable for a Hindu from Bengal not to keep silent over this question but to express his sympathy and the sympathy of his co-religionists in the province to the Muslims of the Frontier Province in their

[Dr. P. N. Banerjee.]

hour of trouble. There is another reason why I am participating in this debate. My own unfortunate province has suffered very greatly from the repressive policy of the Government, and when I demand that the time has now come for this repressive policy to cease in my province, I cannot help urging that this policy should cease also in the North-West Frontier Province. From its objects and aims it appears that the Khudai Khidmatgar is a peaceful and non-violent organisation, and I hope and trust that the Government will, for the sake of peace and harmony, accept this Resolution.

Dr. Khan Sahib: Mr. President, I rise to speak on this Resolution not only as an amateur and a new-comer to this great Assembly of yours, but as the first elected Member of the North-West Frontier Province (Cheers) to represent in this Assembly that province, which has always been painted before you as black as can be and which you all have always scrutinized through the coloured spectacles which have been prepared and presented to you by those gentlemen who are sent and picked out by the Provincial Governors to this House to misrepresent facts before you. . . .

Captain Sardar Sher Muhammad Khan (Nominated Non-Official).
Question.

Dr. Khan Sahib: You are a Nominated Member. . . .

Captain Sardar Sher Muhammad Khan: But I know better than you how Sir Abdul Qaiyum represented the province.

Mr. Mohan Lal Saksena (Lucknow Division: Non-Muhammadan Rural): On a point of order, Sir, the Honourable Member in charge of the Resolution is not in his seat.

Dr. Khan Sahib: Those gentlemen who sit behind the Government Benches, in the last few days of my experience in this House, have given me the impression of electrified dummies. . . .

Mr. President (The Honourable Sir Abdur Rahim) Order, order: that is not proper language to use.

Dr. Khan Sahib: Is it not? I am very sorry: should I say they have given me the impression of always waiting to receive their inspiration from the Centre to which they belong? And that they are always ready when they receive the orders to get up and support the cause of their masters, against the interests of the country to which they really belong?

Mr. President, I am not here today to go into the details of the un fortunate tyrannies which have been committed or practised in the Frontier Province under the guise of law and order. If, on some other occasion, I may have an opportunity to throw some light on those affairs for the information of the Honourable Members, I should be delighted, but today I am only concerned with the movement of the Khudai Khidmatgars. They are called Khudai Khidmatgars, not theoretically, but practically: they are for the emancipation of the human race. They are not

only for this country, but they are there to serve everybody—Englishman, Frenchman, German, Russian, Indian, Afghan or any other. To us, all humanity is just the same; and all the attributes which are given to us, by people who really do not mean what they say, if they search their consciences they will find out that they are not telling the truth. We stand for truth. I do not mean that we are super-human; we are human beings, we make mistakes, but I tell you, to the best of our knowledge we try to serve humanity and do our best. We are the servants of humanity.

Mr. President, before I proceed to mention to the House some of the instances, which I personally saw when I was in that province in 1930-31, I should like to make a passing reference to what happened in the year 1932-33. Well, as I cannot give Honourable Members first-hand information about some of the events that took place about that time, I shall merely mention two items. The first is that when Father Elwin, a celebrated Don of the Oxford University, went to the Frontier Province to see for himself the actual position, to ascertain for himself first hand the actual truth, for a few days he was not interfered with. But when the Frontier authorities,—and I say this most honestly and from personal experience,—found that that gentleman was not going to represent their point of view, but he was going to represent the actual facts, that he was a seeker after truth, he was promptly removed from that Province. Now, Sir, anybody who knows Father Elwin will be able to testify to his sincerity of purpose in all that he does. As I said, he is a Don of Oxford, he has always been serving humanity, and today he is living on those hills among the tribes, among the poor people, working for their amelioration. That is the man who is a seeker after truth, who was removed from the North-West Frontier Province, because the authorities there could not face the truth. Mr. President, the other day, some of the Government Members picked out papers and read them out in the House to show what the Government have done for the people and so forth. Will the Government send some of their officers to live in those untouchable villages to see for themselves the actual condition of the people? Then they will be able to understand the truth. They can never understand truth by living in palaces.

Then, the next thing I wish to say is about, Miss Wilkinson. I think she is well-known to everybody here. When she came with her party to the Frontier, my boy, who was a school boy, was on his way back home,—by home I mean India, and not England as the Home to which some friends refer, but I mean India, and he was on board the ship when we were arrested. I don't want to go into details and say what trouble he had to face on the way. Now, he accompanied Miss Wilkinson to Mardan, and,—I really cannot tell the House whether it was with the permission of the authorities or not,—a meeting of the Khudai Khidmatgars was organised, so that Miss Wilkinson might see for herself what they were doing. As soon as the police got scent of this, they could not tolerate the sight; they did not want that the Khudai Khidmatgars should explain the facts to her, and they wanted to practise their target shooting again. So Miss Wilkinson took the opportunity, just in time, and asked the organizers of the meeting to disperse the meeting. The manner in which that meeting was dispersed,—that is what I heard from my little boy, he is not little now, he is at Oxford now,—was so:

[Dr. Khan Sahib.]

quiet and so orderly that Miss Wilkinson spontaneously remarked, of which he took note, that even in Europe she had never seen such orderly dispersal of a big crowd like this. (Cheers from the Congress Party Benches.) Now, you see,

Some Honourable Members: Address the Chair

Dr. Khan Sahib: Sir, I am a new-comer. I am not accustomed to address legislative bodies, and so I hope Honourable Members will forgive me if I fail to use the strictly Parliamentary language.

Mr. President (The Honourable Sir Abdur Rahim) The Honourable Member should not be interrupted.

Dr. Khan Sahib: Now, perhaps, Miss Wilkinson might have exaggerated the whole thing. It generally happens that when an Inspector examines a body of well-disciplined people, whose orderly behaviour gives him great pleasure, he might say things in a slightly exaggerated form.

Well, Sir, with regard to what fell from Mr. Metcalfe, before I say anything about it, I must say that Mr. Metcalfe has been a very great friend of mine, he has been very kind to us, and, I think, we have always been on the best of terms, and I am sure, that in all our discussions he has always been very sympathetic and listened to our point of view with the attention it deserved,—with regard to what fell from Mr. Metcalfe regarding the unfortunate death of Mr. Murphy, the first thing that I should like to say is, that Mr. Murphy was a great personal friend of mine, and, I think, no man felt greater regret than myself when I heard the sad news of his death. Mr. President, that was the beginning of this movement, and that assembly did not really contain many Khudai Khidmatgars. It was an assembly composed most probably of a few tribal people, but anyhow, I say that, that sad incident happened, and we are all very sorry for it, and we Khudai Khidmatgars are not going to run away for certain sins committed by certain people in our name. No, I know, that every Khudai Khidmatgar felt sorry for the sad death of Mr. Murphy, and we are all very sorry. ("Hear, hear" from the Official Benches.)

Then, Sir, let us see what happened at Charsadda. In Charsadda, picketing was organised in 1930, and it was directed against liquor shops, and the treatment that was meted out to the Khudai Khidmatgars I don't want to describe here, because there were certain things done there which my self-respect does not permit me to mention, but I think it is well-known to many people,—I think our Nawab Sahib also knows something about those things. There the Khudai Khidmatgars were beaten, their clothes were torn to pieces, they were made stark naked. Afterwards, they used to wear a double dress, a white pant under and the Red dress outside, and the authorities really wanted to tear off their red dress, and they did tear it off. Then we had a small hospital by the river side, and that hospital was declared an unlawful assembly. The people who had collected there were all forcibly dispersed, some of the patients in the hospital were taken to the Charsadda Hospital. Some of the patients were taken from the Charsadda Hospital and next day they were thrown out by Colonel Brierley who is now the Inspector

General of Prisons and Hospitals there. They were put in a mosque, I went to treat them in the mosque, and later on, we had a hospital in Peshawar City. With all that, nobody can cite a single scratch on the police or the army people who were dealing with those Khudai Khidmatgars. I will come to the 28th February, 1931. When the Gandhi-Irwin negotiations were going on, a meeting was held on the 28th February, 1931, at Utmanzai. You have heard from Mr. Sherwani about the pile of stones which they said was the tomb of the leader of the Khudai Khidmatgars. The notice was sent to the Assistant Commissioner that the meeting was going to be held, against law, because civil disobedience was in progress. The meeting was held, the troops were there, but their lathi charges could not disperse the Khudai Khidmatgars. Really no order was given, but some of the officers went out of control and they started firing. Captain Banes who was in charge of the party shouted, "don't fire, don't fire", but nobody listened to him. Firing went on, but the Khudai Khidmatgars could not be dispersed, they were still there. Thirty people were wounded, two killed. I arrived at the spot just a few minutes after this took place. And still you could not cite a single scratch on the people who went to kill the Khudai Khidmatgars, not even one scratch. If you do not call that non-violence, I do not know what you will call anything non-violence. (Cheers from Opposition Benches.) I will come to Urmar. In the summer of 1931, one night at Urmar, one of the informers gave wrong information to the police. The latter went, and I must say, that it was by an accident that they by mistake shot a Khudai Khidmatgar who was killed. That was an accident. The people of the village, men, women and all, caught hold of the police and disbanded them; but as soon as our President and the officers of the Khudai Khidmatgars and the volunteers arrived on the scene, they took the police into protection, formed a circle around them and took the rifles from the people and conducted the police into a safe place. (Cheers from Opposition Benches.) I must say that the District Magistrate then was Mr. Cairo. He sent word that he was sorry and we were quite pleased. They offered some compensation, but as you will see, under the Khudai Khidmatgar's oath we do not accept any remuneration for our services. So that was not accepted. If you tell me that that is not non-violence, then, well, you will have to find some other word for it. (Cheers.) At Swabi—these are incidents where I went personally, and saw—at Sawabi Tahsil in Topi which is the place to which Sahibzada Nawab Abdul Qaiyum belongs—you all know him—picketing was going on there. I got the information that the picketers were very badly treated. I went there personally and I saw the place. I met the District Superintendent of Police and asked him if the order was that they should beat people while sleeping in huzra. Huzra is the place where the Pathans have their guests. If anybody comes, the Pathans have an outer house in which the guest sleeps. I asked the District Superintendent of Police: "Have you declared people sleeping there at night an unlawful assembly?" He said, "yes", and that he had the orders. I had been told by a responsible officer that if there were any facts which I thought I should communicate to him, then he would take care to see that justice was done. I saw all those things. When I came back, I saw the confidential report too, a friend of mine showed it to me. It was a true report. It went, but nothing was done. Then I will come to a gentleman who is now there as a City Magistrate. You know that when a man becomes a Khudai Khidmatgar he rejects all the things which are connected with violence. The rifle, the revolver, the

[Dr. Khan Sahib.]

sword,—all these things which are so near and dear to a Pathan,—as soon as he becomes a Khudai Khidmatgar he rejects them. When the Khudai Khidmatgars went and handed over their arms, they ask naturally for the price. And what was the answer? The answer the gentleman gave was that when they got power then they could ask for the price. If you do not call this, provocation to a Pathan, well, I do not know what you will call provocation. That fact was known to the Chief Commissioner, and I wrote in person to him, but as I was arrested soon after, I do not know the result. We now come to the Simon Commission. Sir John Simon came and I do not know through what spectacles he examined the Frontier. But he says:

"The inherent right of a man to smoke a cigarette must necessarily be curtailed if he lives in a powder magazine."

We were told that we were living in a magazine and so we could not smoke. Hence, we started this organisation to convert that magazine into a peaceful house, and that is the outcome of the Khudai Khidmatgars. (Cheers from Opposition Benches.) I will give you a few quotations from the "Naked Fakir" which was written by Mr. Bernays. That is what he says:

"I am glad that I saw the Frontier. It is the old India at its worst. The administration is unimaginative, callous, and not particularly competent. I cannot understand how the Simon Commission ever came to report that there should be no reforms in the North-West Frontier Province. The much advertised Frontier danger is largely 'Poppycock'. If they spent a quarter of the army estimates on irrigating the desert, they would be able to halve the expenditure of the remainder. The Afridis loot because they are starving. I wish that I could lift the veil and expose some of the excesses up there."

Now, he was living with the Assistant Inspector General of Police in charge of the C. I. D. He knows all the facts. Now, I will give you one or two facts about this Afridi business. It is simply organised by the Political Department to make money.

Major Nawab Ahmad Nawaz Khan: Not at all.

Dr. Khan Sahib: I knew a man who actually took Sir George Roos Keppel into the trenches of the Afridis when they were fighting against the British. I wonder if the man is alive now. I think Sir Abdul Qaiyum knows it very well but he will never tell you. I think some of the army officers know this fact. This is what he says: "Some of the stories of the whole-sale shootings and hangings last year made me—rapidly becoming a hard boiled and cynical journalist—hang my head in shame." Now, there is another thing which is always attributed to us. About this, Mr. Bernays says:

"An attempt was made on the life of a British official. It was unsuccessful, but in less than two days the perpetrator of it had been executed."

Then, he gives further instances of the savagery of British civilization and he gives an instance of a young boy who was given 30 stripes in the Peshawar jail. Then further on he gives the instance of a boy who was picked up by two British officers in the car and was left seven miles away. He was the son of a police sub-inspector and this is what he says:

"I did not hear these tales from disaffected Indians. They were told me proudly by British officials as the way they dealt with Congress activities."

Then again, this is what I find in the Assembly debates on the 1st February, 1932, on page 259.

"The number of persons killed in the North-West Frontier Province, in the restoration of law and order, amounts to 14. Let nobody think that any officer of Government regards the death of 14 of his fellow citizens as a light matter. There is nobody who can take it more seriously than we do."

This is by Sir Evelyn Howell.

Sir, I do not doubt that anybody would like to kill people for nothing. I was told by a very important man in service, a British officer, about the mood of the British officers at the time of the movement and how they got panicky. I asked "what have you done?" We have done nothing. We want reforms. That is all. I told him that whatever their mood may be, there is one thing certain that we are not afraid of the violence of others as long as we do not remain violent ourselves.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has exceeded his time limit.

Dr. Khan Sahib: I am the only man from the Frontier, and I would ask you to give me a little more time. I do not ask for weightage, because I do not believe in it.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member will get five minutes more.

Dr. Khan Sahib: It is said:

"It was estimated that in Peshawar as many as 900 Red Shirt picketers were employed of whom some 300 were on duty at one time. Picket reliefs marched through the city in formations of about 50 and this display of organisation and the behaviour and character of the picketers themselves tended to intimidate both the public and the shop keepers."

Now, Sir, I was in charge of the picketing. We had 3,000 Khudai Khidmatgars. I agree with him that we marched in formation. Is it violence to march in formation? Do not the scouts march in formation? Many of you must have been in scouts organisation. Do not other organisations march in formations? I will give you an account of a discussion I had once in the house of the Chief Commissioner. Mr. Adams, the Inspector General of Police told me that the Khudai Khidmatgars walked straight in formations: I said:

"I cannot help you there, because we Pathans always walk straight. We do not bend."

Then further on he said that my brother was fanatic. I told him that it may be the opinion of the Inspector General of Police and asked him if he knew the Pathans. I asked him if he knew a book written by Bernays called the "Naked Fakir". He said, "Bernays had been here only six months". I asked him how long he had been here. He said "80 years". Then I told him that if he remained another 80 years writing notes in his bungalow, he will never know the Pathans. Now, I took Mr. Bernays to Utmanzai. He was invited by the young officers of the Khudai Khidmatgars in 1931. I left him all alone with them. While we returned

[Dr. Khan Sahib.]

from there, we were sitting in the Assistant Inspector General of Police's bungalow and in a few minutes time he handed over to me a chit stating that my brother had arrived at my bungalow. This allegation that we have connection with the tribal territory and with the Bolsheviks is all put up show. They know exactly how we move about. They know every action of ours. Then we got to my bungalow. This is what Mr. Bernays says about my brother :

"Darkness had fallen and a thunder storm was threatening. Abdul Ghaffar Khan looking like the embodiment of the traditional paintings of Christ."

If that is the description of violence, then I don't know what violence is. Then, my brother said :

"The Government of India misunderstands my movement. I do not hate the British. I only want the same reforms for the Frontier Province as for the rest of India. I am not declaring against the payment of revenue. I am a land owner myself and I have paid my revenue. I have received no money from Russia. I have no connection with the Russians. The British have put me in prison but I do not hate them. My movement is social as well as political. I teach the Red Shirts to love their neighbours and to speak the truth."

This is what Mr. Bernays says :

"The impression of him I recorded in my diary that night is: "A. K. G. is a kindly, gentle, and rather lovable man. As well think that old George Lambury is a dangerous revolutionary as imagine that A. K. G. is the relentless enemy of the Raj.".....

—Well, that is the opinion of an Englishman who has lived there only with English people and who was living there with the Head of the Criminal Investigation Department

Mr. President. (The Honourable Sir Abdur Rahim): The Chair will now ask the Honourable Member to conclude his speech. He has only one minute more.

Dr. Khan Sahib:

... "Numerous meetings were held and processions organized and the Red Shirt leaders set an example by refusing to pay the revenue. One of them was a nephew of A. K. G."

Well, that is absolutely a lie. My son paid Rs. 300 just before they arrested him and put him into prison and he never said that he would never pay. The same point was discussed between the District Magistrate and myself and I told him. "I should be ready to pay it down at once", but I did not have the money. I had paid my income-tax demand just before that, so you cannot say that I said, "I won't pay", and I said, "if you wait for another twenty days by when my sugar-cane crop will be sold, the amount will be paid to the Government". So that all these things are sought to be made out here simply because they have not got courage to tell the truth; they always want to bring in an excuse, but, Sir, excuses can never succeed.

Now, Sir, as you have ordered me, I must stop. I will only conclude by saying that in all I have said it is only for the purpose of showing that we are non-violent. I have not said anything for any purpose of

creating hatred or making anybody unhappy; and I must say this much, that whatever the others may say, we shall always remain non-violent, adopting an attitude of all humility towards everybody including even the Nawab Sahib from the Frontier. (Loud Applause.)

The Honourable Sir Henry Craik: Sir, I should like to begin by tendering my congratulations to the last speaker for the tone of moderation and restraint which marked his observations. I know this is a subject on which he must feel deeply and that it is a subject which affects him personally and closely, and as I say, I must congratulate him on the restraint and moderation which he has observed. (Applause.) If, later on, in my own remarks, I have to controvert some of the statements he made, I hope he will recognise that I imply no personal mistrust of his own convictions and that I recognise that every man has a right to his own opinions. Mine, on the information supplied to me, will differ very greatly from his; but, none the less, I will show, I hope, by the way I handle the subject that I respect his as much as I hope he will respect mine. Next, I should like to congratulate the Mover of this Resolution on his fortunate re-appearance in this Assembly.

Mr. B. Das: Thank you.

The Honourable Sir Henry Craik: He is one of the very few of the olden brands who have been snatched from the burning. In the last Assembly, I remember, he told me he was a Congressman, and I told him he was not a good one as he did not wear a Gandhi cap. Now, Sir, he wears a Gandhi cap—but I think with a jauntier tilt than any other Member (Laughter); in fact, I notice, I think, that the colour has assumed the slightly war-like hue that we usually associate with troops on active service. But I am afraid I cannot conscientiously congratulate my Honourable friend on the way in which he handled the subject. He betrayed, I thought, a sad confusion as to the sequence of the historical events connected with this question and, I am afraid, he was suffering from what I may call an absence of background as to the conditions of life in the Frontier Province. Now I do not claim myself for a moment that I know the Frontier Province well, but I have paid many visits there, and, I do think, I have managed to absorb in some degree, at any rate, what is the great background of life in the Frontier Province. And that is that it is a very small area, a comparatively small area of British territory, bounded on two sides by tribesmen who are not our fellow-subjects, who are armed, I think, I can say without exaggeration, armed to the teeth and who are always potential raiders into our territory, if not potential enemies in regular warfare. The gravity of any disturbance of the peace or any menace to ordered government in the Frontier is far graver than in any other part of India. The simile which the last speaker quoted from I think the Simon Report of the limitations placed on the liberty to smoke cigarettes of the man who sat in a powder magazine is eminently true for the Frontier Province and, I think, no one who has lived there or visited it for more than a few hours can fail to appreciate that fact. There is this fertile plain, surrounded by these grim and frowning hills which you know are full of men armed to the teeth, whose favourite recreation, if one may say so, is raiding into British territory. You live in many places behind a barbed-wire enclosure, you have sentries posted everywhere and you have a very much stronger

[Sir Henry Craik.]

military force in proportion to the size of this area than in any other part of the Empire. You live there almost literally under the shadow of war.

Now, Sir, before I begin to deal with the merits of the question raised in this Resolution, I should like to remind the House of some very wise words which fell from the Honourable the Leader of the Opposition the other day. He said—speaking on a totally different subject—“let us show that we can fight without rancour and to take defeat cheerfully, or to take defeat with courage”. Now, that struck me at the time as a most admirable sentiment and, I hope, that the older this Assembly grows, the more will that maxim be acted upon. Let us differ, if I might put it like this, like gentlemen and let us not import rancour into our discussions. I say that particularly today because I am aware that the subject is a highly contentious one and that, I myself, of necessity must take views diametrically opposed to those of most of the speakers who have preceded me. I cannot ignore that the opinion of the majority of the House is probably against the Government on this point and I hope we shall show no rancour in the debate and, if we have to be defeated, we shall have to face defeat. But I must at the outset make it clear that on a question of this kind, the sole responsibility must lie on the executive Government. If Government makes a mistake or shows weakness that leads to serious disorder or even to serious risk of war on the Frontier, the responsibility is with the Government and not with this Assembly. Therefore, in a matter of this nature, whatever the form of the Government may be, the responsibility for deciding a question of this gravity must be that of the executive Government. Sir, one feature of some of the speeches made on this Resolution has been that Government is unfairly discriminating against a certain society or against a certain province. Now, Sir, there has been no question of discrimination. When the ban was removed on Congress organisations at the beginning of June last, a Resolution was published by the Government of India, in which it was quite clearly stated, that the notifications would not be withdrawn against any revolutionary organisations or any organisations which, in the opinion of Government, were a danger to the peace of the country. In accordance with this policy it was stated in the Resolution that the Government of the North-West Frontier Province had decided, with the full approval of the Government of India and the Secretary of State, that the notifications against the Red Shirt organisations shall continue in force. There are many other organisations against whom the ban continues in force. All of them are organisations which we regard as revolutionary in character or a serious menace to the peace of the country. There are certainly, I think, some six or seven in the Punjab; there are some in Bengal; a good many in Bombay and, I think, that, with one or two exceptions, there are some of those organisations in every province.

Maulvi Syed Murtusa Sahib Bahadur (South Madras: Muhammadan):
Norte in Madras.

The Honourable Sir Henry Craik: Madras may be an exception, but my point is, that there is no question of discrimination against this particular society or against this particular province, and that should have been clear to anybody who read the Resolution of June last carefully.

Now, Sir, the Congress claim, I understand, is that, since August, 1931—but not before that—the Red Shirt organisation was a regular part of the Congress machine, pledged to accept its discipline and subject to the All-India Congress Committee. Now, if that claim is to be made good, it is up to the Congress to show that this organisation did, in fact, obey the Congress principles and was, in fact, subject to the Congress discipline. But the facts are absolutely contrary to this. I am not denying—in fact I admit—that there was a sort of working alliance between the Red Shirt organisation and the Congress after August, 1931, but not before that. Before that they were quite apart from the local Congress organisation in Peshawar. But after August, 1931, did they, in fact, remain non-violent or did they not? The Honourable Member who spoke last and also the previous speakers said that it was a perfectly peaceful and non-violent body, interested mainly in social reform and in no way violent in word or deed. My case, on the contrary, is that, although it admittedly started as a body pledged to the cause of social reform, it gradually became more and more a purely revolutionary society and more and more directly violent in its methods until it became known to the general public as a society directly pledged to turn out the British out of India by violent means. Now, Sir, the history of the movement has been sketched in very broad outline by certain previous speakers up to the point when Khan Abdul Ghaffar Khan went to jail sometime, I think, in April, 1930. I will not go over the same ground again. I would like to deal particularly with the period after the conclusion, in March, 1931, of the Irwin-Gandhi Pact, in pursuance of which he was released and returned to the Frontier province. I am surprised that only one speaker today has referred to the very long and complete statement of his activities and the activities of the organisation which he was leading which was published by the Chief Commissioner in December, 1931. It has really surprised me that that document, which is really an unanswerable proof of the violent character of this organisation or, at any rate, which has never been answered in any way that I am aware of, was apparently not within the knowledge of Honourable Members of this House. It was followed a few days later by a long printed statement, which I have before me, running to some 24 pages, giving from month to month and almost from day to day instances of acts of gross violence in some cases committed by the members of this Association. It brings out clearly—I will not weary the House by reading a number of these though I am perfectly prepared to make copies available to any Honourable Member who care to see them—first of all that the so-called professions of non-violence were absolutely lip professions and they meant nothing.

Dr. Khan Sahib: It is not correct

The Honourable Sir Henry Craik: I know it does not agree with the Honourable Member's case, but I listened to his case without interruption and he should give me the courtesy of listening to mine. The Honourable Member says that it is not correct and my reply to it is that it has been on record and published for over three years and it has never been contradicted, even in Peshawar.

Dr. Khan Sahib: Who could contradict it?

Mr. President (The Honourable Sir Abdur Rahim): Order, order: The Honourable the Home Member does not want to give way.

The Honourable Sir Henry Craik: The Honourable Member may have been in jail, but there were hundreds of his people who were out of jail and who did not contradict it. It gives instance after instance of cases of violent resistance to the authorities, of compulsory levies of money, of refusal to pay taxes. My case is, that Khan Abdul Ghaffar Khan was inciting the tribes beyond our border to revolt against our authority; he encouraged one section of the Mohmands, led by that well known fanatic, the Haji of Turangzai, a close relation, I understand, of Khan Abdul Ghaffar Khan. He encouraged him to bring a Lashkar of 700 men who sat on our border and had to be opposed by nearly a brigade of troops. He encouraged the Afridis who were then at war with the Government to raid our territory and he encouraged serious unrest among other sections of the tribes.

Mr. Mohan Lal Saksena: Does it not refer to April, 1930?

The Honourable Sir Henry Craik: It may refer to that period.

Mr. Mohan Lal Saksena: I would like the Honourable the Home Member to enlighten this House about the incidents during the year 1931 when Khan Abdul Ghaffar Khan was in the Frontier or events which took place after 1931.

Mr. President (The Honourable Sir Abdur Rahim): It is left to the Honourable Member to answer or not.

The Honourable Sir Henry Craik: I have brought out this point although it is perfectly correct that it was in 1930. It has not yet been put to the House in any of the speeches made till now; no mention has been made of his traffic with the tribes beyond our border or the organisation of opposition to the payment of taxes. If the Honourable Member wants to know what happened in 1931, I can let him have a copy of this document which will, I fancy, considerably surprise him. Page after page narrates details of cases of violence.

Mr. Mohan Lal Saksena: Is the Honourable Member aware that this House demanded an enquiry?

Mr. President (The Honourable Sir Abdur Rahim): Order, order. The Honourable Member must not be interrupted in this way. Let him proceed with his speech.

The Honourable Sir Henry Craik: It is clear, that, during this period, the authorities were taking the most conciliatory attitude. That, I suppose, was in the hope that Khan Abdul Ghaffar Khan had wiped out his past by his period of incarceration and in the hope that with the Gandhi-Irwin Pact in being and the prospect of the reformed constitution coming in in the Frontier Province that he would co-operate in giving a favourable introduction to these reforms. The Chief Commissioner—now I am dealing with 1931—made every effort to get into touch with Khan Abdul Ghaffar Khan, both personally and through his local officers, but every offer made to see the Chief Commissioner was refused. On the contrary, Abdul Ghaffar Khan, went about the province in defiance of orders forbidding

public meetings and held meeting after meeting and each of his speeches showed an increasing spirit of racial hatred and rebellion. He said quite openly that his object was to turn the British out of India and that by force. During this time there was staged in Charsadda, under the direction of the local Red Shirt organisation, a drama of a violently seditious character in which direct incitements were made to the audience to murder the Assistant Commissioner of Charsadda, and shortly after an attempt to murder that officer, Mr. Barnes, was made. It is true that Khan Abdul Ghaffar Khan was absent from the province at the time, but on his return the first step he took was to congratulate the people, who had staged that drama, on their courage. I would like to give the House one instance of the kind of spirit engendered by the Red Shirt propoganda in the Frontier Province, or in certain parts of the Frontier Province. At the end of 1931, in December, an English lady was thrown from her horse while hunting with the Peshawar hounds and broke her leg. This accident happened some two miles from the metalled road and the villagers turned out with their traditional hospitality and Pathan courtesy and put the lady on a *charpai* and started carrying her on the road. They passed by a village called Kasim and the Red Shirt leader of that village and his men endeavoured to prevent the bearers of the *charpai* from proceeding with their burden. However, the bearers, I am glad to say, proceeded in spite of the jeers and insults and they carried the *charpai* with the injured lady on it for over a mile surrounded by these Red Shirts shouting out jeers and imprecations. Nothing could be more different from the traditional courtesy and the traditional attitude of the Pathan than an incident like that.

Dr. Khan Sahib: It is not true, Sir.

The Honourable Sir Henry Craik: I have said, Sir, that though, subsequently at a later stage, the Red Shirt organisation came to be identified with the Congress, at one time, it was in sharp conflict with the older Congress bodies in Peshawar. I have here a written petition presented by the Congress committee against the Red Shirts closing with the statement that they, the Congress people, feared that the movement for the liberation of the country would suffer rather than gain from the activities of the Khudai Khidmatgars.

4 P.M.

Mr. Mohan Lal Saksena: To whom is it addressed? Who is the writer of the petition.

The Honourable Sir Henry Craik: It was presented by the Peshawar Congress Committee. They narrated a number of incidents; it is part of this printed report which is published.

Mr. Mohan Lal Saksena: Are there any names?

The Honourable Sir Henry Craik: No names.

Major Nawab Ahmad Nawaz Khan: In such reports no names are given. (Laughter.)

The Honourable Sir Henry Craik: The points that I am trying to establish are these, that the Red Shirt organisation was not a non-violent organisation. Its aim was complete independence and the ejection of the

[Sir Henry Craik.]

British, the forcible ejection of the British Government. It was engaged in inciting the Trans-border tribes against us. As regards that particular part of the subject, I hope another speaker on these Benches will develop and will bring out the fact that this movement practically led to two small frontier wars. The leaders also engaged in a systematic campaign of discouraging people generally from the payment of taxes, that is land revenue, and even from the use of canal water. Considering all their objects and their methods I do not see how anybody can take the view that they were not a grave menace to the peace of that very inflammable country. It is clear that in those circumstances, there can be no justification for allowing such an organisation to continue. It may of course be argued that the Frontier has been quiet since the ban was imposed in 1932. But I would ask the House to remember, in that connection, a few facts. The new Constitution was introduced in the Frontier Province sometime in April, 1932. The Red Shirts did their best to prevent the general election going on peacefully. They did their best to hinder the initiation and the development of the reforms. Since then, in the period of three years that have elapsed, I am assured by the Government of the North-West Frontier Province that political life has developed to a surprising extent on peaceful and constitutional lines. Those general elections of April 1932 were disfigured by many instances of Red Shirt bullying and assaults on would-be voters. The election for the Assembly that took place the other day, resulting in the return of the Honourable Member who spoke last, was conducted in a perfectly peaceful manner. His canvassers were allowed complete freedom to do as they liked and nobody has made the slightest complaint about the way in which they acted. He is free to return to the province whenever he likes to do so, and the other leaders of the movement have also been released with the exception of Abdul Ghaffar Khan who has been convicted in a Court of law. But I can see no justification for Government taking the risk with those conditions, the conditions that prevailed in 1930-31, when the province was for some months on the brink of a precipice, when war raged along the Frontier was half a dozen times on the point of breaking out, when troops had to be taken from their stations and employed on an extensive scale in repelling raiders, when on no less than two occasions, the Afridis got right down into the heart of Peshawar City. I can see no justification, I say, for Government taking the risk of allowing those conditions to recur. If this Red Shirt movement were to be revived

Dr. Khan Sahib: May I ask a question, Sir?

The Honourable Sir Henry Craik: I am not giving way.

If this movement were to be revived it would be regarded by the public generally in the province, and still more so by the trans-border tribes, as a sign of weakness on the part of the British Raj. The tribes are only too quick to suspect weakness on the part of the authorities in the North-West Frontier, and directly they see such weakness they will pounce down like the eagle on its prey. We are not going to incur that risk and we are not going to allow this organisation to function.

Mr. Bhulabhai J. Desai (Bombay Northern Division: Non-Muhammadan Rural): Sir, I would have been wanting in a sense of duty if I did not associate myself in a few words with the Resolution which has been moved

before the House. And I am the more impelled to do so by the speech that has been just concluded by the Honourable the Home Member. I am not merely referring to his manner, not merely referring to his words, but referring to the spirit which was behind it. Undoubtedly it is not for a man like me to congratulate him. He, being perhaps a very clever painter, put into the background, as he calls it, incidents long past, then translated them into generalities and then turned it into a bogey. That is a kind of picture which I am not clever at drawing and it is not the kind of picture that is going to deceive any man who has got a pair of eyes. The only other reason which impelled me to associate myself with this Resolution is the fact that perhaps with the single exception,—or not even with the single exception,—of the Honourable Member from the North-West Frontier, I was perhaps the last man who was closely associated with Khan Abdul Ghaffar Khan before his last conviction and incarceration, for a speech which was unearthed some three or four months after it was made. It became almost a problem as to why that speech was unearthed and what was in it. So far as Government is concerned, there is a very salutary provision, advisedly made in the Code of Criminal Procedure, so that the provisions of section 124-A may not be put into force unless they are required for a purpose of their own. Somehow or other, for a long period after that speech was made, it never occurred to Government that there was anything in it to prosecute Khan Sahib upon it; and yet one fine morning in Wardha he was arrested on a speech that he delivered before a Christian association only for the purpose of giving an honest account of what had occurred, to his own personal knowledge, with reference to the movement which he represented and of which he was the leader during the three or four years that he was associated with it. The first question after his arrest that he asked me as counsel was, "If truth can be a defence to the charge I am quite prepared to stand the trial and prove every single statement that is made in that speech". And indeed it amazed an honest Pathan to be told that he could not, that he might bring the Government into contempt and ridicule even if he told the barest truth. For indeed the very basis of that section appears to be that the Government must be deemed to be ideal; and if the truth be such that it turns out that Government is anything but ideal, he is guilty under section 124-A. All that he said in that speech was that the Khudai Khidmatgar movement was undoubtedly a social movement in its inception, followed equally undoubtedly on clear confession, supported and assisted by the non-violent truthful movement of the Congress. What he next said was, "We are out for educating our people, but the Government would not desire and did not desire that we should have that education. Our schools were dispersed and our schoolmasters were corrupted. That is the way in which the educational movement of Khudai Khidmatgar was suppressed". And he said, he was quite willing to prove every single word connected with every single event that he had given in that speech. Similarly, the incidents which have practically been admitted, during the course of this debate, were related showing the manner in which that movement was also sought to be suppressed. And yet we are told, that you may not tell the truth, you may not educate your people, you may not have an organisation. If the strong arm of the Government merely means this that that strength shall be applied in order that there may be no organisation in this land for the purpose of seeing that the land may be strong, that it may be consolidated, that it may progress and that it may

[Mr. Bhulabhai J. Desai.]

be powerful, that strong hand is something which must be indeed sinister in itself. (Applause.) That is the account that he gave of the record of his work. In that speech he said: "We were told that we are uncivilised, that if the strong hand of Britain is not there the Hindu Raj would swamp us". The rest of the Indians were told that if the strong hand of Britain is not here, the uncivilised Pathans would swamp you. It is by that double method of misrepresentation, as he put it in that speech, that this movement has been suppressed when indeed it was the desire of the Khudai Khidmatgars, by the common adoption of non-violent and truthful methods, to be at one and in common brotherliness with the rest of India. For these reasons I associate myself with the Resolution having, as I do and holding as I do, the highest personal opinion of Khan Abdul Ghaffar Khan as a man, powerful, truthful, just and prepared to suffer the worst in order only that truth may prevail. (Opposition Cheers.)

Khan Bahadur Nawab Muraffar Khan (Punjab: Nominated Official): Sir, it is with a sense of grievance against this House that I stand as a Nominated Member. Some Members, as you are aware, said that we on this side have no conscience. We on this side have always treated the Opposition with the greatest respect, but I was surprised to find today that Maulvi Fuzul Huq and my honoured and respected friend from the Frontier Province said something unpleasant about the Nominated Members, and I beg to draw your attention to this fact that we Nominated Members are, after all, human beings, we have got our conscience and can also be honest. You must have seen this very minute that a Nominated Member very frankly and honestly admitted certain things, although he knew that that admission was going against him. With these words, I will come to the point now before the House.

I come from a district—the Attock district—which is on the borders of the North-West Frontier Province. Our district, Sir, adjoined the two districts of Peshawar and Hazara. We are, therefore, in close touch with the movements on the Frontier and we have the greatest sympathy with the people of the Frontier. Probably Mr. Jinnah will remember that on that historic occasion when the introduction of reforms was being discussed in this Honourable House in old Delhi, about half a dozen of us, including myself, came all the way from Attock to listen to the debate. We all owe a deep debt of gratitude to Mr. Jinnah and Syed Murtuza Sahib and our Punjab representative, Raja Ghazanfar Ali Khan, who fought valiantly for the frontier people: we have always felt with them and we feel for them even now. It was, therefore, Sir, with the greatest pleasure, that, in the end of 1931, I accepted an offer that the Government of India made to me to carry out the reforms in the North-West Frontier Province. I thought it was a case of 'hum khurma wa hum sawab'—a duty combined with pleasure. I very much regret to say that that pleasure was diminished by the absence of Khan Abdul Ghaffar Khan from the Frontier Province, and the first thing that I did was to approach the authorities there—I am only a subordinate officer and I could not do more—and asked them about the circumstances of deportation. I wish I had gone there a little earlier and pleaded his cause. I saw the Chief Commissioner—now Governor of that province—Sir Ralph Griffith. He told me of the various unlawful activities of Red Shirts just now described by the

Honourable the Home Member. It is no use my going over the same ground. Towards the end he said he made a personal appeal to Khan Abul Ghaffar Khan and to my Honourable friend, Dr. Khan Sahib, to work out the Reforms but to no effect. As Dr. Khan Sahib tells us he did work valiantly for the Reforms, but I wish he had stopped there to work them. His Excellency Sir Ralph Griffith was prepared to meet them and made a powerful appeal to him and Dr. Khan Sahib to come to a meeting that was to be held on the 22nd December; but I am sorry that both he and his respected brother, Dr. Khan Sahib, refused to attend that meeting, the only object of which was to bring it to the notice of the people that Reforms were soon to be introduced and to appeal to them to create a spirit of calm and peace before the introduction of the reforms, so that the reforms should be carefully considered and the intricate problems of franchise, etc., should be considered to the benefit of the various communities in the North-West Frontier Province. It came as a most painful surprise to me, because, if a man of Khan Abdul Ghaffar Khan's influence had led his party into the Council, I would have been the first person to congratulate him as the first Minister of that unfortunate province. But I was very sorry to see that he did not: he chose a different line. Not only that: but my idea was that Khan Abdul Ghaffar Khan, by this constitutional action, would have been able to remove some grievances of which he had been talking so much. One of his grievances was that he wanted free primary education: he was very keen on that. As a Minister he would have been able to do a lot. I assure the House that the Government went further, as compared to other Provinces, in treating the Frontier Province in the matter of transfer of subjects. They treated that province more generously than they treated the Punjab; and considering the grievances of the Frontier Province regarding Forest law, I agreed with Khan Abdul Ghaffar Khan that some of them were genuine; the British Government frankly and honestly came forward and transferred the Forests to the popular control. I understand an inquiry is being made by the Minister there. But all this was not to be. It was the misfortune of the country that Abdul Ghaffar Khan chose a different path, and, if I might make bold to say so, he went astray. I will not detain the House longer; but I will say this much that even at the elections, my first attempt was to interview as many Congressites as possible and to bring them to the path of constitution: I am glad to say that the old Congressites did come and they succeeded in many constituencies. They have done most useful work. I think the Opposition there is one of the best conducted in the Local Legislatures of India. I wish Abdul Ghaffar Khan had done the same: and even if he had not become a Minister, he could have done most useful work in the Opposition.

Now, I come to that unfortunate portion of the province at the time of polling. Before that, I had been touring, not exactly from village to village, but from tahsil to tahsil headquarters in order to educate the electorate, because that was the first time that the reforms were being introduced. In the course of my tours I was surprised to find about the Red Shirts or Khudai Khidmatgars as some people are pleased to call them: certainly they had good points, but a movement, when it goes amongst the masses, does not remain the same as its originators intended, and I noticed that in some cases they had organised a parallel administration. In one case,—I do not know and this is not my personal information, but

[Nawab Muzaffar Khan.]

it was information that I got from the people there—a parallel tahsil had been set up for a collection of one-tenth—not the *chouth* of the Mahrattas—but it was one-tenth for the Red Shirts. That was the information that I gathered there. Another unfortunate case came to my notice,—and I hope my Honourable friend, Dr. Khan Sahib, over there, will not deny it. The Red Shirts did not merely interfere with the ordinary avocations of the people, but they went further and committed things which I think no civilised people would do, they showed the greatest disrespect for the dead,—and here may I ask my friend, Dr. Khan Sahib, if this did not actually happen in the North-West Frontier Province, in a place, not more than three miles from Peshawar, in the village of Tahkal. They showed the highest disrespect for the dead by preventing people from saying their last prayers for the dead. Every Muslim has a right to go and say his last prayers for the dead, but these Red Shirts prevented and forcibly stopped many people from going to that place of burial and saying their last prayers. If my friend, Dr. Khan Sahib, puts me a question if that was done by the Red Shirts, it will be very difficult to say that it was done by them. It was not written on their foreheads that they were Red Shirts

Dr. Khan Sahib: Were you there?

Khan Bahadur Nawab Muzaffar Khan: From the information received, it was quite clear that it was done by people who are known as Red Shirts, and I may say, Sir, that this was mentioned to me by an old Congressman—I would not like to divulge his name,—because, Sir, by divulging names I would be creating trouble and bitterness amongst the various parties on the Frontier. I accept all that was conveyed to me by that old Congressman, because I have absolutely no doubt of the fact, and I don't think Dr. Khan Sahib will deny that fact. The Congressite said that they were sorry for this unfortunate happening. Then came the time of elections. Sir, I was looking forward to a peaceful election, and I am glad to say that, generally speaking the elections went through very peacefully, but not in Charsadda and Mardan which is a Red Shirt area, and not in Shwabe, which is another Red Shirt area. In these two districts there was a lot of trouble, and people were prevented from going to the polls. They were not merely prevented from going to the polls, but in some cases force was used. In one case, in Charsadda, a sub-inspector was stabbed, and in Shwabe and Mardan tahsils more than 20 constables were wounded by stone throwing. These were the things that happened. Again, if you ask me if I saw them with my own eyes, I can, only say "no", but I say this on the statement of Magistrates who acted as Presiding Polling Officers at the various polling stations. There was one thing that I saw with my own eyes. During the elections, I thought I must have a little holiday and I was driving down to my village. On the way—most unfortunately I thought of inspecting one of the polling stations at Swabi. I went there at about two o'clock. Sir Abdul Qaiyum was one of the candidates, his rival was Khan Abdul Ghaffar Khan of Zaid. They had come to some sort of arrangement. It really was a formal election in which there was no real contest, except that one candidate polled a slightly larger number of votes than the other. But, even in this case, there was a large crowd at the polling station. I was on one side of the river,—and, I

think,—I don't remember the names now of all the polling officers who were there,—but I remember one—Shaikh Abdul Hamid, an E. A. C. He is one of the most honest and capable officers that we have on the Frontier. He was there. It was he who told me that the polling station was surrounded by Red Shirts, and it was with great difficulty that a certain number of people were allowed to vote. Thinking that perhaps discretion was the better part of valour, I went back to my own village. These are, Sir, some of the instances. India is a vast country, Sir, and conditions are different in different provinces. I would, therefore, most respectfully appeal, through you, Sir, to the House, that they should take into consideration all these facts before casting their vote, and particularly the peculiar conditions prevailing in the North-West Frontier Province. There we have a very brave and excitable people. They live on the borders of the tribal area, and there, as the Honourable the Home Member has pointed out, the tribesmen are always watching for the slightest breakdown or the slightest weakness of the administration, there these tribesmen are watching like hawks for any slight breakdown or weakness of the administration. I do not say that the ban should not be removed, but let us carefully consider the peculiar conditions existing in the North-West Frontier Province before Honourable Members cast their votes. Perhaps the time has not yet come. Let us wait for a little longer. With these few words, I oppose the Resolution.

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): Mr. President, I really am an unwilling intervener in this debate, but having regard to the tone that this debate has taken, I feel that I owe it to the House that I should place my views before the House and the Government also. Sir, I followed the Honourable the Home Member with very great attention. I am willing to assume for a moment that the case that he presented to the House is correct, for instance, the description that he gave of what took place in 1930, 1931 and 1932. 1933 is missing, 1934 is missing, and we are now in 1935. I am not going, Sir, to accept the proposition that any movement of a gigantic character, such as the movement in the North-West Frontier Province, can possibly remain absolutely non-violent, whatever may be the desire of the leaders of that movement. It must necessarily lead to some violence, it must necessarily lead to some crimes. On the other hand, I am not prepared to accept the case of the Government that they were also not guilty of great blunders, and I think my friend, Mr. Metcalfe, admitted it, at least in one instance, he very rightly and frankly expressed his regret that such a thing had happened. Sir, when forces are let loose on both sides, it is impossible to prevent grave mistakes, it is impossible to prevent grave blunders and violence on both sides. But, Sir, when the Honourable the Home Member, after making out a case for the Government, after trying to justify the actions of the Government, came to his conclusion, he lost all my sympathy, because he said it in so emphatic terms, "We are not going to remove the ban on this organisation". Why? Because he said. . . .

Major Nawab Ahmad Nawaz Khan: There are dangers.

Mr. M. A. Jinnah: Please don't make too much of these dangers. Did we not make out a case that the Germans were baby killers? Have we not made peace with them? Is the war going to continue for all times, for

[Mr. M. A. Jinnah.]

ever and ever? (Hear, hear.) That is the question I want to ask the Government. Do not overdo it. If you have vanquished your enemy, if you are a victor, it becomes you all the more to be generous when he has ceased those activities. And here you have Dr. Khan Sahib. He is a Member of this House. He has come to this Legislature. Are you not going to help, are you not going to encourage not only one leader of that organisation or two leaders of that organisation, but the rank and file? Do you want to refuse them, to turn them away and not give them a chance to come on to the path that you desire and I desire? And that is the constitutional path. Sir, I appeal to you to consider the question, because here you have, as the Honourable the Home Member very rightly says and he feels it and very rightly feels,—you have got here the almost unanimous wish and desire and opinion. We are not finding fault with you. We are not apportioning blame. I am not going into that. Do you want to be statesmen, or do you want still to continue this rancour and bitterness? That is the question. I say, if you really want to rise to the occasion, here is an occasion for you. Do restore peace in the North-West Frontier Province, bring them back to constitutional methods, and what is more, respond to the all-India feeling in this House. (Hear, hear.) I tell you, it is not too late for you. Win them back, win them back, and restore real honest peace and goodwill in the North-West Frontier. (Applause.)

Mr. S. Satyamurti (Madras City: Non-Muhammadian Urban): I move that the question be now put.

Some Honourable Members: Let the question be now put.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

“That the question be now put.”

The motion was adopted.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

“That this Assembly recommends to the Governor General in Council.....”.

The Honourable Sir Henry Craik: Have I not got a right of reply?

Mr. President (The Honourable Sir Abdur Rahim): No, as the Honourable the Mover has not asked for his right of reply.

Mr. B. Das: I do not want to reply.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

“That this Assembly recommends to the Governor General in Council to take immediate and necessary steps to remove or cause to be removed the ban on the Khudai Khidmatgars' organisation in the North-West Frontier Province.”

The Assembly divided.

AYES—74.

Aaron, Mr. Samuel
 Abdoola Haroon, Seth Haji.
 Abdul Matin Chaudhury, Mr.
 Aney, Mr. M. S.
 Asaf Ali, Mr. M.
 Ayyangar Mr. M. Ananthasayanam
 Azhar Ali, Mr. Muhammad.
 Ba Si, U.
 Badi-uz-Zaman, Maulvi.
 Banerjee, Dr. P. N.
 Baqui, Mr. M. A.
 Bardaloi, Srijut N. C.
 Bhagavan Das, Dr.
 Chattopadhyaya, Mr. Amarendra Nath.
 Chettiar, Mr. T. S. Avinashilingam.
 Chetty, Mr. Sami Vencatache'am.
 Das, Mr. B.
 Das, Mr. Basanta Kumar.
 Das, Pandit Nilakantha.
 Datta, Mr. Akhil Chandra.
 Desai, Mr. Bhulabhai J.
 Dehmukh, Dr. G. V.
 Essak Sait, Mr. H. A. Sathar H.
 Fakir Chand, Mr.
 Gadgil, Mr. N. V.
 Ghulam Bhik Nairang, Syed.
 Giri, Mr. V. V.
 Govind Das, Seth.
 Gupta, Mr. Ghansham Singh.
 Hosmani, Mr. S. K.
 Iswar Saran, Munshi.
 Jedhe, Mr. K. M.
 Jehangir, Sir Cowasji.
 Jinnah, Mr. M. A.
 Jogendra Singh, Sirdar.
 Joshi, Mr. N. M.
 Khan Sahib, Dr.
 Khare, Dr. N. B.

Lahiri Chaudhury, Mr. D. K.
 Lalchand Navalrai, Mr.
 Maitra, Pandit Lakshmi Kanta.
 Mangal Singh, Sardar.
 Mody, Mr. H. P.
 Mudakar, Mr. C. N. Muthuranga.
 Muhammad Nauman, Mr.
 Murtuza Sahib Bahadur, Maulvi
 Syed.
 Nageswara Rao, Mr. K.
 Paliwal, Pandit Sri Krishna Dutta.
 Pant, Pandit Govind Ballabh.
 Raghurib Narayan Singh, Choudhri.
 Rajan, Dr. T. S. S.
 Raju, Mr. P. S. Kumaraswami.
 Ranga, Prof. N. G.
 Sakseua, Mr. Mohan Lal.
 Sant Singh, Sardar.
 Satyamurti, Mr. S.
 Sham Lal, Mr.
 Shaikat Ali, Maulana.
 Sheodass Daga, Seth.
 Sherwani, Mr. T. A. K.
 Siddique Ali Khan, Khan Sahib
 Nawab.
 Singh, Mr. Deep Narayan.
 Singh, Mr. Ram Narayan.
 Sinha, Mr. Anugrah Narayan.
 Sinha, Mr. Satya Narayan.
 Sinha Mr. Shri Krishna.
 Som, Mr. Surya Kumar.
 Sri Prakasa, Mr.
 Thein Maung, Dr.
 Thein Maung, U.
 Umar Aly Shah, Mr.
 Varma, Mr. B. B.
 Vissanji, Mr. Mathuradas.
 Ziauddin Ahmad, Dr.

NOES—46.

Ahmad Nawaz Khan, Major Nawab.
 Allah Bakhsh Khan Tiwana, Khan
 Bahadur Nawab Malik.
 Ayyar, Rao Bahadur A. A.
 Venkatarama
 Bajpai, Mr. G. S.
 Bhoré, The Honourable Sir Joseph.
 Buss, Mr. L. C.
 Chatarji, Mr. J. M.
 Clow, Mr. A. G.
 Craik, The Honourable Sir Henry.
 Dalal, Dr. R. D.
 DeSouza, Dr. F. X.
 Dow, Mr. H.
 Drake, Mr. D. H. C.
 Fazl-i-Haq Piracha, Khan Sahib Shaikh.
 Ghuznavi, Mr. A. H.
 Gidney, Lieut. Colonel Sir Henry.
 Graham, Sir Lancelot.
 Grigg, The Honourable Sir James.
 Hockenull, Mr. F. W.
 Hossack, Mr. W. B.
 Hudson, Sir Leslie.
 James, Mr. F. E.
 Jawahar Singh, Sardar Bahadur
 Sardar Sir.
 Kirpalani, Mr. Hiranand Khushiram.

Lal Chand, Captain Rao Bahadur
 Chaudhri.
 Metcalfe, Mr. H. A. F.
 Milligen, Mr. J. A.
 Monteath, Mr. J.
 Morgan, Mr. G.
 Mukharji, Mr. N. R.
 Mukherjee, Rai Bahadur Sir Satya
 Charan.
 Muzaffar Khan, Khan Bahadur
 Nawab.
 Nayar, Mr. C. Govindan.
 Noyce, The Honourable Sir Frank.
 Owen, Mr. L.
 Rainsman, Mr. A. J.
 Rau, Mr. P. R.
 Sarma, Mr. R. S.
 Scott, Mr. J. Ramsay.
 Scott, Mr. W. L.
 Sher Muhammad Khan, Captain
 Sardar.
 Singh, Mr. Pradyumna Prashad.
 Sircar, The Honourable Sir
 Nripendra.
 Sloan, Mr. T.
 Swithinbank, Mr. B. W.
 Tottenham, Mr. G. R. F.

The motion was adopted.

Mr. President (The Honourable Sir Abdur Rahim): There are three other Resolutions to the same effect. Those are barred by the result of this Resolution.

MESSAGE FROM HIS EXCELLENCY THE GOVERNOR GENERAL.

Mr. President (The Honourable Sir Abdur Rahim): I have a Message from His Excellency the Governor General:

(The Assembly received the Message standing.)

"Order.

In pursuance of the provisions of sub-section (2) of Section 63-C of the Government of India Act, 1, Freeman, Earl of Willingdon, hereby signify that I approve the election by the Legislative Assembly of Mr. Akhil Chandra Datta as Deputy President of the said Assembly.

(Sd.) WILLINGDON,
Viceroy and Governor General."

NEW DELHI;
The 5th February, 1935.

RESOLUTION RE PREVENTION OF IMPORTATION OF FOREIGN RICE.

Mr. Satya Narayan Sinha (Darbhanga cum Saran: Non-Muhammedan): Sir, I beg to move the following Resolution that stands in my name:

"That this Assembly recommends to the Governor General in Council to take effective and immediate steps, fiscal and other, to prevent or to control the importation of foreign rice, especially from Siam and Indo-China into India."

I will not take up much of the time of the House by dwelling at length on the importance of the Resolution which I have placed before you, firstly, because, the question which it raises is so important that there is hardly any Honourable Member of this House, to whichever Party he may belong, who does not agree with me on this point, and, secondly, because most of us are tired and are anxious to go back home. The trade depression has rendered the condition of trade and industry miserable everywhere, but the condition of our unfortunate country beggars description. While other countries, which have their national Governments, have done and are doing their utmost to make the best of the situation by the manipulation of tariffs and other fiscal policies, our condition, because of our being under an alien Government, is going from bad to worse every day. Sir, by this depression, the prices of raw materials have especially been disastrously affected, and, therefore, the plight of our people has become really pitiable.

Sir, paddy cultivation occupies the first place in the agricultural economy of India. In 1932-33, 802 acres of land was under paddy, being about 40 per cent of the land under food crops in this country. From the standpoint of area, Sir, it is about two and a half times as important as boiled seeds or fibre crops. There are, Sir, some approximate figures which give a general indication of the relative value on a monetary basis of the five

leading agricultural crops in eight provinces of British India, namely Madras, Bombay, Bengal, the United Provinces, the Punjab, Burma, Bihar and Orissa and the Central Provinces. We are now in 1930-31 here below :

Rice, 276,66 lakhs,
 Wheat, 47,47 lakhs,
 Boiled seeds, 40,94, lakhs,
 Sugar-cane, 37,53 lakhs, and
 Cotton, 22,23 lakhs.

Thus it is clear that rice is the most important agricultural crop so far as India is concerned. A sharp rise or fall in its price over a continuous period affects the value and the prices of other staple commodities and determines the purchasing power of the people. It is no exaggeration, therefore, when I say that the prosperity of the rice producer lies at the basis of Indian prosperity. The catastrophic fall in the price of this commodity is spreading hunger unsatisfied and destitution among the labouring classes in districts where plenty of rice is produced by reducing employment, driving cultivators to insolvency Courts and in several other ways. I will now try to put before you, Sir, the principal rice-exporting countries of the world in order of importance. They are India, Siam, Indo-China, Italy, the United States of America, Egypt, Spain and Portugal. The export trade of these countries in lakhs of tons is as follows:

India, average, between 1923 and 1927, 22·4;
 Siam, 12, and in 1932-33, 16·5;
 Indo-China between 1923 and 1927, 11·7, and in 1932-33, 13·8;
 Italy, between 1923 and 1927, 1·3, and in 1932-33, 1·8;
 United States of America, between 1923 and 1927, ·5;
 Brazil, in 1932-33, ·3.

It will be noticed that while the export trade of India has gone down, 5 P.M. that of Siam and Indo-China has gone up.

Mr. President (The Honourable Sir Abdur Rahim): Order, order. The Chair takes it that the Honourable Member will not be able to conclude his speech today?

Mr. Satya Narayan Sinha: No, Sir.

Mr. President (The Honourable Sir Abdur Rahim): Very well. The debate on this Resolution stands adjourned till the next Resolution day.

The Assembly then adjourned till Eleven of the Clock on Wednesday, the 6th February, 1935.