

11th 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.

President :

THE HONOURABLE SIR ABDUR RAHIM, K.C.S.I., KT.

Deputy President :

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

Panel of Chairmen :

SIR MUHAMMAD YAKUB, KT., M.L.A.

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

LIEUT.-COLONEL SIR HENRY GIDNEY, KT., M.L.A.

SARDAR SANT SINGH, M.L.A.

Secretary :

MIAN MUHAMMAD RAFI, BAR.-AT-LAW.

Assistant of the Secretary :

RAI BAHADUR D. DUTT.

Marshal :

CAPTAIN HAJI SARDAR NUR AHMAD KHAN, M.C., I.O.M., I.A.

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

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

	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>contd.</i>		MONDAY, 18TH FEBRUARY, 1935— <i>concl'd.</i>	
Election of Members to the Governing Body of the Indian Research Fund Association	938	The Code of Civil Procedure (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 motion to refer to Select Committee not concluded	960—70

LEGISLATIVE ASSEMBLY.

Monday, 11th 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.

MEMBER SWORN:

Khan Bahadur Mian Abdul Aziz, C.B.E., M.L.A. (Punjab: Nominated Official).

QUESTIONS AND ANSWERS.

ANTI-INDIAN LEGISLATION IN ZANZIBAR.

87. ***Mr. Mohan Lal Saksena:** (a) Are Government aware of the anti-Indian ordinances passed by the Zanzibar Government and the present plight of Indians?

(b) What steps, if any, have Government taken to help Indians in Zanzibar in their present difficulty?

(c) Why have Government withheld the publication of Mr. Menon's report? Do they propose to publish it at an early date?

Mr. G. S. Bajpai: (a), (b) and (c). The attention of the Honourable Member is invited to the reply given by me on the 6th February to Dr. Deshmukh's question No. 71.

GOLD EXPORTED FROM INDIA.

88. ***Mr. Mohan Lal Saksena:** What is the total quantity of gold exported from India since the time England went off the gold standard?

The Honourable Sir James Grigg: Approximately 27½ million fine ounces between the 22nd September, 1931, and the 12th January, 1935.

Mr. Mohan Lal Saksena: How much of this amount of gold has been imported by England?

The Honourable Sir James Grigg: I could not say without notice. I am not sure that I can say at all.

Mr. Mohan Lal Saksena: Is the Honourable Member aware that the major portion of this gold has come from villages?

The Honourable Sir James Grigg: That, I think, is an assertion which has no statistical basis.

Dr. Ziauddin Ahmad: Is not most of the gold distress gold?

The Honourable Sir James Grigg: That is a matter on which very widely different opinions are held.

Mr. Mohan Lal Saksena: Is the Honourable Member aware of the suggestion to impose an export duty on gold?

The Honourable Sir James Grigg: Yes, Sir.

Mr. Mohan Lal Saksena: What do the Government propose to do with regard to that suggestion?

The Honourable Sir James Grigg: Government do not give advance notice of their intention in matters of taxation.

Mr. Mohan Lal Saksena: Is the Honourable Member aware that during his time 4,000 camel loads of gold have been exported out of India? Assuming that one camel load is five maunds as against 1,200 camel loads of treasure that was looted by Mahmud of Ghazni

Mr. President (The Honourable Sir Abdur Rahim): That is not a proper question.

EXTRA INCOME FROM THE ENHANCED POSTAGE RATES ON BOOK PACKETS.

89. ***Mr. Mohan Lal Saksena:** What is the total amount of extra yield from the enhanced postage rates on book packets during the last nine months?

The Honourable Sir Frank Noyce: It is not possible to furnish accurate information regarding the extra yield from the enhanced postage rate on book packets as no separate account for the different classes of postal traffic is maintained. On the basis of enumerations made during one week in August, 1933, and August, 1934, the extra yield on account of postage on book packets during the nine months April to December, 1934, as compared with the corresponding period in 1933, may be estimated at approximately 10 lakhs.

VILLAGE INDUSTRIES AND VILLAGE RECONSTRUCTION SCHEMES OF CONGRESS.

90. ***Mr. M. Asaf Ali:** (a) Has Government's attention been drawn to an article which appeared on page one, columns two and three in the *Hindustan Times* of the 3rd January, 1935, from the Bombay Correspondent of that newspaper, under the heading "**Gandhi As Astute and Powerful As Ever**"?

(b) Will Government please place on the table a copy of the circular referred to in that article?

(c) Do Government propose to lend any help and co-operation to the Village Industries and Village Reconstruction schemes of the Congress? If so, in what form?

In view of the discussion that took place here the other day, I do not think I need put (a) and (b). I only want an answer to part (c).

The Honourable Sir Henry Craik: The answer to part (c) is:

"I have nothing to add to what I stated in the debate on the Adjournment motion on January 21st."

Mr. M. Asaf Ali: Does the Honourable Member suggest that the Government are not prepared to help the Village Industries' Association?

The Honourable Sir Henry Craik: I made the position of Government perfectly clear when speaking in this House on the 21st January.

Mr. S. Satyamurti: Has the Honourable the Home Member's attention been drawn to Mahatma Gandhi's statement about the objects of this Association published the day after the debate?

The Honourable Sir Henry Craik: I saw that.

Mr. S. Satyamurti: In view of that statement, do Government propose to alter their position or have they considered it at all?

The Honourable Sir Henry Craik: Government will take that statement into consideration.

Mr. S. Satyamurti: May I know if the Honourable Member's attention has been drawn to the statement of the Secretary of State in the House of Commons that Government will take steps against this Association, if it is used for any political purposes? Was that statement made with the consent or knowledge of the Government of India?

The Honourable Sir Henry Craik: I do not remember seeing that statement. If the Honourable Member will put down a question on that subject, I will look into the matter.

Mr. S. Satyamurti: Has any correspondence passed between the Government and the Secretary of State on this matter after the debate?

The Honourable Sir Henry Craik: After the debate here?

Mr. S. Satyamurti: Yes.

The Honourable Sir Henry Craik: I do not think so.

Mr. M. Ananthasayanam Ayyangar: Are Government prepared to encourage the Village Industries' Association independently of the Congress?

Mr. President (The Honourable Sir Abdur Rahim): The position of Government has been made amply clear as the Honourable Member has said. It is no good pursuing the matter any further.

**NON-REPLACEMENT OF THE OFFICIAL CHAIRMAN BY A NON-OFFICIAL
ELECTED CHAIRMAN OF THE DELHI MUNICIPAL COMMITTEE.**

91. ***Mr. M. Asaf Ali:** (a) Is it a fact that by a Resolution, dated the 16th May, 1918, Government recommended the replacement of official nominated Chairmen of Municipalities by non-official elected Chairmen, and in pursuance of the said Resolution, the Delhi Municipal Committee recommended by its resolution No. 1, dated the 5th May, 1920, the election of a non-official Chairman?

(b) Is it a fact that effect was not given to this recommendation of the Delhi Municipal Committee down to the beginning of 1934?

Mr. G. S. Bajpai: (a) and (b). In paragraph 8 of their Resolution dated the 28th April, 1915, of which mention is made in paragraph 7 of the Resolution referred to by the Honourable Member, the Government of India expressed full sympathy with the views of the majority of the Local Governments that, so far as possible, non-official Chairman should be substituted for officials. But the Delhi Municipal Committee's Resolution of 1920 has, on two subsequent occasions, been reversed. As recently as the 3rd May, 1934, the Committee resolved in favour of continuing an official President.

Mr. M. Asaf Ali: Will the Honourable Member state why no steps were taken between 1921 and 1934?

Mr. G. S. Bajpai: In 1931, that is to say, three years before 1934, the Municipality of Delhi rejected a recommendation in favour of a non-official Chairman on the ground that, in the interests both of the City and of the Committee, Delhi should still have an official President.

Mr. M. Asaf Ali: That is not an answer to my question at all. I wanted to know why no steps were taken between 1921 and 1933?

Mr. G. S. Bajpai: Because the prior Resolution was passed in 1931 and not in 1933, my answer is correct.

Mr. M. Asaf Ali: I am afraid that is not correct.

Mr. G. S. Bajpai: My Honourable friend's question must be limited to the period between 1921 and 1931. I should say that we were waiting for second and better thoughts.

Mr. M. Asaf Ali: Again this is evading the question. I have distinctly asked

Mr. President (The Honourable Sir Abdur Rahim): If the Honourable Member has not got an answer to his question, he should put a further question, but not make reflections.

Mr. M. Asaf Ali: I do not mean to reflect on anybody. My question is a very simple one. On the 5th May, 1920, the Committee passed a Resolution asking for the substitution of a non-official President in place of an official President. Why were not any steps taken in regard to that Resolution.

Mr. G. S. Bajpai: The position probably is that in 1920, the Chief Commissioner considered the Resolution and recommended to the Government of India that there was not such unanimity or weight of opinion in favour of a change as to justify a change.

DUTIES PERFORMED BY THE DEPUTY COMMISSIONER OF DELHI AND RETRENCHMENT OF THE POST OF THE CHIEF COMMISSIONER.

92. ***Mr. M. Asaf Ali:** (a) Is it a fact that the Deputy Commissioner of Delhi ordinarily performs no magisterial duties as District Magistrate, and an additional District Magistrate ordinarily does all the magisterial work of the District Magistrate?

(b) Are Government prepared to consider whether it is not possible to relieve the Deputy Commissioner of the duties of the President of the Delhi Municipal Committee and invest him with the powers now exercised by the Chief Commissioner, and retrench the post of the Chief Commissioner? If not, why not?

The Honourable Sir Henry Craik: (a) No. The Deputy Commissioner retains in his own hands the more important functions of the District Magistrate.

(b) The Delhi Municipal Committee has, on two separate occasions within recent years, voted in favour of retaining the Deputy Commissioner as its *ex-officio* Chairman and Government do not at present propose to disturb that arrangement. The second part of the question does not therefore arise.

Mr. M. Asaf Ali: Will the Honourable Member please tell the House what particular duties are performed by the Deputy Commissioner apart from magisterial work, because I believe he does no magisterial work at all?

The Honourable Sir Henry Craik: I have just informed the Honourable Member that he retains in his own hands the more important functions of the District Magistrate.

Mr. M. Asaf Ali: Which are these more important functions? What are they? Are we not entitled to know something about their nature?

The Honourable Sir Henry Craik: The duties of a District Magistrate include a very wide range of subjects which I do not think I can recite at full length now, but there are various important duties which are not purely judicial and which District Magistrate has to perform.

Mr. M. Asaf Ali: How many days does he devote to *moolakats* every week? How many hours does he devote to these every day in the week?

Mr. President (The Honourable Sir Abdur Rahim): Will the Honourable Member translate that expression?

Mr. M. Asaf Ali: That is, meeting grandies, nobles and all those people who always hang round the District Magistrate, and all other officials?

The Honourable Sir Henry Craik: I cannot give details of that kind without notice, but I am aware that the Deputy Commissioner has a very full day's work.

Mr. M. Asaf Ali: Is not the whole of his time taken up by municipal work?

The Honourable Sir Henry Craik: Very far from it.

Mr. M. Asaf Ali: How many days does he attend to municipal work in a week?

The Honourable Sir Henry Craik: If the Honourable Member wishes to know, he had better put down a question.

Mr. President (The Honourable Sir Abdur Rahim): The Chair must tell the Honourable Member that the object of putting a supplementary question is to elucidate any point that has been left obscure in the answer and not to ask a fresh, new question.

ANNUAL EXPENDITURE ON THE ADMINISTRATION OF THE DELHI DISTRICT IN 1910-11 AND DELHI PROVINCE IN 1932-33.

92. ***Mr. M. Asaf Ali:** (a) Is it a fact that the area and population of Delhi District, prior to 1911 were larger than those of the Delhi Province of today?

(b) Will Government be pleased to state the comparative annual expenditure on the administration of the Delhi District in 1910-11, and Delhi Province in 1932-33?

The Honourable Sir Henry Craik: (a) Yes.

(b) In 1910-11 the Delhi District formed part of the Punjab Province and separate figures for expenditure are not available. The total expenditure in 1932-33 is given on pages 638 to 670 of the Demands for Grants for 1934-35, copies of which are available in the Library of the House.

Mr. M. Asaf Ali: Is it a fact

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

Mr. M. Asaf Ali: Yes, Sir. Is it a fact that the expenditure on the Delhi Province today is much smaller than the expenditure on the Delhi District of old, I mean the expenditure on the Delhi Province now is much larger than expenditure on the old Delhi District?

The Honourable Sir Henry Craik: Smaller or larger?

Mr. M. Asaf Ali: Larger, that is, they are spending a good deal more on the Delhi Province today than they ever did on the Delhi District of old.

The Honourable Sir Henry Craik: Sir, the Delhi Province includes the Capital of India, and it is quite possible that the expenditure is larger, but I may inform the Honourable Member that figures are not available for the expenditure on the old Delhi District as a separate unit before 1910-11.

Mr. M. Asaf Ali: Will Government be prepared to consider the question of the Delhi Administration being top heavy, in view of all these facts?

Mr. President (The Honourable Sir Abdur Rahim): That is arguing. The Honourable Member can ask the Government to reconsider the matter.

Mr. M. Asaf Ali: Will Government be prepared to consider the question of the expenditure on Delhi Province under the present circumstances, since it appears that the Administration is top-heavy.

The Honourable Sir Henry Craik: I am not satisfied that that administration is top-heavy.

Mr. President (The Honourable Sir Abdur Rahim): That is a matter of opinion. Next question. Mr. Asaf Ali.

URDU NOTICES ISSUED BY THE INCOME-TAX OFFICERS, DELHI PROVINCE, AND ABSENCE OF A WAITING ROOM IN THE INCOME-TAX OFFICE FOR ASSESSEES.

94. ***Mr. M. Asaf Ali:** (a) Are Government aware that the printed Urdu Notices issued by the Income-tax Officers, Delhi Province, are couched in a language, which is generally regarded impolite?

(b) Are Government aware that there is no waiting room in the Income-tax Office for assesseees, who have to await their turn, when they are summoned for inspection of their account-books or otherwise?

Mr. A. J. Raisman: (a) Some of the forms, to which the Honourable Member is referring, have already been revised and worded more politely. The remaining forms will be similarly revised when they are next printed.

(b) An enclosed verandah is at present provided for assesseees. Steps have been taken to improve it, as much as possible, pending the provision of a more suitable waiting room.

PUBLICATION OF THE DELHI PROVINCIAL BULLETIN.

95. ***Mr. M. Asaf Ali:** (a) Will Government be pleased to state how many copies per issue of the Delhi Provincial Bulletin are published?

(b) How many times per month was it issued during 1933, and how often is it issued now?

(c) How much has its printing, editing, and circulation cost during 1932, 1933 and 1934?

(d) What is the number of (i) its subscribers, and (ii) its readers on the free list?

(e) Who is its (i) Editor and (ii) Manager?

The Honourable Sir Henry Craik: Sir, with your permission, I will answer questions Nos. 95 and 97 together. I am making enquiries into the matter and will lay a statement on the table in due course.

DUTIES PERFORMED BY SARDAR SAHIB MAHTAB SINGH, INDUSTRIAL SURVEYOR, DELHI.

96. ***Mr. M. Asaf Ali:** (a) Will Government please state how long Sardar Sahib Mahtab Singh, the Industrial Surveyor has been in Delhi?

(b) What duties other than those of the Industrial Surveyor have been entrusted to him?

(c) Does he receive any extra allowance for these extra duties? If so, could these extra duties be performed by persons engaged for this purpose?

(d) Is it a fact that the Industrial Surveyor has also been in charge of the Delhi Province Bulletin? If so, will Government please state what experience of conducting a news periodical he had prior to his appointment?

The Honourable Sir Henry Craik: (a) Since January, 1924.

(b), (c) and (d). The Industrial Surveyor has performed, in addition to the ordinary duties of an Industrial Surveyor, such work as is assigned in major provinces to industrial chemists, labour bureaus, statistical officers, and Inspectors of Factories. He is also employed by the Chief Commissioner as a publicity officer.

There is no question of extra duties or extra allowance, and the officer is required to carry out such duties as may be assigned to him by the Chief Commissioner.

PUBLICATION OF THE DELHI PROVINCIAL BULLETIN.

†97. ***Mr. M. Asaf Ali:** (a) What have been the total expenditure and income from the publication of the Delhi Provincial Bulletin during the past three years?

(b) Who has financed this journalistic venture?

ALLEGATIONS AGAINST THE INDUSTRIAL SURVEYOR, DELHI.

98. ***Mr. M. Asaf Ali:** (a) Are Government aware that complaints were made in the press that the Industrial Surveyor of Delhi took part in canvassing in rural area, especially, during the last election of a member of the Legislative Assembly?

(b) Are Government aware that the Deputy Commissioner was also apprised of the fact that some Government servants were acting as partisans?

(c) Did Government take any steps to ascertain the truth, and if so, with what results?

The Honourable Sir Henry Craik: (a) No.

(b) The Deputy Commissioner received a letter from the Honourable Member in which it was alleged that certain persons were informing the public that officials were anxious that the candidate put forward by the Congress should be defeated.

(c) As the letter in question was of an entirely vague nature, the Deputy Commissioner did not find it possible to take any action.

†For answer to this question, see answer to question No. 95.

UNSUITABILITY OF THE COURT BUILDINGS IN DELHI.

99. ***Mr. M. Asaf Ali:** (a) Is it a fact that most of the court buildings in Delhi are more than half a century old?

(b) Is it a fact that they are scattered in four distant places?

(c) Are Government aware that there is a strong feeling that the courts should be situated in one central place within easy access of litigants?

(d) Are Government aware that the Red Fort in Old Delhi is regarded a central place for this purpose, and with slight alterations, the buildings in the Red Fort can serve as courts and requisite offices?

The Honourable Sir Henry Craik: (a) I am not aware of the actual age of the buildings, but they are no doubt old.

(b) and (c). Some improvements and extensions are no doubt desirable.

(d) No such suggestion has previously been made to Government. Some parts of the Fort contain ancient buildings preserved under the Ancient Monuments Preservation Act, 1904, and the remaining buildings are required by the military authorities.

Mr. M. Asaf Ali: I should just like to know if some of these barracks cannot be used for that purpose. I am not referring to these preserved monuments, but I am now referring to other buildings which are being used by the military. Are you prepared to give them up?

The Honourable Sir Henry Craik: That is for the Army Department to answer, but I imagine not.

Mr. M. Asaf Ali: I just want to ask one more supplementary question. Are Government prepared to consider the desirability of providing Courts in one place for the litigants, because now they are scattered in four different places?

The Honourable Sir Henry Craik: Well, I may inform the Honourable Member that, as a constituent of his, I naturally take a great interest in his question, and since I received notice of this question, I went myself to inspect the District Courts of Delhi, where I worked myself many years ago. I agree that they are congested, and that improvements are possible, but I should think, with a certain amount of re-arrangement, extra accommodation could be provided on the present site.

Mr. M. Asaf Ali: I wonder if ever the Honourable Member's attention was drawn to the opinion of the Honourable the Chief Justice of the High Court of Judicature at Lahore who considered that these Courts were in a perfectly scandalous condition and he thought it was a perfectly scandalous state of affairs that the Courts in the Imperial Metropolis should be in the condition in which they were.

The Honourable Sir Henry Craik: No, Sir, I have not seen that.

DEMOLITION OF THE SOUTHERN CITY WALL BETWEEN OLD AND NEW DELHI.

100. ***Mr. M. Asaf Ali:** (a) Is it a fact that the southern City Wall between Old and New Delhi is not a protected monument, and in many places it is in a dangerously dilapidated condition?

(b) Do Government propose to demolish it altogether? If not, why not?

Mr. G. S. Bajpai: (a) No portion of the city wall between Old and New Delhi is a protected monument under the Ancient Monuments Preservation Act; only the Delhi and Ajmeri Gates are protected. There is no immediate danger of the collapse of any part of the wall.

(b) Government consider that the question of demolition cannot usefully be taken up until the municipal committee are in a position to undertake some scheme of improvement of the inhabited area immediately behind the wall.

Mr. M. Asaf Ali: What scheme of improvement could the Honourable Member suggest?

Mr. G. S. Bajpai: Sir, the matter was gone into rather carefully by Mr. Crosthwaite, and his opinion was that the tonga-wallas who seem to be living immediately behind the City wall might be removed from there, and further that arterial connection should be opened up between this area and the rest of the City; otherwise, the main object of the demolition, which is to allow access from the City to New Delhi, will not be achieved.

ALLOTMENT OF CERTAIN PLOTS OF LAND IN DELHI FOR RESIDENTIAL PURPOSES.

101. ***Mr. M. Asaf Ali:** (a) Is it a fact that prior to 1857 (i) the vacant plots of land lying between the moat of the Red Fort in Old Delhi and the road known as the Mall or Lothian Road, "Champs Des Mars", and the "Pipal Park" all of which are within the "Fort Zone" were sites of residential houses of citizens of Delhi, (ii) some of the historical bazars such as Begum-ka-Bazar, Khas Bazar, Urdu Bazar, etc., were also situated in this neighbourhood, and (iii) all of them were razed to the ground in or about 1858?

(b) Is it also a fact that the entire area from Calcutta Gate to Dufferin Bridge now occupied by the Railways, was one of the thickly populated parts of the old city of Delhi before 1857?

(c) Is it a fact that (i) the population of the old city of Delhi has nearly doubled during the last 30 years, and (ii) are Government aware that the congestion in the city and insanitary conditions have led to an alarming increase of deaths and diseases?

(d) Are Government aware that the alarming health conditions, particularly the increasing prevalence of tuberculosis in Old Delhi, are a serious menace to the health of the residents of New Delhi?

(e) Is it a fact that large vacant plots of land in Daryaganj are still held by Government?

(f) Will Government please state why they are not available for residential buildings?

(g) Do Government propose to allot land for the expansion of Old Delhi towards the West and North?

Mr. G. S. Bajpai: (a) and (b). The information asked for by the Honourable Member is not readily available.

(c) (i). The population of Delhi city has risen from 206,534 in 1901 to 365,527 in 1931.

(ii) Government are aware that congestion, combined with unsatisfactory sanitary conditions, adversely affects the public health.

(d) Government recognise that the existence of insanitary conditions in any area is a potential danger to residents in adjoining areas.

(e) Vacant plots are held by the Government.

(f) It would not be practicable to make this area available for residential and shop sites until it can be provided with roads, drains, water supply and lighting. A scheme for the development of the area was estimated for, some time ago, but could not be proceeded with owing to financial stringency. The matter is under examination again.

(g) So far as the Western extension is concerned, Government have already decided to spend a sum not exceeding Rs. ten lakhs. Two proposals regarding the development of certain Nuzul areas in the North, are still under consideration.

Mr. M. Asaf Ali: With reference to part (a) of the question, the Honourable Member has said that no information is available. Does he suggest that he has not even been able to read some of those books which are to be found in this very Library with regard to the subject-matter of this question?

Mr. G. S. Bajpai: I submit that since notice of this question was received, my pre-occupations with other business, particularly the business of the Assembly, have been such as not to leave much time for historical research.

Mr. M. Asaf Ali: Does the Honourable Member suggest that the Government are totally unaware of the fact that the "Champs Des Mars" and the neighbouring land were the sites of residential buildings and that these residential buildings were pulled down after the Mutiny? And are they not aware that this is a fact which is noticed by any one and it is considered an act of tremendous injustice and also an act of terrorization?

Mr. G. S. Bajpai: I am not concerned with the acts of terrorization which my Honourable friend says were perpetrated in the past but with the municipal aspect of the question, and I have told my Honourable friend that I have not readily available the historical information which would either confirm or controvert what my Honourable friend has said.

Mr. M. Asaf Ali: With reference to the scheme of extension, are Government prepared to give up all the Nuzul land for development purposes?

Mr. G. S. Bajpai: My Honourable friend has on the order paper questions today relating to the utilisation of Nuzul land, and he might wait until those questions are reached.

ABSENCE OF MEDICAL OR ENGINEERING COLLEGES IN DELHI.

102. ***Mr. M. Asaf Ali:** (a) Is it a fact that there are no medical or engineering colleges in Delhi?

(b) Is it also a fact that there are no facilities for the admission of Delhi students into the medical or engineering colleges outside Delhi?

Mr. G. S. Bajpai: (a) There is no Engineering College, but there is a Medical College for women.

(b) No. Students from Delhi can join the Thomason Civil Engineering College at Roorkee and the Government School of Engineering at Rasul under certain conditions. As regards medical collegiate education, three seats are reserved at the King Edward Medical College, Lahore, for Delhi students. The question of securing greater facilities than at present exist for admission in other medical colleges is being considered by Government.

EMPLOYMENT OF THE RESIDENTS OF DELHI IN GOVERNMENT SERVICE IN THE DELHI PROVINCE.

103. ***Mr. M. Asaf Ali:** (a) Will Government please state how many students have graduated from the Delhi University during the last ten years in (i) Art, (ii) Sciences and (iii) Law, and how many of these have been admitted to Government service in Delhi Province, and in which Departments?

(b) Will Government be pleased to state the total number of Government servants in the Delhi Province and the total number of Delhiwallas employed in each department?

(c) How many posts of (i) Magistrates, (ii) Sub-Judges, (iii) P. W. D. Officers, Overseers, Sub-Overseers, (iv) Police Officers above the rank of Head Constables, (v) Revenue Officers, Assistants, Tahsildars, Naib-Tahsildars, (vi) Income-tax Officers, Auditors and Income-tax Inspectors in the Delhi Province, are held by Delhiwallas?

The Honourable Sir Henry Orsk: The information is not readily available and its collection would involve an amount of labour and expense which would not be justified.

Mr. M. Asaf Ali: Is it seriously suggested by Government that information is not available even with respect to . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has already only stated that.

Mr. M. Asaf Ali: Does the Honourable Member state that he has no information as regards part (c) of my question?

The Honourable Sir Henry Orsk: I said that information was not readily available.

Mr. M. Asaf Ali: May I know the difficulties of the Government in finding out the information about these ordinary matters? You do not even know who are working in your various Departments. How many officers are working

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member must not argue.

The Honourable Sir Henry Craik: The question is not how many officers are working, but how many of those officers are "Delhiwallas". To ascertain that, we would have to question every officer who is working which would involve considerable time and labour.

Mr. M. Asaf Ali: I sent in this question quite about three weeks ago or perhaps longer still. Will the Honourable Member tell us that he has not had time even during those three weeks to obtain this information?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member, it appears, wants to know if he, the Honourable the Home Member, will be able to supply the information to him later on.

Mr. M. Asaf Ali: Yes, Sir.

The Honourable Sir Henry Craik: I do not think the information asked for is of sufficient interest to justify the expenditure of time involved in its collection.

Mr. M. Asaf Ali: Does the Honourable Member maintain that the Delhi people have no right to ask if they have some opening in the administration of Delhi?

Mr. President (The Honourable Sir Abdur Rahim): The Chair does not think the Honourable Member has said that.

Sardar Sant Singh: May I ask, Sir, whether there is any definition of the term "Delhiwallas"?

The Honourable Sir Henry Craik: My Honourable friend should put that question to the Honourable Member who has asked the question.

**POST OF THE INDUSTRIAL SURVEYOR OR SUPERINTENDENT OF INDUSTRIES
HELD BY A RESIDENT OF DELHI.**

104. ***Mr. M. Asaf Ali:** (a) Is it a fact that Delhi is an important centre of trade and industry?

(b) Will Government please state if the post of the Industrial Surveyor or Superintendent of Industries in Delhi Province has ever been held by a resident of Delhi?

The Honourable Sir Frank Noyce: (a) I am happy to be able to tell the Honourable Member that Delhi is an important trade centre and it has considerable industrial activity. (Hear, hear.)

(b) No. I may add for the information of the Honourable Member that an officer for this work has been posted to Delhi for the last 18 years. During that period, there have been only two such officers, both taken from the Punjab cadre, according to the arrangement between the Punjab and Delhi which prevails in a number of departments.

Mr. M. Asaf Ali: Is not a "Delhiwalla" available for that post?

The Honourable Sir Frank Noyce: I submit, Sir, that that question does not arise as there is at present no vacancy. I cannot believe that my Honourable friend is suggesting that the existing incumbent should be removed in order to find room for a "Delhiwalla".

Mr. M. Asaf Ali: Will Government consider the possibility of reverting those estimable and energetic officers?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member must not make sarcastic remarks.

The Honourable Sir Frank Noyce: No, Sir.

Dr. Ziauddin Ahmad: In view of the fact that in every province, the provincial posts are reserved for the people in that province, should not a similar rule be applied in the Delhi Province?

The Honourable Sir Frank Noyce: I know of no such rule in any province.

Mr. N. M. Joshi: May I ask, Sir, whether the Delhi Province maintains itself by its own revenue?

The Honourable Sir Frank Noyce: This question would perhaps better be addressed to the Department in charge of the Delhi Administration, but I think my Honourable friend knows, as well as I do, what the correct answer to it is.

DELHI OFFICERS TO AND FROM OTHER PROVINCES.

105. ***Mr. M. Asaf Ali:** Will Government please state (a) how many officers have come to Delhi from other Provinces during the last 15 years and (b) how many officers (Delhiwallas) have gone to other Provinces from Delhi during the same period?

The Honourable Sir Henry Oralk: The information is not readily available and its collection would involve an amount of labour and expense which would not be justified. I may inform the Honourable Member, however, that so far as the All-India Services are concerned, the inhabitants of the Delhi Province are equally eligible with the inhabitants of other provinces for appointment. There are certain provincial and subordinate services in the Delhi Province for which officers are drawn from the Punjab cadres of those services, the reason being the difficulty of working small self-contained cadres. I should add, however, that the inhabitants of the Delhi Province are definitely eligible for appointment to posts in the Punjab cadres referred to above.

Sardar Sant Singh: Is it not a fact that Delhiwallas are employed in large numbers in the various districts of the Punjab?

The Honourable Sir Henry Oralk: It is a fact.

Mr. M. Asaf Ali: May I know how many of them are employed elsewhere?

The Honourable Sir Henry Craik: I cannot give the exact figures for the several services. But I may inform the Honourable Member that in 1929, my predecessor stated that up to that date, since the creation of the Delhi Province, 24 inhabitants of that province have been admitted into the Punjab Civil Service, ten on the executive side and 14 on the judicial side—that is taking a single service.

OPENINGS FOR GOVERNMENT SERVICE PROVIDED TO THE EDUCATED YOUNG MEN OF THE DELHI PROVINCE.

106. ***Mr. M. Asaf Ali:** Will Government state what openings for Government service are provided by the Local Government of Delhi for educated young men belonging to Delhi Province?

The Honourable Sir Henry Craik: In the Subordinate Services, that is, for clerical posts in the various offices of the Delhi Administration, preference is ordinarily given to candidates belonging to Delhi Province. As regards other services, names of candidates are sent to the Punjab Government for direct appointment to the posts of Extra Assistant Commissioner, Sub-Judge, Tehsildar and Naib-Tehsildar, Excise Inspector, Assistant Sub-Inspector of Police and Inspector and Assistant Income-tax Officer in the Income-tax Department.

Further openings are provided, by having Delhi candidates educated at (i) the King Edward Medical College, Lahore, (ii) the Medical School, Agra, (iii) the School of Engineering, Punjab, Rasul, (iv) the Thomason College of Engineering, Roorkee, (v) the Forest College, Dehra Dun, (vi) the Agricultural College, Lyallpur, and (vii) the Central Training College, Lahore. A capitation charge per student sent from Delhi is paid to the Governments of the Punjab and the United Provinces for the training of the candidates in the institutions belonging to those Governments. No appointments are guaranteed, but the students have thus an opportunity of gaining qualifications which may enable them to secure employment.

PERSONS EXTERNEED, INTERNED OR SUBJECTED TO RESTRICTIVE ORDERS IN DELHI.

107. ***Mr. M. Asaf Ali:** (a) How many men have been externed, interned, or subjected to restrictive orders in Delhi during the last four years?

(b) Will Government please state how many of these orders are now in force and how long they will last, and why?

The Honourable Sir Henry Craik: (a) During the last four years 117 persons have been externed, interned or subjected to restrictive orders in Delhi. Of these 76 were externed and 38 subjected to restrictive orders by the Chief Commissioner and three were made State Prisoners by the Government of India under Regulation III of 1918.

(b) There are at present 42 of these orders in force. The desirability of maintaining or cancelling orders of externment or restriction is examined by the Chief Commissioner at regular intervals, and the circumstances of

each particular case receive his full consideration. The cases of persons detained under Regulation III of 1818 are examined every half-year by the Government of India in accordance with the provisions of the Regulation.

REMOVAL OF MR. JUGAL KISHORE KHANNA FROM THE MEMBERSHIP OF THE DELHI MUNICIPAL COMMITTEE.

108. ***Mr. M. Asaf Ali:** (a) Are Government aware that Mr. Jugal Kishore Khanna, B.A., LL.B., Municipal Commissioner, was removed from the Delhi Municipality by the Local Government on the ground that by making a public speech at a condolence meeting held after Mr. Sen Gupta's death, in respect of which he was convicted under section 17 of the Criminal Law Amendment Act, he had not been true to the Municipal Oath which he had made as a Municipal Commissioner?

(b) Is it also a fact that the Local Government also moved the Lahore High Court to take action against him under the Legal Practitioners Act on account of the same conviction, and the High Court dismissed the Local Government's application?

(c) Will Government please state why the Local Government did not withdraw the order of removal from the Delhi Municipality after the High Court's verdict?

Mr. G. S. Bajpal: (a) The Honourable Member is referred to the reply given by me to part (a) of starred question No. 1005 asked by Mr. B. Das on the 8th November, 1932.

(b) It was the High Court which decided to take disciplinary action under section 12 of the Legal Practitioners Act and clause 8 of the Letters Patent; the local administration merely furnished to the Honourable Court information of the conviction for such action as the Court might consider necessary.

(c) The decision of the High Court did not relate to the decision of the Delhi administration under the Punjab Municipal Act.

Mr. M. Asaf Ali: Will the Honourable Member be pleased to state whether the Local Government are prepared to reconsider their position with regard to Mr. Khanna now?

Mr. G. S. Bajpal: The Honourable Member presumably refers to the disability which continues under sub-section 2 of section 16 of the Punjab Municipal Act?

Mr. M. Asaf Ali: Yes.

Mr. G. S. Bajpal: We will consider that.

STOPPAGE OF AN ACADEMIC DEBATE BY THE VICE-CHANCELLOR OF THE DELHI UNIVERSITY.

109. ***Mr. M. Asaf Ali:** (a) Will Government be pleased to state if there is any rule or law or an executive order in restraint of free academic lectures, debates or discussions in the Delhi University?

(b) Are Government aware that recently the students of the Delhi University organised an academic debate on the question of "Impeachment of the Secretary of State for India in consequence of the policy pursued in regard to India"?

(c) Is it a fact that after the publication of the notice of this debate, the Vice-Chancellor of the University stopped the debate without assigning any reason therefor? If so, will Government please state whether the Vice-Chancellor acted on his own initiative, or on a suggestion from some higher Government authority?

Mr. G. S. Bajpai: (a) No.

(b) The members of the Law Hall Union organised a Mock Parliament for such a debate.

(c) The Vice-Chancellor of the University stopped the debate on his own initiative.

Mr. M. Asaf Ali: What is the Government's view about prohibiting such an academic debate in a Mock Parliament?

Mr. G. S. Bajpai: My Honourable friend is fully aware that I answer questions or Government supply information as to facts. They do not express any opinion as to whether a Mock Parliament is desirable or not.

Mr. S. Satyamurti: Have Government considered the question that this Vice-Chancellor's action is an interference with the academic freedom of University students, and do Government propose to take any action in the matter?

Mr. G. S. Bajpai: My Honourable friend has been long associated with Universities himself. He will appreciate the fact that the Vice-Chancellor is an autonomous officer of the University, and that it is not for the Government to interfere between him and the University.

Mr. S. Satyamurti: Have Government no power under the Delhi University Act, in connection with this matter?

Mr. G. S. Bajpai: Government do not consider that this is a matter in which such powers as vest in His Excellency the Chancellor could be suitably exercised.

OFFICE OF THE RECTOR OF THE DELHI UNIVERSITY.

110. ***Mr. M. Asaf Ali:** Is it a fact that the office of the Rector of the Delhi University has been vacant for some time past? If so, why?

Mr. G. S. Bajpai: Yes. During the last few years the Vice-Chancellor has been resident in Delhi, and it has not, therefore, been necessary to appoint a Rector.

Mr. M. Asaf Ali: Do Government propose to abolish the provision in the Delhi University Act which relates to the appointment of a Rector?

Mr. G. S. Bajpai: No, Sir. There is no necessity for the appointment of Rector, as it is a permissive one. A Rector did exist in the past when the Vice-Chancellor was not resident all the time in Delhi itself. We now happily have a Vice-Chancellor who is a resident in Delhi. Should the occasion arise when the Vice-Chancellor is not a resident of Delhi, then the question of reviving the position of Rector will possibly arise.

Munshi Iswar Baran: Are we to understand that a Rector will be appointed only when the Vice-Chancellor happens not to be residing in Delhi all the time?

Mr. G. S. Bajpai: In this particular case, I should say that ordinarily this would be so, because the Rector's function is the same as that of the Vice-Chancellor and the two cannot function together.

Mr. S. Satyamurti: Why should not the Act be amended, providing that a Rector shall be appointed, only when the Vice-Chancellor is a non-resident of Delhi?

Mr. G. S. Bajpai: That is not necessary. The appointment, as I have already said, is permissive, and, if circumstances arise which necessitate the appointment of a Rector, the appointment will be made.

PROVISION FOR A CHAIR OF ORIENTAL LEARNING IN THE DELHI UNIVERSITY.

111. ***Mr. M. Asaf Ali:** (a) Are Government aware that (1) prior to the final extinction of the Moghal Government and (2) down to the establishment of the Delhi University, Delhi was renowned as a centre of oriental learning?

(b) Will Government be pleased to state whether the Delhi University has any provision for a Chair of oriental learning? If not, why not?

Mr. G. S. Bajpai: (a) Yes.

(b) I would ask the Honourable Member to wait for the answer to his question No. 113.

ENCOURAGEMENT OF THE STUDY OF URDU IN THE DELHI UNIVERSITY.

112. ***Mr. M. Asaf Ali:** (a) Will Government please state how many students of the Delhi University have since its establishment graduated in Urdu, the language of the Province?

(b) Will Government be pleased to enumerate the steps the University has taken to encourage the study of Urdu?

Mr. G. S. Bajpai: (a) The Delhi University does not award any Degree in Urdu.

(b) The University has introduced Urdu as a subject of study in the Intermediate (Arts) Course; and as part of a subject in B.A., Pass Course; it has also instituted a qualifying test in the vernacular for the B.A. (Honours) Course.

Dr. Ziauddin Ahmad: Is the Honourable Member aware that Urdu is recognised as a regular subject of study both in the B.A. and M.A. courses in the United Provinces which has got a less claim for Urdu than Delhi?

Mr. G. S. Bajpai: That is a piece of information which I have no doubt the University of Delhi will find very useful.

SPECIAL ART OR SCIENCE SUBJECT TAUGHT BY THE DELHI UNIVERSITY.

113. *Mr. M. Asaf Ali: Does the Delhi University specialise in any branch of art or science to distinguish its alumni from the products of the numerous other Universities of India?

Mr. G. S. Bajpai: Not as yet: Delhi University is still in its infancy, the important question of its development is under consideration.

PRODUCTION OF BOOKS BY THE TEACHING OR SUPERVISORY STAFF OF THE DELHI UNIVERSITY.

114. *Mr. M. Asaf Ali: Will Government please state if any of the Deans of the various Faculties, Heads of Departments, or Readers, Lecturers or Professors of the University, has so far produced (i) any book on any subject, or (ii) any book worthy of inclusion in the curricula of the University?

Mr. G. S. Bajpai: A statement giving the information desired by the Honourable Member is laid on the table.

Statement regarding Books and Publications produced by Teachers of the University of Delhi.

Name of Teacher	Designation.	Publications.
<i>English.</i>		
1. Mr. C. E. Young	Head of the Department (Dean, Faculty of Arts).	1. Commentary on St. Mark. 2. Golden Treasury Book IV. Introduction and Notes.
2. Mr. N. V. Thadani	Lecturer and Principal, Hindu College, Delhi.	1. Mystery of the Mahabharata in five volumes. 2. The garden of the East (work of poems). 3. Krishna's Flute and other poems.
3. Dr. S. Dutt	Reader (Ramjas College)	1. Supernaturalism in the Romantic Movement in English Literature.
4. Mr. R. C. Lorimer	Lecturer (Anglo Arabic College).	Amateur Studies in Milton.
5. Mr. F. F. Monk	Lecturer (St. Stephen's College).	1. *Representative Classical Essays. 2. *Representative Poems.

* Text books prescribed by the University.

Name of Teacher.	Designation.	Publications.
<i>English—contd.</i>		
6. Rev. H. W. Padley	Lecturer (St. Stephen's College).	* Modern Essays.
7. Mr. C. H. C. Sharp	Lecturer (St. Stephen's College).	Modern English Composition.
<i>Mathematics and Physics.</i>		
7A. Dr. Ram Behari	Reader (St. Stephen's College).	1. * A Treatise on Differential Equations. 2. * Geometry of the Parabola and Ellipse. 3. * Intermediate Algebra (jointly with Mr. Sri Ram of the Hindu College). 4. * Intermediate Plan Geometry.
8. Mr. Sri Ram	Lecturer (Hindu College)	1. * Intermediate Algebra (jointly with Dr. Ram Behari). 2. * Intermediate Co-ordinate Geometry.
9. Mr. A. N. Puri	Lecturer (Hindu College)	1. Mathematics for Physics students. 2. Intermediate Physics (with Mr. Sant Ram).
10. Mr. Sant Ram	Lecturer (St. Stephen's College).	Intermediate Physics (with Mr. A. N. Puri).
<i>History.</i>		
11. Dr. T. G. P. Spear	Head of the Department	1. The Nabobs. 2. The Twilight of the Moghul.
12. Mr. D. R. Bhandari	Reader (Ramjas College)	A book on the History of Political Thought (ready for the Press).
13. Mr. K. M. Sarkar	Lecturer (St. Stephen's College).	A Monograph on the Grand Trunk Road in the Punjab.
14. Mr. Bool Chand	Lecturer (Hindu College)	The History of Urdu Journalism in the Punjab.
<i>Economics.</i>		
15. Mr. H. L. Chabiani (deceased).	Reader, Head of the Department and Dean, Faculty of Arts.	1. * Indian Currency and Exchange. 2. * Studies in Indian Currency. 3. Memorandum submitted before the Indian Currency Commission, 1926. 4. Central Areas Banking Enquiry Committee Report (in collaboration with other members).
16. Mr. V. G. Kale	Sir Kakabhai Premchand, Reader (Part-time).	Indian National Finance since 1921.
17. Mr. C. K. Vakil	Sir Kakabhai Premchand, Reader (Part-time).	The Economic Outlook in Federal India.

Name of Teacher.	Designation.	Publications.
------------------	--------------	---------------

Economics—contd.

- | | | |
|------------------------|---------------------------------|---|
| 18. Mr. K. C. Nag | Reader (St. Stephen's College). | Indebtedness and other allied problems of the Christian shoe-makers in the city of Delhi. |
| 19. Mr. B. N. Ganguly | Reader (Hindu College) | 1. The trends of population and Agriculture in the Gangetic Plain.
2. Two chapters in The Economic Problems of Modern India.
3. Indo-Japanese Commercial Agreement. |
| 20. Mr. Radhka Narayan | Lecturer (Hindu College) | Some Aspects of Rural Economic Conditions in Delhi Province. |

Sanskrit and Hindi.

- | | | |
|-----------------------|------------------------------------|---|
| 21. Pt. Lachhmidhar . | Reader and Head of the Department. | 1. The Birthplace of Kalidasa.
2. The Home of the Aryas. |
|-----------------------|------------------------------------|---|

Arabic, Persian and Urdu.

- | | | |
|-----------------------------|-----------------------------------|--|
| 22. S. U. M. Abdur Rahman. | Head of the Department | 1. Moqadema of Abn-e-Khaldoon in 3 volumes. Translation from Arabic into Urdu.
2. Miratush Shir in 1 volume. (Recommended in the Curricula of the Delhi University in B.A. Honours).
3. Administration of the Moghul Army in India (in Press). |
| 23. Dr. S. Azhar Ali . | Reader (St. Stephen's College). | Khan Khana (Ready for Press) (In English). |
| 24. Mr. Mirza Firoz Bakht. | Lecturer (Ramjas College) | History of Persian Literature (under preparation). |
| 25. Mr. I. H. Qureshi . | Lecturer (St. Stephen's College.) | 1. Moallim-e-Asward
2. Gunah-ki-Diwar
3. Hamzad
4. Sede Zaboon
5. Naqsh-e-Akhir
6. Nim-Shab
} Dramas. |
| 26. Mr. Agha Ashraf Husain. | Lecturer (St. Stephen's College.) | 1. Mabadi-e-Ilmul-Maishat (in Urdu).
2. Lisan-u-tair.
3. Insha-e-Jadeed. |

Philosophy.

- | | | |
|-------------------------|--------------------------|--|
| 27. Dr. N. V. Banerji . | Reader (Ramjas College) | Kant's view of our knowledge of the Self. (Ready for the Press.) |
| 28. Dr. Indra Sen . | Lecturer (Hindu College) | Conception of Self in English Association Psychology. |

Name of Teacher.	Designation.	Publications.
------------------	--------------	---------------

Chemistry.

- | | | |
|------------------------|---------------------------|---|
| 29. Mr. A. L. Aggarwal | Lecturer (Hindu College) | 1. Qualitative Analysis of Inorganic Substances for B.Sc. students.
2. A course of Practical Chemistry for Intermediate students.
3. A Course of Organic Chemistry for Intermediate students.
4. A Course of Physical Chemistry with Calculations for Intermediate.
5. Chemistry of Non-Metals for Intermediate students.
6. Chemistry of Metals for Intermediate students.
7. Methods of Volumetric Analysis.
8. Matriculation Chemistry. |
| 30. Mr. M. L. Goel | Lecturer (Ramjas College) | 1. Junior Practical Chemistry for Intermediate.
2. A Course of Inorganic Chemistry. |

Law.

- | | | |
|-----------------------|-----------------------|--------------------------------------|
| 31. Mr. M. S. Shahani | Lecturer (University) | English Constitution (In the Press). |
|-----------------------|-----------------------|--------------------------------------|

English.

- | | | |
|-----------------|--------|---|
| 32. Mr. S. Dutt | Reader | 1. Early Buddhist Monachism.
2. The Problem of Indian Nationality. |
|-----------------|--------|---|

TEACHING PERIODS IN THE DELHI UNIVERSITY.

116. *Mr. M. Asaf Ali: (a) Will Government please state the average number of weekly periods for which Professors, Lecturers and Readers of the Delhi University are required to take classes?

(b) How do they compare with the teaching periods of the London, Oxford and Cambridge Universities?

Mr. G. S. Bajpai: (a) Two statements giving the information desired by the Honourable Member are laid on the table.

(b) Information regarding teaching periods in the Universities of London, Oxford and Cambridge is not readily available.

STATEMENT I.

Statement regarding the Number of Weekly Periods for which University Appointed Teachers in Delhi are required to take classes.

Name of Teachers.	Designation.	No. of periods per week.
1. Dr. B. D. Laroia	Reader in Chemistry	6 periods lecture work. 18 periods practical work.
2. Mr. Bimal Das Jain	Assistant Lecturer in Chemistry.	18 periods practical work.
3. Dr. D. S. Kothari	Reader in Physics	9 periods lecture work. 15 periods practical work.
4. K. B. Dr. Sir Abdur Rahaman.	Hon'y. Reader in Civil Law.	1

Name of Teachers.	Designation.	No. of periods per week.
5. R. B. Ram Kishore	Hony. Reader in International Law, Hindu & Muhammadan Law.	1
6. Mr. S. N. Bose	Hony. Reader in Criminal Law.	1
7. Mr. M. S. Shahani	Lecturer in Law	14
8. Mr. Bishan Sarup	Lecturer in Law	14
9. Mr. Sarwar Hassan	Lecturer in Law	14
10. R. B. N. K. Sen	Hony. Part-time Reader in Philosophy.	About a 100 lectures a year to B.A. (Hons.) & M.A. classes.

STATEMENT II.

Statement regarding the average Number of Periods for which Teachers in University recognised Colleges in Delhi are required to take classes.

Name of College in which the teacher is employed.	Average number of weekly periods.
1. St. Stephen's College	15 (In addition to tutorial work).
2. Hindu College	21 (In addition to tutorial work).
3. Ramjas College	18 (In addition to tutorial work).
4. Commercial College	24 (In addition to tutorial work).
5. Anglo Arabic College	24 (In addition to tutorial work).
6. Ramjas Intermediate College	24 (In addition to tutorial work).

Mr. M. Asaf Ali: Is it not a fact that on account of heavy work that the Professors, Readers and Lecturers have to do in the University, they are not in a position to devote any time to other work?

Mr. G. S. Bajpai: I was not aware of that. I have been looking into the statement myself and I find that the normal periods devoted to tuition by Professors and Lecturers vary from 15 to 24 every week. That is not too much.

Mr. M. Asaf Ali: Not too much?

Mr. S. Satyamurti: 24 hours not too much!

Mr. M. Asaf Ali: Is the Honourable Member aware that in the English Universities the Professors do not devote more than three to four periods a week?

Mr. G. S. Bajpai: My Honourable friend is referring to holders of University Chairs, but, so far as Lecturers are concerned, I can testify from personal experience of Oxford that my tutor used to do anything from seven to eight periods every day.

Mr. B. Das: Then did your tutor work from morning to night?

Mr. President (The Honourable Sir Abdur Rahim): We are not discussing English universities now.

Mr. S. Satyamurti: Is the Honourable Member aware that in the Madras University and the colleges affiliated to it, the maximum hours of work for Tutors and Professors would be four a week?

Mr. G. S. Bajpai: That is quite possible, but I must ask my Honourable friend to be a little forbearing towards Delhi, because it has not the resources of the University of Madras.

Mr. G. S. Bajpai: The position as regards that is that work has to be done, and if the Professors are prepared to do it, why should not they do it?

VALUATION OF THE ASSETS OF THE LATE EAST INDIA COMPANY.

(a) What was the actual valuation of the assets of the East India Company at the time the said Company was bought out of India; and

(b) Was the interest on this amount made a charge on the Indian Revenue? If so, how much has India paid towards the liquidation of this debt and the interest thereon up to date?

CAPITATION CHARGES PAID BY INDIA.

Mr. G. B. F. Tottenham: A statement containing such information as is available is laid on the table.

Statement.

As far as we have been able to trace the capitation payments made by India in the various years stated were approximately as follows :—

	£
1861-69 Average annual payment	631,000
1870-78 Average annual payment	440,000
1880-85 Average Annual payment	520,000
1885-1908 Average Annual payment	734,000
1913-14	917,000
During War between £872,000 and £930,000.	
1920-21 Army	1,933,000
Air Force	100,000
1921-22 Army	1,976,000
Air Force	92,000
1922-23 Army	1,702,000
Air Force	95,000
1925-26 to 1932-33 Army	1,400,000
Air Force	111,000
1933-34 Army	1,236,000
Air Force	210,000
1934-35 Army	1,229,025
Air Force	210,000

Since the year 1933-34 a contribution of £1,500,000 a year has been received from His Majesty's Government towards the cost of Indian Defence. This sum includes the £130,000 Sea Transport Subsidy which was previously paid by the War Office.

PURCHASE OF MATERIALS AND ARTICLES IMPORTED FROM ENGLAND REQUIRED FOR THE ARMY IN INDIA.

118. ***Mr. M. Asaf Ali:** How much has India paid for arms, ammunitions and other materials and articles required by the army, which have been imported from England since 1858 up to date?

Mr. G. R. F. Tottenham: I am afraid it would be quite impossible to supply the Honourable Member with the figure he requires, as it would involve the detailed examination of the accounts of three quarters of a century.

PURCHASE OF MATERIALS AND ARTICLES IMPORTED FROM ENGLAND REQUIRED FOR THE ARMY IN INDIA.

119. ***Mr. M. Asaf Ali:** (a) What materials and articles required for the army have been imported from England during the past five years?

(b) Which of these articles can be had or manufactured in India?

(c) What steps have Government taken to confine the purchase and manufacture of these things in India?

Mr. G. R. F. Tottenham: (a) Full details will be found in the Reports on the work of the India Store Department, London, copies of which are in the Library.

(b) Practically the whole of the expenditure in England is incurred on the purchase of Mechanical Transport vehicles, Aeroplanes, Tanks and other specialised machines, which are not manufactured in India.

(c) In accordance with the provisions of the Stores Purchase Rules, all articles which can be obtained economically in India are so purchased. Actually about 89 per cent. of the stores requirements of the Defence Services are obtained in India.

EXPENDITURE ON DEFENCE, EDUCATION, ETC., IN CERTAIN COUNTRIES.

120. ***Mr. M. Asaf Ali:** Will Government please supply comparative figures under the following heads:

(a) Total expenditure on the defence of (i) Canada, (ii) Australia, (iii) South Africa, (iv) New Zealand, (v) Ireland, (vi) Egypt, and (vii) India, respectively, in the last five years;

(b) the total strength of the armies, navies and air forces of these countries; and

(c) the total expenditure in these countries on (i) Education and Public Health, (ii) Police, and (iii) Administration of justice, in the past five years?

Mr. G. R. F. Tottenham: I lay on the table a statement giving such information as is available from official or semi-official sources. The accuracy of the figures cannot in all cases be guaranteed, nor, of course, does the statement make any attempt to explain the varying circumstances and requirements of the different countries by which the expenditure is dictated.

SEPARATELY.

	(i) Canada.	(ii) Australia.	(iii) South Africa.	(iv) New Zealand.	(v) Irish F. S.	(vi) Egypt.	(vii) India.
	Dollars.	Pounds.	Pounds.	Pounds.	Pounds.	Pounds E.	Ra.
(a) Expenditure on Defence, 1929—1934.	1929-30 61,074,800 1930-31 66,038,500 1931-32 65,569,000 1932-33 57,683,500 1933-34 59,326,000	12,320,000 11,714,600 1,792,900 1,630,300 1,640,300 1,705,100	2,026,900 1,792,900 1,953,800 1,799,800 1,524,900 1,638,400	2,110,800 1,953,800 1,799,800 1,795,500 1,861,808	1,480,000 1,323,400 1,400,000 1,524,900 1,638,400	2,268,800 2,305,800 2,104,800 2,161,200 2,119,400	55,10,00,000 54,30,00,000 51,76,00,000 46,74,00,000 44,42,47,000
(b) Total strength of Defence Forces—							
Army	{ Permanent active militia. 3,570 Non-Permanent active militia. 52,325	{ Permanent Forces. 1,540 Militia, etc. 33,026	{ Permanent Forces. 1,555 Cost garrison and active citizen forces. 8,362	{ Permanent Forces. 406 Territorial Forces. 7,903	{ Regular Forces. 5,854 ..	{ 12,318 Reserves. 2,08,724	{ Regular Forces. Auxiliary and Territorial Forces. 37,186 39,165 1,217 .. 2,647
Navy	Active Reserves . 485 Permanent 392	3,427 .. 908	204 Included with army	1,088 .. 58	Nel. .. 160	963 Under formation.	
Air Force	Non-permanent 28 *(A.Y.B. 1934, pp. 119-124).	.. (Do. pp. 29-42).	.. (Do. pp. 385-696).	.. (Do. pp. 491-499).	.. (Do. pp. 349-357).	.. (Do. pp. 194-7).	
(c) Expenditure on—							
(i) Education.	Not available.	Not available.	1928-29 8,600,309 1929-30 8,508,484 1930-31 8,489,608 1931-32 Not available.	3,384,358 4,058,222 4,095,323 3,409,877	4,523,000 4,526,543 4,646,948 4,503,991	163,273 148,716 132,917 120,097	27,67,32,253 27,42,82,018 28,31,61,446 27,17,43,991
			1932-33 Do. (A)	2,813,787 (B)	4,628,400 (C)	97,750 (C)	25,78,75,868 (D)

Public Health (ii) Police	Not available.	Figures are not available.	
		Not available.	Not available.
			1929-30.
			10,97,33,476
			1930-31.
			11,02,33,850
			1931-32.
			11,02,18,422
			1932-33.
			10,87,50,066
			1933-34.
			9,71,84,101

(iii) Adminis- tration of Justice.	Not available.	Not available.	Not avail- able.	Not avail- able.	Not avail- able.	(E)
						1929-30
						5,93,62,568
						1930-31.
						5,94,75,651
						1931-32.
						5,08,15,072
						1932-33.
						5,21,00,393
						1933-34.
						5,36,60,621

NOTE.—The accuracy of the figures given is not guaranteed and in some cases it is uncertain whether they have been worked out on the same basis.

*A. Y. B.—Armaments, Year, Book of the League of Nations.

(A) Expenditure on State and State-aided education. (B) Expenditure from public funds. (C) Expenditure from Government funds. (D) These figures represent total expenditure. Figures for expenditure from Government funds are as follows :—

Rs.	
1928-29	13,18,10,145
1929-30	13,15,38,044
1930-31	13,50,97,116
1931-32	12,46,00,481
1932-33	11,35,60,258

(E) These figures do not include the cost of police in the administered areas under the Foreign and Political Department and the figures for 1933-34 do not include the figures for Burma which are not available.

CONSTRUCTION OF A ROAD TO CHITTAGONG AERODROME.

121. ***Mr. Muhammad Anwar-ul-Asim:** (a) Will Government please state how much it has cost them up to date to maintain the aerodrome at Chittagong?

(b) How far is the aerodrome from the Chittagong General Post Office?

(c) Is there any motorable road up to the aerodrome? If not, are Government prepared to consider the desirability of making a motorable road by the Patenga beach, in conjunction with the Chittagong District Board in order to provide facility to all kinds of transport?

The Honourable Sir Frank Noyce: (a) Rs. 8,223.

(b) About nine miles.

(c) There is no motorable road at present. The proposal to construct a road is being held in abeyance pending the investigation of alternative sites for a more conveniently situated landing ground. This problem is receiving the active attention of Government.

INTRODUCTION OF REFORMS IN BENGAL.

122. ***Mr. S. Satyamurti** (on behalf of Mr. Muhammad Anwar-ul-Asim): (a) Will Government please state the approximate time by which the Reforms are likely to be introduced in Bengal?

(b) When do Government propose to have the elections for the formation of the Reformed Council and Assembly in that Province?

The Honourable Sir Nripendra Sircar: The Honourable Member will no doubt realise that it is not possible for the Government of India to give a definite reply to his question. I invite his attention, however, to the following passage in His Excellency's address to the Members of the Indian Legislature on the 29th August, 1934, which represents the position of Government in regard to this matter:

"When the new Constitution Bill is passed into law, you may rely on my efforts to ensure that no time will be lost in carrying into effect, as expeditiously as possible, the intentions of Parliament as expressed in the Act."

Mr. S. Satyamurti: With reference to clause (b) of this question, may I know how long Government propose to keep these Provincial Legislatures alive who have lived much beyond their normal term of three years?

The Honourable Sir Nripendra Sircar: As the question will not arise immediately, this matter has not been considered.

Mr. S. Satyamurti: May I know if the Government of India have considered the question, as an all-India question, of elections to the Provincial Legislatures, independent of the reforms, in view of the fact that they have long outlived their normal period of life?

The Honourable Sir Nripendra Sircar: I cannot answer the question more than this that whenever a question of prolonging the life of a Legislature arises, that matter is considered having regard to all the facts. Nothing further has been done since the last prolongation of some Legislatures.

Mr. S. Satyamurti: May I know what are the facts taken into consideration by Government in deciding to prolong the life of these Councils?

The Honourable Sir Nripendra Sircar: It is done by the Governor or the Governor General, as the case may be, having regard to the Legislature in question.

Mr. S. Satyamurti: May I know if Government have considered that they have deprived the electors

Mr. President (The Honourable Sir Abdur Rahim): The answer has been given that it is not done by Government, but by the Governor or the Governor General.

Mr. S. Satyamurti: May I know if the Government of India is not at all consulted in this matter and they give no advice to the Governor General?

The Honourable Sir Nripendra Sircar: That is a matter between the Governor General and his Council.

Mr. S. Satyamurti: It is also a matter on which I am entitled to have an answer, as to what the Governor General's Council did, and what their advice was.

The Honourable Sir Nripendra Sircar: The Council has no function in the matter, and I submit, the Honourable Member is not entitled to know what advice was given informally by any person.

Mr. S. Satyamurti: May I know if any formal advice was given?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has said that he is not in a position to give any information in regard to that matter, because it is one between the Councillors and the Governor General.

Mr. S. Satyamurti: Sir, I should like to have your ruling on this. As I read the Rules and Standing Orders, there is nothing in them to make sacrosanct in any sense the advice which the Governor General's Council gives to the Governor General.

Mr. President (The Honourable Sir Abdur Rahim): It is a very important question that has been raised and the Chair will consider it, unless the Leader of the House is in a position to throw any light upon it.

The Honourable Sir Nripendra Sircar: No, Sir; I would rather have the business postponed for a few days.

Mr. S. Satyamurti: Thanks; I shall also look into the matter, in the meantime.

REPRESENTATIONS FROM THE BURMA LAUNCH OWNERS' ASSOCIATION FOR BRINGING THEM UNDER THE OPERATION OF THE INLAND STEAM VESSELS (AMENDMENT) ACT, 1930.

123. ***Mr. Muhammad Anwar-ul-Azim:** Will Government please state whether they have received any representations from the Burma Launch Owners' Association, Rangoon, for bringing them under the operation of the Inland Steam Vessels (Amendment) Act XIII of 1930, which was passed by the Indian Legislature and which received the assent of the Governor General on the 24th March, 1930? If so, will Government please state when they propose to give the said Association the benefit of the said Law?

The Honourable Sir Joseph Blore: No special representations have been made to Government, but as a result of a communication received in August, 1934, from a Member of the last Legislative Assembly, Government asked in September for further information from the Burma Launch Owners' Association to enable them to decide whether any action is called for. This information has not yet been supplied, but, it is understood that the matter is under discussion between the Burma Launch Owners' Association and the Local Government.

POSITION OF CHITTAGONG HILL TRACTS UNDER THE NEW REFORMS.

124. ***Mr. Muhammad Anwar-ul-Azim:** Will Government please state what the position of Chittagong Hill Tracts will be under the coming Reforms?

The Honourable Sir Nripendra Sircar: The Honourable Member is referred to the provisions of the Government of India Bill, a copy of which has already been supplied to him.

BENGALI MUSLIMS IN THE GOVERNMENT OF INDIA OFFICES.

125. ***Mr. Muhammad Anwar-ul-Azim:** (a) Will Government please state the percentage in all grades of the Bengali Muhammadans in the Government of India offices?

(b) Will Government please inform this House what difference their present decisions will make in the said percentage?

(c) Will Bengal Mussalmans get their share according to their numerical strength in that Province?

The Honourable Sir Henry Craik: I would refer the Honourable Member to the replies which I gave on the 1st August, 1934, to starred question No. 291 asked by Haji Chaudhury Muhammad Ismail Khan and the supplementary questions connected therewith. As promised in reply to one of the supplementary questions, I have ascertained that the number of Bengali Muslims employed in the clerical staff of the Government of India Secretariat is seven which is 3·7 per cent. of the total number of Muslims so employed.

Dr. Ziauddin Ahmad: Sir, with your permission, I should like to ask question No. 126 standing in the name of Mr. Anwar-ul-Azim.

The Honourable Sir Joseph Blore: Sir, may I ask for your ruling? As you are aware, the procedure in this House has been that when the Member in whose name a question stands is not present, the Chair has always required a written authorisation.

Mr. S. Satyamurti: The Standing Order is clear. If a Member is absent, any other Member can put the question and the Chair can direct an answer to be given.

Dr. Ziauddin Ahmad: Sir, this rule was made by your predecessor, Sir Shanmukham Chetty, but, in the time of Sir Ibrahim Rahimtoola, any person was authorised to put any question.

Mr. S. Satyamurti: Sir, may I read the Standing Order for your information? Paragraph 40 on page 16 says:

"If, on a question being called, it is not put, or the Member in whose name it stands is absent, the President, at the request of any Member, may direct that the answer to it be given."

Mr. President (The Honourable Sir Abdur Rahim): The Chair understands that the practice has been at any rate latterly, to require written authorisation from the Member in whose name the question stands. As at present advised, the Chair is not prepared to alter that practice. The Chair will, however, consider the matter further and give its ruling. In the meantime, the Chair proposes to follow the practice that has been recently followed.

POSITION OF THE ASSAM-BENGAL RAILWAY WITH THE GOVERNMENT OF INDIA IN CERTAIN RESPECTS AND RECRUITMENT OF THE BENGAL AND ASSAM MUSLIMS ON THAT RAILWAY.

126. ***Mr. Muhammad Anwar-ul-Azim:** (a) Will Government please state the position of the Assam-Bengal Railway with the Government of India on the following points:

(i) Supervision and control; and

(ii) appointments and dismissal of staff, both gazetted and ministerial?

(b) Are Government in a position to state the percentage of the Bengal and Assam Muslims in the services of that Company?

(c) Will the recent decisions of Government in the matter of recruitment in their services, govern the activities of the Assam-Bengal Railway?

(d) Are Government in a position to state how many Chittagong people are in the service of the Assam Bengal Railway?

Mr. P. B. Ray (a) (i). I would refer the Honourable Member to clauses 70—73 of the contract at pages 32-33 of the printed volume of Assam Bengal Railway contracts, a copy of which is in the Library.

(ii) The Board of Directors of the railway company have full powers regarding the appointment and dismissal of staff subject to the provision contained in clause 22 of the agreement referred to above.

(b) The latest information available with Government on the subject of representation of communities will be found on pages 234-235 of Volume II of the Railway Board's report for 1933-34 on Indian Railways. Statistics are not prepared by provinces.

(c) The Agent, Assam Bengal Railway, has been requested to obtain the concurrence of his Board of Directors to the adoption of a similar policy on that railway. The Railway Board have not so far received any reply to this communication.

(d) Government have no information.

REPAIR OF THE ARRAKAN ROAD IN BENGAL.

127. ***Mr. Muhammad Anwar-ul-Azim**: (a) Will Government please state what the share of Bengal has been for the last five years from their Road Development Fund, and how that has been spent?

(b) Will Government please state if the Arrakan Road in Bengal is one of the original projects which was accepted by the Central Road Committee for improvement?

(c) What is the present position of that road now?

(d) Will Government please state when that is likely to be taken up for metalling?

The Honourable Sir Frank Noyce: (a) Rs. 60.21 lakhs have been allotted to Bengal to end of September, 1933, as their share in the Road Account, and a further allotment of about Rs. 13 lakhs will be made shortly making a total of Rs. 73.21 lakhs upto end of September, 1934.

A statement showing the schemes which have been completed and on which expenditure is being incurred from the Road Account is laid on the table.

(b) to (d). A project for the development of the Chittagong-Arakan Road was among the schemes put forward by the Government of Bengal at the Road Conference in April, 1930, and approved with the advice of the Standing Committee for Roads. As far as the Government of India are aware, estimates for the work are now practically complete, but they have no information as to when the work will be actually put in hand.

Statement showing the progress of expenditure on the programme of road development works in Bengal financed from the local Government's share in the Road Account.

Name of work.	Amount of the Estimate.	Expenditure to end of September, 1934.	Remarks.
<hr/>			
<i>Grand Trunk Road.</i>	Rs.	Rs.	
1. Improvements to miles 8-22 from Bally Khal Bridge to boundary of French Chandranagore.	5,29,692	4,99,983	Completed.
2. Widening the metalled width from mile post 138 to 149 to Barkar.	2,03,167	1,95,840	Completed.
3. Improving and widening the metalled surface from mile 120 to 124 at Asansol.	46,475	45,949	Completed.
4. Improving a portion south from the Southern approach of the Chandmari Bridge to Junction of Telkulghat Road, Howrah.	40,888	39,699	Completed.
5. Improving a portion south of Tramway Terminus to Shalimar Road Junction.	20,478	20,452	Completed.
6. Improving a portion of the Grand Trunk Road, north from the foot path of the North approach of Chandmari Bridge to Golabari Road Junction.	19,042	19,001	Completed.
7. Diverting between 56th mile 3rd quarter and 57th mile 3rd quarter near Memari Bazar.	71,771	63,316	In progress.
 <i>Calcutta-Jessore Road.</i>			
8. Improvements to Calcutta-Baraset section.	5,00,681	4,95,254	In progress.
9. Replacing the surfacing of half the area of 8th mile by laying a 2" grout of bitumen.	9,900		
 <i>Pabna-Ishurdi Road.</i>			
10. Reconstruction along new alignment	8,05,570	1,03,203	In progress.
 <i>Diamond Harbour Road.</i>			
11. Improving miles 5 to 29½	6,70,000	6,58,359	In progress.

Name of work.	Amount of the Estimate.	Expenditure to end of September, 1934.	Remarks.
	Rs.	Rs.	
<i>Chittagong Trunk Road.</i>			
12. Widening and improving a portion from Comilla to Mainamati in Tipperah District.	36,800	2,77,335	In progress.
13. Metalling and improving from Mainamati to Inspection Banglow at Barkanta.	2,40,600		
<i>Ghoshpara Road.</i>			
14. Improving miles 1 to 16 in the 24 Parganas.	4,63,503	3,60,770	In progress.]
15. Reconstruction of the Barackpore station Road.	8,004		
<i>Jhenidah-Magura Road.</i>			
16. Reconstruction	3,75,000	2,08,000	In progress.
<i>Dacca-Narayanganj Road.</i>			
17. Reconstruction of the District Board portion.	4,25,000	1,74,000	In progress.
18. Reconstructing Dacca Municipal portion and the suspension bridge of the Dacca-Narayanganj Road.	1,06,500	30,000	In progress.
19. Widening and painting over stone metalling the Shiroore Road and a portion of the De Leslie Road (from the European club to Netajganj Bridge) at Narayanganj. (Narayanganj Municipal portion).	25,000	25,000	Completed.
<i>Mymensingh-Tangail Road.</i>			
20. Constructing bridges and culverts on the Mymensingh-Kalibati portion.	3,40,795	1,50,000	In progress.
<i>Burwan-Arambajh Road.</i>			
21. Improvement from the south bank of river Damodar to 10th mile post.	5,00,000	1,812	In progress.
Total		32,67,973	

APPOINTMENT OF MR. DARLING ON SPECIAL DUTY.

128. *Dr. Ziauddin Ahmad: (a) Is it a fact that Mr. Darling, I.C.S., has been appointed on special duty?

(b) What is the nature of the enquiry in which he is now engaged?

(c) When is his report likely to be published?

The Honourable Sir James Grigg: (a) Yes.

(b) I would invite the attention of the Honourable Member to paragraph 7 of the Finance Department Resolution, dated the 5th of May, 1934, on the subject of the Provincial Economic Conference. Copies of the Resolution are available in the Library of the House.

(c) Mr. Darling's enquiry is not yet complete, and it is not possible, therefore, to make any statement with regard to the report.

INSTITUTION OF PROSECUTIONS UNDER THE CANTONMENTS ACT BY EXECUTIVE OFFICERS.

129. *Mr. Ahmed Ebrahim Haroon Jaffer: (a) Are Government aware that in certain Cantonments, the Executive Officer sanctions prosecutions for offences committed under the Cantonments Act and then launches them under the powers delegated to him by the Cantonment Authority under section 264 of the Cantonments Act?

(b) Is it a fact that under the Cantonments Act, it is the Cantonment Authority that can sanction a prosecution and that under the Government of India Circular No. 1165-A. D. 4, dated the 1st April, 1930, Executive Officers have been strictly prohibited not to use section 25 for the institution of prosecutions in any circumstances?

(c) Are Government aware that in Meerut Cantonment the Executive Officer recently prosecuted on his own authority, certain ghee sellers for adulteration in ghee and then compounded their offences under section 267?

(d) Do Government propose to take steps definitely to prohibit Executive Officers from instituting prosecutions under the Cantonments Act or under any other law, on their own authority and without the previous sanction of the Cantonment Authority?

Mr. G. R. F. Tottenham: (a) When the Executive Officer has been authorised to file complaints, by general order, under section 266 which, I presume, is the section to which the Honourable Member intends to refer, he launches prosecutions under the authority derived from that general order and no separate process of sanctioning the prosecution is involved.

(b) The reply to the first part is in the negative. The reply to the second part is in the affirmative.

(c) Government have no information, but the Executive Officer was perfectly in order if the Cantonment Authority had granted him a standing authorisation under section 266.

(d) No.

Mr. Ahmed Ebrahim Haroon Jaffer: Was the Executive Officer granted any authority to decide?

Mr. G. R. F. Tottenham: I have no information on that point.

CONSTITUTION OF ELECTED BOARDS IN CANTONMENTS.

130. ***Mr. Ahmed Ebrahim Haroon Jaffer:** (a) Are Government aware that the spirit of section 14 of the Cantonments Act of 1924 is understood to be that an elected board be constituted in every Cantonment not situated in the North-West Frontier Province, and having a civil population of 2,500 or over?

(b) In how many Cantonments of India, having a civil population of 2,500 or over, elected boards have not been constituted?

(c) Will Government please state their reasons in each case as to why those Cantonments have been deprived of this right?

(d) What are the considerations that weigh with Government in their exercising the power of constituting elected boards under section 11 of the Cantonments Act of 1924?

(e) Do Government propose to liberalise their policy in this matter and to constitute an elected board in every Cantonment, fulfilling the population condition as stated above?

Mr. G. R. F. Tottenham: (a) No. Under section 11 of the Cantonments Act, the question whether there should be a Board in any cantonment is left to the discretion of Government. All that section 14 says is that, if there is a Board and if the civil population exceeds 2,500 (except in the North-West Frontier Province or in British Baluchistan), the Board should be an elected Board.

(b) 20.

(c) Of the 20 cantonments, nine have nominated boards, of which five are situated on the Frontier. In most of the remainder, the civil population consists mainly of followers, domestic servants and petty shopkeepers and, if elected Boards were constituted, it would be a matter of considerable difficulty to find the required number of suitable members.

(d) Government are generally prepared to agree to the constitution of an elected Board in any Cantonment in which there is a reasonable prospect of constituting a Board which will work successfully.

(e) The question of revising the present provisions of the Act on this subject is under consideration.

Mr. Ahmed Ebrahim Haroon Jaffer: With regard to the answer given, may I know on what grounds the decision of the Government in appointing elected members is arrived at and why they say they cannot find suitable members to form such boards?

Mr. G. R. F. Tottenham: If the Honourable Member had listened to my reply to part (c), he would have heard that I said "in most of the remainder the civil population consists mainly of followers, domestic servants and petty shopkeepers", who are not of the class to produce members of the type required.

Mr. Ahmed Ebrahim Haroon Jaffer: How do Government come to that conclusion?

Mr. G. R. F. Tottenham: I think that is more or less self-evident.

DEMOLITION OF AN ALLEGED UNAUTHORISED BUILDING BY A CANTONMENT AUTHORITY BEFORE THE EXPIRY OF THE TIME OF APPEAL.

131. ***Mr. Ahmed Ebrahim Haroon Jaffer:** (a) Are Government aware that according to Schedule V of the Cantonments Act of 1924, a person desiring to appeal against a Cantonment Authority's order to demolish an alleged unauthorised building under section 185 of the Cantonments Act, is allowed one month's time for the submission of an appeal?

(b) Is it a fact that in many cases the Cantonment Authority demolishes the building by taking action under section 256 of the Cantonments Act before the expiry of the time of appeal?

(c) Are Government aware that a Cantonment Authority can take action to demolish a building under section 256 of the Cantonments Act only after the time allowed for appeal against the order of demolition has expired?

(d) Do Government propose to issue instructions to stop the practice referred to in part (c) above, which frustrates the very object of the appeal?

Mr. G. R. F. Tottenham: (a) Yes, Sir.

(b) Government are not aware of the number of cases in which this procedure has been adopted.

(c) No, Sir.

(d) Does not arise.

RECOMMENDATIONS OF THE COMMITTEE APPOINTED TO OVERHAUL THE CANTONMENTS ACT.

132. ***Mr. Ahmed Ebrahim Haroon Jaffer:** (a) Is it a fact that the Committee appointed by Government to overhaul the Cantonments Act concluded its labours in the beginning of 1933?

(b) Is it a fact that all its recommendations are unanimous?

(c) What action have Government taken to carry out those recommendations? If no action has been taken so far, when do Government propose to take such action and in what form?

Mr. G. R. F. Tottenham: (a) and (b) An informal Conference, with representatives of the All-India Cantonments' Association, was held in 1933 and resulted in certain unanimous recommendations for the amendment of the Cantonments Act.

(c) The question of giving effect to these recommendations of amending the Act for certain other purposes as well is still under consideration; but I hope that a decision will be reached very shortly.

Mr. Ahmed Ebrahim Haroon Jaffer: In how many months?

Mr. G. R. F. Tottenham: I hope, within the next month.

Mr. Mohan Lal Saksena: With your permission, Sir, I would like to put question No. 133.

Mr. President (The Honourable Sir Abdur Rahim): Does the Chair understand that the Honourable Member has written authority to put the question?

Mr. Ram Narayan Singh: I have got written authority to put the question, Sir.

Mr. President (The Honourable Sir Abdur Rahim): Mr. Ram Narayan Singh.

RECRUITMENT OF DEPRESSED CLASSES IN THE ARMY.

133. ***Mr. Ram Narayan Singh** (on behalf of Mr. Sham Lal): (a) Will Government be pleased to state whether in actual practice the members of the depressed classes are not being generally recruited to various ranks of the defence force of their own country, even though their claims to All-India services have been recognised?

(b) If so, do Government propose to remove this distinction in the matter of recruitment?

Mr. G. R. F. Tottenham: (a) The Army authorities do not themselves recognise the existence of any depressed classes in India. Members of what are commonly known as the depressed classes are not excluded from the defence forces as such. In fact a number of them are enlisted and are serving in the Army.

(b) Does not arise.

Mr. Ahmed Ebrahim Haroon Jaffer: May I know if Government have decided not to recruit any members of the depressed classes in the Indian Army?

Mr. G. R. F. Tottenham: No, Sir: if the Honourable Member had listened to my answer, he would not have come to that conclusion.

Mr. Ram Narayan Singh: Is it not a fact that Government recruit only from the so-called martial races?

Mr. President (The Honourable Sir Abdur Rahim): Will the Honourable Member speak up?

Mr. Ram Narayan Singh: I ask, whether Government do or do not recognise certain classes of people as martial races?

Mr. G. R. F. Tottenham: I do not think that question arises out of this one.

Lieut.-Colonel Sir Henry Gidney: Will the Honourable Member inform the House whether or not it is a fact that depressed classes are enlisted only in the Indian Territorial Forces *vis-a-vis* the regular Army?

Mr. G. R. F. Tottenham: I do not know what the Honourable Member means by that question.

Lieut.-Colonel Sir Henry Gidney: I will try and explain to the Honourable Member what I mean. The Honourable Member must surely be aware of the fact that the Indian Territorial Force is a second line of defence to the Indian Army.

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

Lieut.-Colonel Sir Henry Gidney: I will, Sir, but it apparently needs some preliminary explanation. Will the Honourable Member state whether the depressed classes are recruited in the Indian Territorial Force and not in the real regular Indian Army?

Mr. G. R. F. Tottenham: No: members of the depressed classes are recruited in the regular Army. There may be also depressed classes in the territorial forces as well.

Lieut.-Colonel Sir Henry Gidney: Thank you. I only sought information.

GRANT OF CERTAIN CONCESSIONS TO THE DEPRESSED CLASSES IN THE INDIAN UNIVERSITIES.

184. ***Mr. Ram Narayan Singh** (on behalf of Mr. Sham Lal): (a) Will Government be pleased to state if it is a fact that the Nagpur University permits candidates of census-recognised depressed classes to appear at its different examinations without charging any admission fee?

(b) Will Government please state whether the University of Delhi proposes to give similar concession to the members of the depressed classes?

(c) Are Government prepared to issue directions to other Universities in India to grant similar concessions to the members of the depressed classes?

Mr. G. S. Bajpai: (a) and (b). Yes.

(c) The Government of India do not possess authority to issue such instructions to Universities, but will bring the suggestion of the Honourable Member to the notice of all Local Governments.

Dr. F. X. DeSouza: Are the concessions given to the depressed classes in the various educational institutions also available to depressed classes who have been converted to Christianity?

Mr. G. S. Bajpai: I do not subscribe to my Honourable friend's view—unnecessarily depressing, if I may say so,—of the status of the Christian community.

Dr. F. X. DeSouza: The Honourable Member is perfectly aware that a large number.

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

Dr. F. X. DeSouza: Is not the Honourable Member aware that in Universities and educational institutions, depressed classes belonging to the Christian community are not treated as depressed classes?

Mr. G. S. Bajpai: Naturally, Sir: if they are Christians, they cannot be treated as members of the depressed classes.

Dr. F. X. DeSouza: If, as the Honourable Member seems to imply, Hinduism depresses and Christianity elevates, what, in the opinion of the Honourable Member, will the Hindu Mahasabha have to say in the matter?

Mr. G. S. Bajpai: I am not here to answer any question on behalf of the Hindu Mahasabha: I hope the Honourable Member himself will find an answer to the question he has put.

Dr. F. X. DeSouza: I do not find any answer. Is not the Honourable Member aware that the question of depressed classes is purely an economic and not a religious question, and, therefore, a member of the depressed classes who embraces Christianity still continues in his economic status as before?

Mr. President (The Honourable Sir Abdur Rahim): That is entering upon an argument.

POSTS GIVEN TO MEMBERS OF THE DEPRESSED CLASSES IN THE POSTS AND TELEGRAPHS AND THE RAILWAY DEPARTMENTS.

135. ***Mr. Ram Narayan Singh** (on behalf of Mr. Sham Lal): Will Government be pleased to state the number of posts (excluding posts as sweepers or menial servants) given to members of depressed classes all over India during the last six months, in the Posts and Telegraphs and the Railway Departments?

The Honourable Sir Frank Noyce: Government regret that the information is not available and cannot be collected without undue labour. I may add, however, for the Honourable Member's information that particulars of the recruitment of members of the depressed classes will in future be collected annually by Government, beginning with the year 1934, and the annual statements will be placed in the Library of the House.

PERMANENT SETTLEMENT OF BAGRI LOHARS, A WANDERING TRIBE.

136. ***Mr. Ram Narayan Singh** (on behalf of Mr. Sham Lal): (a) Are Government aware that the members of the wandering tribe, called *Bagri Lohars* are found roaming in upper India from province to province with their bullock-carts, manufacturing and selling iron articles?

(b) If so, what steps are taken to wean them from their nomadic habits and settle them into suitable industrial colonies at places where suitable marketing facilities are available?

The Honourable Sir Frank Noyce: (a) Government are aware that wandering blacksmiths are found in parts of the United Provinces and the Punjab. I doubt whether the epithet "Bagri" can properly be applied to all of them.

(b) None.

CONTRACT OF BOOK-STALLS AT RAILWAY STATIONS.

✓ 137. ***Mr. Ram Narayan Singh** (on behalf of Mr. Sham Lal): (a) Will Government be pleased to state the percentage of Railway Book-stalls conducted for the last five years by Messrs. Wheeler and Co., at different Railway Stations of different Railway lines?

(b) What was the number of other competitors for this contract when it was given or renewed to Messrs. Wheeler and Company last time?

(c) What was the main reason for not giving this contract to other competitors?

Mr. P. R. Rau: (a) The number of stations at which Messrs. Wheeler and Company have the book-stall contract on State-managed Railways is as follows:

Eastern Bengal	...	...	...	...	9
East Indian	...	...	...	...	81
Great Indian Peninsula	...	...	...	...	25
North Western	...	...	...	...	38

(b) Eastern Bengal and Great Indian Peninsula Railways. None

East Indian Railway	...	...	...	...	1
North Western Railway	...	...	...	...	7

(c) The two Administrations concerned carefully examined the tenders they had received, and in view of the fact that Messrs. Wheeler and Company had already given good service and had considerable experience of the business, they considered it desirable in the public interest that the contract should be given to this firm.

Lieut.-Colonel Sir Henry Gidney: Is it the intention of Government to continue this principle of giving the monopoly of the book-stalls to Messrs. Wheeler and Co.?

Mr. P. R. Rau: No, Sir; no monopoly has been given. So far as I can see, tenders were called for and the contract was given after consideration of all these tenders.

INTOXICANTS CONSUMED IN RAILWAY REFRESHMENT ROOMS.

138. ***Mr. Ram Narayan Singh** (on behalf of Mr. Sham Lal): (a) Will Government be pleased to state whether the amount of consumption of intoxicants at any Railway Refreshment Room of any Railway is available, year by year, for the last five years, respectively, in Rupees, Annas and Pies?

(b) If no such information is forthcoming, do Government propose to collect annually the above mentioned statistics in future from each Railway Refreshment Room for the guidance of the temperance reformers?

(c) Are Government prepared to enhance the price of these intoxicants to discourage consumption?

Mr. P. B. Rau: (a) and (b). The information required is not in the possession of Government; and they do not propose to collect it, as the labour and expense involved is not, in their opinion, likely to be justified by results.

(c) My Honourable friend is perhaps not aware that railway refreshment rooms are ordinarily run by contractors and the price of the articles they sell is primarily their concern, subject to any conditions that may be contained in the license which they are required to obtain from the excise authorities of the Local Government concerned.

SHORT NOTICE QUESTION AND ANSWER.

WITHDRAWAL OF FIVE PER CENT. CUT IN THE SALARIES OF GOVERNMENT SERVANTS.

Mr. S. Satyamurti: Will the Honourable the Finance Member be pleased to state:

- (a) the reasons why the Government of India have decided not to reimpose the five per cent. cut in the salaries of Government servants from the 1st April next;
- (b) whether the budgetary position has so far improved as to justify this decision; and
- (c) the reasons why the decision was announced in anticipation of the budget and without waiting to know the opinion of this House in the matter?

The Honourable Sir James Grigg: (a) The repeated pledges given by my predecessor that the pay cut should be the first of the emergency measures of 1931 to be abandoned.

(b) The Government of India fully intend to present a balanced budget for the coming year.

(c) In order to enable the Railway Budget to be presented on a correct basis and in order that Provincial Governments should have notice of our intentions before presenting their own Budgets.

I may say that the Assembly will have full opportunity of criticising the decision in due course, for Demands for Grants will be based on the full rates of pay and these will be presented, in connection with the Budget, in the usual way.

Mr. S. Satyamurti: Did Government consider the other pledges which the Honourable the Finance Member had already given with regard to the tax-payers of this country who had also equally good claims for relief, in case the budgetary position improved?

The Honourable Sir James Grigg: I have examined the pledges to which my Honourable friend is referring, but I distinctly got the impression on reading them that the pay cut had a first claim and the taxpayers, to whom he refers, second claim.

Mr. S. Satyamurti: May I know if Government considered the question of removing the cut only in the case of lower paid servants, that is, those who get Rs. 200 and less per mensem and continuing the cut on those who get more than Rs. 200 a month?

The Honourable Sir James Grigg: No, Sir, they did not consider that, because the pledge was categorical.

Mr. S. Satyamurti: May I know if Government considered the desirability and necessity of reducing the railway or postal rates or the excise duty on salt, when they found the budgetary position was improving?

The Honourable Sir James Grigg: Not in priority to the pay cut.

Mr. S. Satyamurti: May I know if Government took any legal opinion on the question as to whether they were right in anticipating the verdict of the House in respect of the Budget in this matter?

The Honourable Sir James Grigg: No, Sir, the constitutional position seems to me to be quite clear.

Mr. S. Satyamurti: May I know if Government are advised that they can decide not to re-impose the cut in spite of the verdict of the House?

The Honourable Sir James Grigg: That is not the question which has been asked, but I hope I have made it quite clear, in answer to the last part of the question, that the House will have its opportunity of expressing its opinion on the restoration of cuts in connection with the Demands for Grants when they are presented in the usual way and at the usual time. After the House has expressed its opinion, the Government will then decide what to do in the matter.

Mr. S. Satyamurti: May I know if Government have, therefore, made these proposals only tentatively and will accept the verdict of the House on this matter?

The Honourable Sir James Grigg: I think it is a hypothetical question.

Mr. S. Satyamurti: What was the practical difficulty in the way of Government waiting for the verdict of the House and not anticipating their decision and announcing it?

The Honourable Sir James Grigg: I have already answered that.

Sir Muhammad Yakub: May I know if Government will restore the cuts on educational institutions which are as important as the salaries of Government servants?

The Honourable Sir James Grigg: They may be quite important, but the pledge to which I have referred relating to salaries of Government servants is quite categorical.

Sir Muhammad Yakub: Are Government aware that the provinces have also imposed cuts on their grants to educational institutions, and it would be very desirable for the provinces to know whether the Government of India propose to restore the cuts on educational institutions or not, and, in view of the recent announcement of His Excellency the Viceroy that the educational policy of the Government of India will soon be revised, does not the Honourable Member consider that it is as solemn a pledge on the part of Government to restore grants on educational institutions as it is to remove cuts on salaries of Government servants?

The Honourable Sir James Grigg: Education generally is a provincial subject, but I suspect that my Honourable friend is referring to a certain educational institution in which he is particularly interested.

Pandit Govind Ballabh Pant: Will the Honourable the Finance Member be pleased to state what would be the additional expenditure as a result of the withdrawal of this cut?

The Honourable Sir James Grigg: I can give the figures approximately. Taking the civil and defence budgets as a whole—92 lakhs net, after allowing for extra recoveries from income-tax. For the Railway Budget, I think the figures are about the same, but on that my Honourable friend, the Commerce Member, knows better than I do.

Pandit Govind Ballabh Pant: Is it a fact that certain cuts in grants to various educational institutions were made on account of financial stringency?

The Honourable Sir James Grigg: I am afraid, Sir, that is so.

Pandit Govind Ballabh Pant: Can we reasonably infer from this attitude of the Government that those grants are going to be restored?

The Honourable Sir James Grigg: I am afraid the Honourable Member must not infer anything more than what I have said.

Pandit Govind Ballabh Pant: Is it a fact that the taxable minimum for income-tax purposes was lowered on account of financial stringency?

The Honourable Sir James Grigg: That is so.

Pandit Govind Ballabh Pant: Do Government contemplate to raise it now?

The Honourable Sir James Grigg: I would ask the Honourable Member to wait till the 28th February for an answer to that.

MOTIONS FOR ADJOURNMENT.

CONDUCT OF THE HONOURABLE THE PRESIDENT IN CONDUCTING THE DEBATE DURING THE DISCUSSIONS OF THE JOINT PARLIAMENTARY COMMITTEE REPORT.

Mr. President (The Honourable Sir Abdur Rahim): I have received a notice of motion for adjournment from Sir Muhammad Yakub for the purpose of discussing a definite matter of urgent public importance as follows:

"The conduct of the Honourable the President of the Legislative Assembly in conducting the debate during the discussion of the Joint Parliamentary Committee Report."

The Chair would like the Honourable Member, first of all, to satisfy it whether the conduct of the President of the Legislative Assembly can be called into question by this procedure (Hear, hear from the Congress Party Benches), that is, by the procedure of a motion for adjournment of the House or whether there is any other procedure open to the House to achieve that purpose.

Sir Muhammad Yakub (Rohilkund and Kumaon Divisions: Muhammadan Rural): Sir, I assure you that it is extremely painful to me to table a motion of this nature. As regards the validity of my motion, I would respectfully submit that it has been pointed out more than once that this House is governed by a particular set of rules and regulations which are laid down for its guidance. It is true that as regards certain questions on which our rules and regulations are silent, we are guided by the practice which prevails in the British Parliament. But so long as there is a provision made in our Rules and Standing Orders, this House is bound by that provision and not by parliamentary practice or procedure. Paragraph 48 of the Manual of Business and Procedure, at page 16, says:

"A motion for an adjournment of the business of the Assembly for the purpose of discussing a definite matter of urgent public importance may be made with the consent of the President."

Two or three conditions are laid down in this paragraph for moving an adjournment of the House. The first condition is that the matter to be discussed must be a definite matter. There can be no doubt that the matter which I have raised in my motion is a definite matter.

Mr. Ram Narayan Singh (Chota Nagpur Division: Non-Muhammadan): On a point of order, Sir. . . .

Mr. President (The Honourable Sir Abdur Rahim): There can be no point of order while the Honourable Member is speaking on a point of order.

Sir Muhammad Yakub: The next condition is that the matter must be a matter of urgent public importance. It is evident that the conduct of the President in conducting the proceedings of this House is an urgent matter and a matter of public importance. There is nothing in this section which excludes the conduct of the Honourable the President from.

[Sir Muhammad Yakub.]

the category of definite or urgent public matter. There is no other provision in this Manual to guide in what manner Honourable Members could lodge their protest against the conduct of the President. Of course, I know that under the parliamentary procedure a vote of no-confidence or a vote of censure on the Chair can be moved, but resort to that procedure can only be had if we have no provision directly in our own Constitution. As I have said, paragraph 43 of the Manual is so wide that it can cover all public matters which are of importance and of an urgent nature. It may be said that motions for adjournment convey a censure on the Government and that Government are not responsible for the conduct of the Honourable the President of this House. But I would submit that the notion that a motion for adjournment of the House is a vote of censure is not correct in this country. If a motion for adjournment really meant a censure, as it means in the House of Commons, then the Government of India ought to have been obliged to resign as soon as the vote was passed. But it is not so. We have an irremovable Government, and, therefore, a motion for adjournment is not a censure on the conduct of the Government. In this House a motion for adjournment is simply a means of lodging the protest of the House, it simply provides an opportunity to Honourable Members of this House to discuss public matters of urgency, as regards which Resolutions would not do owing to the procedure of the ballot being followed. I would, therefore, submit that we should not follow the procedure of Parliament in this matter, and that my motion comes within the purview of paragraph 43 of the Manual and I should be permitted to move it.

Mr. President (The Honourable Sir Abdur Rahim): The Chair wants to be clear about the Honourable Member's position. Does the Honourable Member contend that the parliamentary procedure should not be followed, that is to say, that a motion for adjournment is a proper method for rectifying anything that has been done or for censuring the President of the Assembly? Is the adjournment motion the proper remedy, or is there not another remedy, such as is provided under the parliamentary procedure, of tabling a motion of no-confidence?

Sir Muhammad Yakub: Yes, there is another remedy, that is, tabling a motion for censure, as is provided for by the parliamentary practice. But, I submit most respectfully that that is an extreme step, resort to which should not be had on an occasion which does not require such an extreme step to be taken. I do not consider it necessary, and I would not be justified, in taking the extreme step against the conduct of the President at the first instance (Ironical Laughter from Opposition Benches), but if and when an opportunity occurs, then, I think, the Honourable Members of this House will not be found wanting in courage to resort to the extreme measure provided by the parliamentary practice. But, as I submitted, this is one way, and it comes under the provisions of paragraph 43 of the Manual, and I, therefore, claim that my motion is in order.

Dr. F. M. DeSouza (Nominated Non-Official): I would suggest that you must first put the question whether the Honourable Member has twenty-five Members to support him.

Mr. President (The Honourable Sir Abdur Rahim): That does not arise now.

Sir Muhammad Yakub: The Honourable Member must know the procedure of the House.

Mr. Ram Narayan Singh: May I know, Sir, whether you can decide allegations against yourself? (Laughter.)

Mr. President (The Honourable Sir Abdur Rahim): Honourable Members can certainly decide allegations against the Chair.

On this particular matter, so far as I am personally concerned, I should have liked that the motion should be moved, but the point whether this motion for adjournment is a proper procedure for considering the conduct of the President is one of considerable importance, and any ruling that I might give on this occasion may form a precedent for future use. The Chair, therefore, has to consider whether the motion for adjournment is in order having regard to the subject-matter of that motion. It may be suggested that the Rules and Standing Orders which govern the procedure of this House are self-contained and exhaustive. . . .

Sir Muhammad Yakub: No, I have never suggested that.

Mr. President (The Honourable Sir Abdur Rahim): . . . and that, so far as this matter goes, we ought to take our guidance from those Rules and Standing Orders. But it is a well-known fact that this Assembly often has to have recourse to parliamentary practice in order to ascertain what is the proper procedure to be followed in any particular case on which the Rules and Standing Orders are silent. As the Chair read rule 11 and rule 12 of the Indian Legislative Rules, they do not lay down anything which shows that a matter of this sort may be brought up before the House by means of an adjournment motion. Rules 11 and 12, for instance, are practically copied from the Standing Order of the House of Commons, and yet it has been ruled that, in order to enable the House of Commons to consider the conduct of the Speaker, it is necessary that a substantive motion must be brought to which an amendment can be moved or on which a distinct vote can be obtained. The Chair will refer to May's Parliamentary Practice, page 249, where it is laid down:

"Matters arising out of the debates of the same session, or the terms of a bill before the House of Lords, matters of privilege or order, or matters debatable only upon a substantive motion, cannot be submitted to the house under this standing order, and as on other motions for the adjournment of the House matters involving legislation cannot be discussed."

Then, on page 271, this is what is laid down:

"Certain matters cannot be debated, save upon a substantive motion which can be dealt with by amendment or by the distinct vote of the House. Among these may be mentioned the conduct of the sovereign, the heir to the throne, the Viceroy and Governor General of India, the Lord-Lieutenant of Ireland, the Governor General of the Dominions, the Lord Chancellor, the Speaker, the Chairman of Ways and Means, members of either House of Parliament and Judges of the Superior Courts of the United Kingdom, including persons holding the position of a Judge, such as a Judge in a Court of Bankruptcy and of a County Court. These matters cannot, therefore, be questioned by way of amendment, or upon a motion for adjournment under Standing Order No. 10. For the same reason, no charge of a personal character can be raised, save upon a direct and substantive motion to that effect."

[Mr. President.]

Here, for instance, if the conduct of the Viceroy and Governor General was sought to be questioned it is clear that this could not be done by an adjournment motion, though no such matter is mentioned in Rule 12, and Rule 11 is couched in absolutely general terms. Similarly, if a question is raised about the conduct of a Judge of a High Court—though the Chair is not prepared at present to give any ruling on that point—it appears to the Chair that the parliamentary practice, as enunciated in the passage the Chair has cited, would be also applicable to a case like that. The reasons why the conduct of the President of the House who occupies a position similar to that of the Speaker of the House of Commons cannot be called in question by means of a motion for adjournment of the business of the House are obvious, and the Chair need not dwell upon them. Therefore, the Chair holds, following the parliamentary practice of the House of Commons, that this motion is not in order.

At the same time, the Honourable Member who wishes the House to consider the conduct of the President has a remedy open to him, that is, to move a motion of no-confidence. The Chair understands that the position the Honourable Member takes up is that a motion for adjournment need not necessarily be a vote of censure upon anybody, but, as the House is aware, these motions for adjournment generally do imply a vote of censure upon the Governor General in Council, though the Chair is not prepared to say that that is necessarily and in all cases the significance of such a motion. But, anyway, there can be no doubt that if the conduct of the Chair is to be debated in this House with reference to any proceedings, then, in that case, the only proper way of doing it is by means of a substantive motion to which, for instance, an amendment can be moved and on which a distinct vote can be taken. As regards a motion for adjournment, no amendment can be moved, and the Chair, therefore, holds that if the Honourable Member wishes to ask the House to pass a vote of censure on the President because of the way he conducted the proceedings relating to the Joint Parliamentary Committee Report or if the Honourable Member wants the House to consider, without implying any censure on the occupant of the Chair, whether the procedure followed by the Chair and the way it conducted the proceedings in that matter was according to the Rules and Standing Orders or was in any way irregular, then the Chair thinks that this can be done either by a motion of no-confidence or some other appropriate procedure, but not as the Chair has already said, by a motion for adjournment of the business of the House. (Applause.)

DECISION OF THE GOVERNMENT OF INDIA TO DISREGARD THE VERDICT OF THE ASSEMBLY ON THE INDO-BRITISH TRADE AGREEMENT.

Mr. President (The Honourable Sir Abdur Rahim): There is another motion for adjournment of which notice has been given by Mr. Gauba that he intends to ask for leave to move the adjournment of the House for the purpose of discussing a definite matter of urgent public importance as follows:

"The decision of the Government of India to disregard the verdict of the Assembly on the Indo-British Trade Pact."

The Honourable Sir Nripendra Sircar (Leader of the House): I desire to raise a point of order.....

Some Honourable Members: The motion has not been moved.

Mr. K. L. Gauba (East Central Punjab: Muhammadan): Sir, I beg leave to move the motion which you have just read out.....

An Honourable Member: No, no, it will be moved at four—not just now.

Mr. President (The Honourable Sir Abdur Rahim): Order, order. I understand that the Honourable the Leader of the House wishes to make a point of order.

The Honourable Sir Nripendra Sircar (Leader of the House): Yes, Sir. We take objection under rule 12 of the Legislative Assembly Rules, which, Sir, you will find at page 85.

An Honourable Member: We cannot hear you.

The Honourable Sir Nripendra Sircar: If the motion is debated, as it should be, with reference to its wording on the particular issue of Government having disregarded the vote of the Assembly on the Trade Agreement, then the merits of the Agreement cannot be left out of the discussion, because the conduct of the Government will be an issue, and Government will have to justify their conduct with reference to the Trade Agreement, that is to say, the merits of the Trade Agreement are inevitably concerned in this discussion. I would draw your particular attention to one sub-paragraph of rule 12:

“(iii) the motion must not revive discussion on a matter which has been discussed in the same Session;”

The motion, therefore, I submit to you, Sir, is barred on the ground of rule 12 (iii) of the Legislative Rules.

The other argument which I advance is this. The discussion must be confined to the action of the Governor General in Council in not having obeyed the decision of this House. Constitutionally, as the position now is, the executive is irresponsible to the Legislature and is not bound constitutionally to carry out any Resolutions passed in this House, just as, under the present Constitution, the Opposition has not and cannot have responsibility in the matter of administration. It is not permissible, Sir, to move an adjournment motion on a general constitutional position, because such a matter is not a definite matter of urgent public importance, being a general issue, and what has existed for fourteen years is not urgent. Moreover, it is not a specific matter of recent occurrence—a matter which has been before the public ever since the Act of 1919 came into operation. Briefly, therefore, to summarise, whatever line the opener may take, Government must be permitted to defend its line of conduct. Government cannot defend its line of conduct without reference to the merits of the Trade Agreement. Therefore, it is inevitable that the Trade Agreement should be the main subject of the discussion, and the last thing to which I draw your attention is from a passage which you were pleased to read today—not that on page 271 which deals with the Governor General, but from a passage on page 249:

“Matters arising out of the debates of the same Session, or the terms of a Bill before the House of Lords, matters of privilege or order, or matters debatable only upon a substantive motion cannot be submitted to the House under this Standing Order.”

[Sir Nripendra Sircar.]

I rely, Sir, on the first six or seven words of that passage. If it were not so, an adjournment can be repeated without limit.

Mr. President (The Honourable Sir Abdur Rahim): That is, "matters arising out of the debates of the same Session"?

The Honourable Sir Nripendra Sircar: Yes, Sir. That is all I have got to say.

Mr. S. Satyamurti (Madras City: Non-Muhammadan Urban): Sir, I submit that the motion is in order. The first objection of the Honourable the Leader of the House is that the motion is barred by rule 12 (iii). That rule 12 (iii) simply says that a matter must not revive discussion on a matter which has been discussed in the same Session. My submission to you is that the object of the Honourable the Mover of the adjournment motion today is not to discuss the terms or the desirability or otherwise of the Indo-British Trade Pact, but merely the action of the Government of India, in not accepting the verdict of the House. I presume, Sir, that, apart from the terms of the Agreement, it is possible for the Government to either accept or reject this verdict of the House, on its own merits. They must have considered the matter, and they must have some reasons. What the motion seeks to raise, Mr. President, is the action of the Governor General in Council, and we want an opportunity, Sir, for this House to express its opinion as to whether the Government were well-advised or ill-advised in ignoring the verdict of the House. The second objection of the Honourable the Leader of the House is that, constituted as we are, it is not possible for this House to compel them to accept this verdict, and, therefore, their conduct cannot be debated upon. On that matter, I invite your attention, Sir, to rule 12 (v), that is to say:

"(v) the motion must not deal with a matter on which a Resolution could not be moved."

That is a prohibition, Sir. You know all Resolutions are only recommendations to the Governor General in Council; no Resolution is binding upon them; they are all recommendations. Similarly, I submit that the limitation urged on the ground that the Government is irresponsible, and, therefore, cannot accept this verdict holds no water, because what this motion seeks to raise is that the Government had the option either to accept or to reject the verdict of the House; if they chose to reject it, and we want to censure the Government for their rejecting it. If, as a matter of fact, Mr. President, a motion of this House is binding on the Government, then no question at all can arise as to whether the Government were right or were wrong. It is because the Government are irresponsible that we are here to censure them, whenever we have good cause for doing so, on the ground that they are not accepting the verdict of the House. The third point was that this was not a specific matter of recent occurrence, and, therefore, could not be raised in the form of this motion. I submit that the matter is specific, that the matter is recent, and that the matter is urgent. This House gave its verdict only the other day. After that verdict was given, the Government of India did not come before this House, but the Secretary of State told the House of Commons that the Government of India had made up their

minds not to accept the verdict of the House, and, therefore, the Pact stands. Therefore, this motion rests on the vote of the House and its rejection by the Government of India. I submit, Sir, none of the three grounds urged by the Honourable the Leader of the House is sound, and that the motion merely wants to discuss the action of the Government of India in ignoring the verdict of the House,—on the ground that all Resolutions are recommendations, and this motion can be moved, putting it positively, on all matters on which Resolutions can be moved, and that it covers a matter of specific, recent occurrence; therefore, this motion is in order.

The Honourable Sir Henry Oak (Home Member): May I point out, Sir, that if the contentions of my Honourable friend opposite are accepted, the process of moving such motions for adjournment would be interminable. The House, first of all, passes a Resolution instructing or desiring the Government to take a certain action. The Government do not take the action, and, therefore, a motion for adjournment censuring the Government for not taking that action is moved. Government still refuse to take such action. Can a Member again move a motion for adjournment in respect of the Government's not taking such action? Supposing a Member is allowed to move a third motion, and then the Government still refuse to take such action, can a fourth motion for adjournment still be moved? Sir, if this motion is accepted, I submit that the process could go on interminably and could be repeated every day in the Session.

Mr. President (The Honourable Sir Abdur Rahim): Does the Honourable Member, Mr. Gauba, wish to say anything on the point of order raised?

Mr. K. L. Gauba Mr. President, my Honourable friend, Mr. Satyamurti, has explained the question very clearly and lucidly before the House. As regards the point that the Honourable the Leader of the House has brought forward that we should, by this motion, again be considering the Indo-British Trade Agreement, I have to say that, we have considered it, we have arrived at a decision and the Government of India have over-ridden that decision. It is, therefore, certainly open to us now to approve of their conduct or disapprove of it in over-riding our decision. My motion does not intend to go over the arguments in favour of or against the Indo-British Trade Pact at all. The motion is merely and definitely to censure the Government of India for their conduct in disregarding the clear and definite opinion of this House.

Mr. President (The Honourable Sir Abdur Rahim): The question raised is whether this motion for adjournment is in order. It has been argued that it is not in order on more than one ground, namely, that it is not a specific matter, that it does not relate to a recent occurrence, and raises a matter of general constitutional position, and that the motion, if accepted, would revive discussion on a matter which has been already discussed in this Session. The Chair has no doubt whatever that, as the constitutional position is, a motion for adjournment brought under the circumstances in which the present motion has been brought is not in

[Mr. President.]

order. The House has already had the opportunity of discussing the question of this Agreement between India and Britain and has already passed its opinion by means of a Resolution. This motion would be a vote of censure on the Government for entering into the Agreement. The question of the Trade Agreement is substantially a matter which is involved in this motion also, namely, whether the Government of India were right in entering into this Trade Agreement. The Government's action has already been criticised for entering into this Agreement, and what has happened since then, according to the notice of this motion, is that it has been declared by the Secretary of State that the Government are not going to modify their attitude with respect to this Agreement. The Resolution that has been already adopted is a mere recommendation and does not bind the Government. If a motion for adjournment like this were to be allowed, it would be quite correct to say, as has been said, that the process of censuring the Government under the present Constitution would really be interminable. Therefore, as the Constitution stands, the Chair does not think it is contemplated by Rule 11 that such a motion should be discussed or considered by the House. The Chair rules that the motion for adjournment is not in order.

COMMITTEE ON PETITIONS.

Mr. President (The Honourable Sir Abdur Rahim): I have to announce that under Standing Order 80(1) of the Legislative Assembly Standing Orders, the following Honourable Members will form the Committee on Petitions:

- (1) Mr. S. Satyamurti,
- (2) Dr. Ziauddin Ahmad,
- (3) Raja Sir Vasudeva Rajah, and
- (4) Mr. N. M. Joshi.

According to the provision of the same Standing Order, the Deputy President will be the Chairman of the Committee.

RESOLUTION RE PREVENTION OF IMPORTATION OF FOREIGN RICE.

Mr. President (The Honourable Sir Abdur Rahim): The House will now proceed with the further discussion of the following Resolution moved by Mr. Satya Narayan Sinha on the 5th February, 1935:

"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."

The Chair thought that the Honourable Member (Mr. Satya Narayan Sinha) had concluded his speech.

Mr. Satya Narayan Sinha (Darbhanga cum Saran: Non-Muhammadan): No, Sir, but I do not propose to take much time of the House. I would, however, like to recapitulate briefly what I said last over this motion. I tried to show you, Sir, from figures which I quoted, that rice is the most important agricultural product of this country. I had also put before you, Sir, the figures of the rice exporting countries of the world and made it perfectly clear from them how, on the one hand, our export trade had gone down, and, on the other, Siam and Indo-China had increased their exports. I admit, Sir, the internal price level has been reached all over the world and the general level of price prevails where rice is consumed. But the additional factor which has intensified and aggravated the situation in our country is the importation, or I would rather call dumping, of foreign rice especially from Siam and Indo-China.

I would like to place before you, Sir, the total import of rice in tons and their values in rupees from Siam into India. In the calendar year of 1932, the quantity of rice was 30,506 tons worth Rs. 28,79,666, in the year 1933, it was 34,419 tons, in money value Rs. 27,73,046, but, in the year 1934, it went up to 2,85,415 tons, in money value Rs. 1,76,25,124. You will agree with me, Sir, that the rise is very abnormal. It is practically seven times more than the figures of the preceding year. Besides this, I know, Sir, that Siam practically imports broken rice and consequently competes very unfairly with our whole rice in the market. I presume, Sir, this is the only poor and unfortunate country where Siam finds a market for her broken rice, and consequently, competes very unfairly with our rice markets. By the by, I would like to tell you also, Sir, that wheat, which is not so important an agricultural product of this country as rice, is being protected by import duty. I want to make my position perfectly clear, Sir, that I do not grudge the protection given to wheat, but all that I want to say is that if wheat is being protected, there is no reason why similar protection should not be extended to rice also. I know that India proper does not produce as much rice as she consumes, and some Honourable Member, on behalf of the Government, might add to it that on account of famine prevailing in certain parts of the country due to the failure of crops brought about by drought or floods, it is necessary for Government to import rice from foreign countries. To that contention, I may submit, Sir, that we are already importing rice from Burma, and, if need be, we shall do the same from there. There is enough of exportable surplus of rice, in the said province, and we need not fear the dearth of rice if Siam and other foreign countries are stopped throwing their rice on our market and thus depress the price further.

I would, in the end, Sir, in the name of the toiling millions of poor agriculturists of our country, whose economical condition is perhaps the worst on the globe, appeal to this House, through you, to pass this Resolution, and I hope, after this House passes this Resolution, the Government of India will respect the opinion of the representatives of the people and will not behave in the same irresponsible manner as they have done recently with regard to certain motions passed by this House.

With these words, Sir, I commend this Resolution for the acceptance of the House.

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

"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."

Prof. N. G. Ranga (Guntur cum Nellore: Non-Muhammadian Rural): Sir, with your leave, I would like to make a slight amendment to the amendment as it stands on the order paper.

Mr. President (The Honourable Sir Abdur Rahim): Does the Honourable Member want to omit any portion?

Prof. N. G. Ranga: Yes, Sir.

Mr. President (The Honourable Sir Abdur Rahim): Then the Honourable Member must move the amendment and obtain leave of the House to omit what he wants from the amendment.

Prof. N. G. Ranga: Sir, I move:

"That for the original Resolution, the following be substituted:

"That this Assembly recommends to the Governor General in Council to take immediate and necessary steps, fiscal and other, to prevent or to control the importation and dumping of foreign rice and paddy."

I want to omit the words "and dumping" from the above amendment, so that my amendment would read, after the deletion of the words proposed:

"That for the original Resolution, the following be substituted:

"That this Assembly recommends to the Governor General in Council to take immediate and necessary steps, fiscal and other, to prevent or to control the importation of foreign rice and paddy."

Mr. President (The Honourable Sir Abdur Rahim): Has the Honourable Member the leave of the House for the omission of the words "and dumping"?

(Leave was granted by the House.)

Prof. N. G. Ranga: Then, Sir, I move:

"That for the original Resolution, the following be substituted:

"That this Assembly recommends to the Governor General in Council to take immediate and necessary steps, fiscal and other, to prevent or to control the importation of foreign rice and paddy."

Sir, in moving this amendment, I should like to state that the importation of rice and paddy from foreign countries has begun to loom large in our importation figures four years ago. Before 1929-30, the imports were not considerable. In 1929-30, the imports from Siam and Indo-China began to come and, as my Honourable friend, Mr. Sinha, has already pointed out, in the last year especially the imports have become phenomenal and they have increased six fold. The imports have been going on like this and the Government of India have not so far tried to do anything at all to prevent these imports. I submit that though it is usually claimed that India by herself is not self-sufficing in her need for

paddy, there is Burma, and Burma rice imports into this country have been on the increase in the last ten or 15 years. Even in India, the total production of paddy has been on the increase for the last 40 years. In the quinquennium 1895-1896 to 1899-1900, the average total yield was 21 million 466 thousand tons, whereas, in 1932-1933, the total production has come to be 31 million tons. So there has been an increase of nearly more than 9½ million tons in the last 35 years, and, I submit, the increase in the production of paddy and rice in this country has been really very much more than the corresponding increase in the population or the corresponding increase in the demand for paddy. In addition to that, there is Burma. In Burma, again, the production has increased in the last ten years. In 1923-24, while it was four million, 167 thousand tons it has come up to four million, 980 thousand tons in 1932-33. Again, the imports from Burma have been increasing from year to year, and, in 1933-34, it has increased by 30 per cent, and, today, as far as the Madras Presidency is concerned, where you have Siamese and Indo-China imports, the position is very bad and the imports from these places have badly affected the local markets and the total supply has increased by 50 per cent. in the last four or five years. Under these circumstances, nobody can really claim that India could possibly suffer either now or in the near future from any shortage of supply either because there is a failure of rains in certain portions or there is a famine in certain other parts of India. Secondly, India and Burma, taken together, have for a long time been exporting countries as far as rice is concerned.

In the last four or five years, India and Burma have become specially the dumping ground for foreign rice, not because of lack of supply in this country, but because foreign rice has become very cheap even in this market. In this connection, I wish to quote for the consideration of the House some of the remarks made in the *Trade Review* about Siamese imports:

"This position of increased imports into India concurrently with a record harvest in Burma appears at first sight unusual; but to some extent it can be explained by the fact that the declining prices gave an inducement to foreign growers to get rid of their stock as quickly as possible."

It is in this fashion that Siamese rice has been imported into this country at very much less than the cost price either in that country or very much lower price than the price which is expected to leave a decent margin of profit—at least to cover the cost of production of rice for our rice growers. While this dumping has been going on, the Government of India have not tried to do anything. There was a discussion in the Legislative Assembly in 1934, and some Honourable Members then raised this question and requested the Government of India to take some action, and, it was in that connection that Mr. Bajpai, the Member in charge of the subject, made certain promises which have not been, as usual, fulfilled till now. He said:

"The position is fundamentally different in regard to rice."

—At that time he was talking in relation to wheat,—

"Inasmuch as we are not an importing country, but including Burma, an exporting country. We have made representations even on that subject to the powers who are our competitors, and I hope that before the end of the Session."

[Prof. N. G. Ranga.]

—that was in 1934,—

"I may be in a position to inform Honourable Members as to what measure of success these representations have achieved. At least we shall leave no stone unturned to get these negotiations concluded as rapidly as possible."

As always happens with this Government, nothing has so far been done and this promise, that was held out, that definite information would be placed before the end of that Session before Honourable Members, was not fulfilled. No information was placed before that House and no information has been placed before this House now; and in reply to my question whether the Government of India would be willing to place on the table the correspondence between themselves and the foreign Governments and between themselves and the Madras Government, the Education Secretary replied the other day that the information would not be placed on the table in view of some political conditions, and so on. So that promised information has not been placed on the table, and we do not know anything about this. Anyhow, we know this that so far as Siam and Indo-China are concerned, our exports into those countries are not very considerable; and although, therefore, we have a sort of favourable balance in regard to those two countries, the last two years' balance has been very much adverse and has been very much against us because of the phenomenal dumping of rice into this country from Siam and Indo-China.

Again, the Honourable Member cannot possibly plead that retaliatory measures may have to be feared from these two countries, because our exports to these two countries consist mostly of opium and jute, for which I think we have a practical monopoly. We may not be very proud of our monopoly for opium, but at least we can be proud of our monopoly in jute. And when we are mainly supplying only these two things and we have been having a favourable balance of trade, I do not think it is open to any Honourable Member of this House, and least of all to the Honourable Member of Government, who is in charge of this subject, to argue that we cannot think of taking any step against these imports merely because there might be any retaliatory measures or anything like that.

Then, Sir, coming to the question of outbreak of famine in the South and in other parts of the country, again I must state that it is true that there is famine in six districts of the Madras Presidency. And it is also true that agriculturists in other parts like Gujerat have been affected by the recent frost, and so on. But these visitations of bad seasons have been experienced by our country for a very long time and even in the last three or four years. And yet the prices have been continuously on the decline. While, in the last two or three years, in other countries like America, prices have been pushed up, and the prices of agricultural commodities also have been pushed up by definite steps taken through the Nira by the Government of President Roosevelt, in this country our Government have not done anything at all. There, in America, the prices of agricultural commodities have almost become the same as they were in 1929-30, while, in this country, there is still a fall, and the prices are still falling. When I asked Mr. Bajpai the other day as to whether he was aware of the fact that the prices were falling, he said his information was that the prices were rising. In fact, there was a short period of one week or five days during which the prices were rising and there seemed

to be some sort of indication that prices might rise. But, in fact, the prices are still falling. Even when the prices did rise, that price-level was about 40 per cent. less than the price level of 1929-30. And it is very much lower than the prices we had in 1913-14.

Even the idea that if the prices are raised, the consumers will be badly affected, cannot be brought before us, because the consumers have been getting the benefit for a number of years now, and specially since 1929-30 they have been enjoying almost a bounty from agriculturists, because the agriculturists have been producing paddy at prices which would not cover even their ordinary day to day cultivation expenses, not to speak of enabling them to pay the *kist* and the overhead charges for cultivation.

Lastly, it may be mentioned here that the increasing exports of gold are, after all, drawn from the peasants who are otherwise unable to pay their *kist* and their cultivation expenses, who are unable to make both ends meet because of the fall in prices. Government did nothing to stop this fall in prices. People have been asking for prohibitive duties on these imports from Siam and Indo-China and the Madras Government are reported to have communicated to the Government of India several times in an importunate fashion, and yet the Government of India have not given any timely, helpful and resourceful reply to the Madras Government. Nor was any assurance of assistance given to the peasants themselves. Exports of gold have been increasing, and, in the last three weeks alone, that is, in January, which is the very first month in which land revenue collections are made all over India, at least in the major portion of India, the exports of gold have increased by four crores and 87 lakhs. I wish to know from where all this gold is coming. I suggest it is all coming from the peasants concerned and that it is due to the necessity which the peasants have of paying their *kists* to Government.

Next, Sir, while Government are not doing anything at all to help the peasants, they have not been idle in raising higher and higher the burden of taxation. I need not refer to any other tax, but if we take the land assessment alone, apart from the cesses, about which Government may say that these taxes are paid to the district and local boards and that they cannot be held responsible, it has risen in the last 20 years. In 1912-13, their collections under land assessment were 32 crores and 57 lakhs, while, in 1930,

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up and he must conclude now.

Prof. N. G. Ranga: In 1931-32, 37 crores and 90 lakhs were collected by this Government; that is, five crores more per annum was being collected by the Government of India in the last 20 years.

My last prayer before this House and before Government is that the Madras paddy growers have under paddy one-third of the total cultivated area in that Presidency, and their area is little more than 1/8th of the total area under paddy. These people have really a claim upon Government as well as this House for sympathetic consideration and for support, because they have been putting up with untold sufferings and have not been helped so far.

Mr. President: The Honourable Member has already exceeded his time limit and the Chair can give no more time. Amendment moved:

"That for the original Resolution, the following be substituted:

"That this Assembly recommends to the Governor General in Council to take immediate and necessary steps, fiscal and other, to prevent or to control the importation of foreign rice and paddy."

(Mr. M. Ananthasayanam Ayyangar rose in his seat.)

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member does not wish to move his amendment?

Mr. M. Ananthasayanam Ayyangar (Madras ceded Districts and Chittoor: Non-Muhammadian Rural): I do not want to move this amendment and tie down the hands of the Government

Mr. President (The Honourable Sir Abdur Rahim): The Chair does not want the reason.

Mr. M. Ananthasayanam Ayyangar: I wish to speak on the Resolution

Mr. G. S. Bajpai (Secretary, Department of Education, Health and Lands): On a point of order, Sir. I think the amendment of Sardar Mangal Singh is not in order. Paragraph 186 of the Manual says that a Resolution shall be precisely expressed and shall raise substantially one definite issue. The Resolution raises one definite issue, and, that is, the importation of rice. Sardar Mangal Singh, on the other hand, wants to raise the issue of the importation of wheat. I submit that the two really are not connected. What is at issue is the importation of rice and not the general attitude of Government towards the imports of all commodities.

Mr. President (The Honourable Sir Abdur Rahim): Does the Honourable Member want to say anything on the point of order raised? There can be no doubt that this amendment is out of order as it seeks to widen the scope of the Resolution. The Chair, therefore, rules that it is out of order.

The discussion will go on now on the Resolution and the amendment moved.

Mr. Muhammad Ashar Ali (Lucknow and Fyzabad Divisions: Muhammadian Rural): Sir, the amendment before the House relates only to one aspect, dumping; otherwise the original motion covers all the points that have to be considered under this Resolution. This is not the first time that we are discussing the question of rice in this House and of commodities connected with rice: we have been passing Resolutions after Resolutions, and yet the Government are absolutely callous to all our motions and Resolutions. This motion concerns mainly the agriculturists of India. This callousness of the Government amounts almost to a crime. This question of importation relates to the trade in rice and is a question with which traders, in and out of India, are concerned; and I must say that the Government always have great regard for the interests of traders and they always look to their interest. The people of India are suffering and

everything has gone down in price and there is suffering all round, and still the Government pay no attention to the condition of our agriculturists. My friends on the other side have given figures to show that the cultivators are suffering, that the traders are making money right and left. The foreign traders, who are dumping rice into this country, do so only in their own interests. We in India grow enough rice: we grow enough paddy, and, therefore, there is absolutely no reason why the Government should allow this process to go on without doing anything. If a prohibitive duty is not placed, then the agriculturists in India will suffer most. The agriculturists are said to be innocent silent people who have very little representation in the Councils or Legislatures: the landlords realise their rents, but do not care much for their tenants. I say, the Government have turned a deaf ear all these days to the position of the rice cultivators in this country. There is not much to be said on this subject. The figures of imports are there, not only from European countries, but also from Asiatic countries

An Honourable Member: No European country imports rice into India.

Mr. Muhammad Ashar Ali: By European countries I mean foreign countries. Therefore, this condition of affairs cannot be allowed in any case by the Indian peasants, and I would warn the Government that, if this goes on, it will be giving a handle to the cultivators in this country to rise or approach the Government just as we find they did in the State of Baroda—people and peasants rushing to the centre of the Government and asking for relief. If the Government want that such should be the conditions in British India too, they can go on with their present policy of protecting the interests of trade only, and not caring for the interests of the Indian cultivators. I have nothing more to say.

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

[The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.]

Mr. President (The Honourable Sir Abdur Bahim): The discussion on the Resolution will continue.

Mr. T. S. Avinashilingam Chettiar (Salem and Coimbatore *cum* North Arcot: Non-Muhammadian Rural): Mr. President, I thank you in the first place for giving me an opportunity to speak on the rice question, which is a very important question, so far as the Madras Presidency is concerned. The House is probably aware that many of the districts of the Madras Presidency are rice-growing districts, especially the districts which my friend, Dr. Rajan, represents, namely, Tanjore and Trichinopoly, and particularly the Tanjore district grows mostly rice. As far as the other districts are concerned, they also grow rice to a very large extent, and the House, will therefore, be able to appreciate how highly important this question is, especially to those who come from Southern India. The immediate effect of the dumping of rice from Siam and Indo-China is that the price of rice has gone down very low, it is about one-third or one-fourth of what it was before. Perhaps some Honourable Members may wonder how the imports of rice during recent years have affected the price of rice so much, but our inquiries show that the price of rice has gone down so

[Mr. T. S. Avinashilingam Chettiar.]

low that the agriculturist is not able to sell all his produce. It is all kept in the store. Even the rice which was harvested last year is lying in the godowns and has not yet been sold. I may point out to the Government that it is not merely a question of lowering the price of rice and thus diminishing the purchasing power of the agriculturist, but it is a question which needs the most urgent and anxious consideration of all concerned, namely, how much rice is being kept unsold in the godowns of agriculturists, because they find no purchasers, as rice is being imported in large quantities from Siam and Indo-China and is sold at very much lower prices. I hear—I do not know how far it is true,—that Siam and Indo-China produce such an amount of rice that they cannot find a market for their produce in their own country, and, therefore, they dump it at any price on this country. In these circumstances, it is but natural that, owing to the economic forces that are at work, the cheapest rice finds a ready sale in this country, and most of the rice that is grown in India remains unsold and unearned for.

Sir, this is not a matter in which the Government can sit quiet any longer. This is a matter which affects the agriculturist very seriously. All these years, ever since the depression set in, the agriculturist has not been able to pay his *kist*, because he has not been able to sell his produce readily at an economic price. He has so far been able to keep himself alive by the sale of gold he had, by the sale of a few ornaments of his wife and children, but in future it will not be possible for them to sell any of their ornaments, because they have none with them now. Matters have now reached a stage when,—I am sure, Government will believe me when I say this,—the agriculturists will vacate their lands, when they will gladly retire from their lands without paying any taxes or *kist*. Sir, it is their love of land that has kept them so long to the land, and not because they are able to carry on cultivation at a profit. The other day, some of us were discussing this question, and when we calculated the profit from land, we discovered that far from making a profit, a distinct loss was being incurred by the agriculturists. The Mirasdars in the Tanjore district possess vast tracts of rice-producing lands, and it is now found that the greater the area of land a man possesses, the greater is the loss he incurs, and the loss these people incur is such that they will not be able to suffer it for a very long time. Government have often said that they have the interests of the agriculturists in their heart. The Honourable the Leader of the House said the other day that ~~the Congress stands for the masses~~, but never moves. Now, I want to know from the Government, with all their sympathy for the agriculturists, what action they propose to take to alleviate the present distress of these poor people? The Honourable the Finance Member said this morning that he had made promises to the Services that the cuts would be restored when the financial position improved. May I ask him, are not the promises to the agriculturists and the masses far more urgent requiring immediate action than the promises to the Services. Sir, the promises that the Government have given to the agriculturists are as old as the Government themselves, and if any relief was due, it was not to the fat salaried Government servants, particularly when the cost of living has gone down, but it was due to the poor agriculturist, because the prices of his produce have gone down so low that it is not at all a remunerative proposition to stick to agriculture. The other day, the Honourable Mr. Bajpai said that the price of paddy had gone up. Am I right?

Mr. G. S. Bajpai: What I said, Sir, was, that according to my information, prices at the end of December, and, even in the beginning of January, were rising. That was what I said.

Mr. T. S. Avinashilingam Chettiar: May I point out to the Government that the way in which they obtain statistics is not correct. Now, I can tell this House something about the way in which these statistics are collected. It is the Tahsildar who is entrusted with getting the prices of agricultural produce. He merely goes to a merchant, asks him a question about the market condition and simply puts down a price without making any proper investigation into the matter, and submits his report to the higher authorities. Things are not properly examined before submitting reports of agricultural produce, but a most casual inquiry is made by the Tahsildars, and their reports are sent up to the Government, and here the Government Members give it out as their information. I would ask the Government to take the market rates into consideration, I would ask them to take the market rate of rice as it is taken in a standard market, and, if that is done, my Honourable friend opposite will be able to see by how much the price of agricultural products in general and of rice in particular has gone down, and that agricultural lands which produce rice are no more an economic proposition.

Sir, let me remind this Honourable House that this rice problem is not new. Just when I was returning from my house, my friend, the Raja of Kollengode, was telling me that this question was discussed threadbare last year, and that a Committee was also appointed to go into the question. I do not know what that Committee has done. The Government had promised to do what they could in the matter, but evidently that promise has gone into the waste paper basket, and I do not know what they propose to do in the matter now. Let me remind my Honourable friends opposite that if they are to do anything for the amelioration of the condition of these poor agriculturists, to force up prices, to prevent the dumping into this country of foreign rice, let them do it now. In their own interest, I say that Government ought to pay immediate attention to this important problem because, if they have to recover *kist* from these agriculturists, then these people ought to be kept well, and unless they are kept in a position to cultivate their lands in a remunerative manner, unless they are able to sell all their produce, all the lands that now grow rice may, in a very short time, be completely neglected and they will become waste lands. With these few words, I support this motion.

Raja Sir Vasudeva Rajah (Madras Landholders): Sir, as one who has given notice of a similar Resolution, I have much pleasure in wholeheartedly supporting the motion before the House. I am glad to find that several other Honourable Members belonging to different Parties have also given notice of the same Resolution, which goes to show that many of them have already realised the importance of the matter that we wish to press for the consideration of this House and of the Government. Being a landholder myself, coming from Madras, a province which is more seriously affected than any other in India, I think, I can speak, with some intimate knowledge, of the conditions prevailing there: and of the acute distress that has been brought about by the importation of foreign rice. This is a menace which has come into being and has assumed a serious magnitude within the last three or four years. It is only since the year 1931-32 that Siam and Indo-China have begun to import rice in large quantities into this country. Till then there was no

[Raja Sir Vasudeva Rajah.]

importation of foreign rice worth the name. For instance, in 1930-31, they imported only, 5,134 tons of foreign rice and paddy from those two countries together. In 1934-35, this quantity increased to 335,000 tons in nine months, that is, about seventy times in three or four years. The reason for this large importation of foreign rice during the last two or three years is due to the fact that both Japan and the Netherlands Indies have prevented rice importation into their countries and rice trade has been diverted to India from those countries.

The report of the Financial Adviser on the budget of the Kingdom of Siam for 1934-35 shows as follows. During 1933-34, restrictions were imposed on the Siamese rice by both Japan and the Netherlands Indies, but the statement declares:

"This loss has, by a happy chance, been more than made good by increased exports to India."

In 1933, Japan and Formosa took 105,150 tons of rice; and, owing to restriction, it has dwindled down to 433 tons in 1934. Similarly, in the Netherlands, it has come down from 38,119 tons in the previous year to 4,989 tons in 1934, while in India it has increased from 9,973 tons in 1933 to 335,000 tons in 1934. It will be seen, therefore, that this enormous increase in the importation of rice has affected the market most seriously and that the price of rice has gone down so much that in many places the cultivation cannot be continued with any reasonable profit and the landholders and all those who depend upon them have been most adversely affected. India is a country where agriculture is the chief industry, and 80 per cent. of the population depend upon it either directly or indirectly. If this industry is allowed to be adversely affected, it will bring about disaster and ruin to a great majority of the population.

The Madras Presidency at present does not grow enough rice to meet all its requirements, though, before long, owing to the Mettur project and other schemes recently inaugurated, we hope to do so. But, even in the worst of seasons the quantity that had to be imported into the Madras Presidency was only somewhere between four and five hundred thousand tons. This was met by the importation of rice from Burma which has always been our source in the past to draw the required quantity of rice from. Burma has been a part of India and it is the natural place from which we could and should obtain our rice to the extent that we want. They grow in Burma enormous quantity of rice and they have to get rid of more than three million tons of paddy which they produce over and above their own requirements. For this they can find a market in India only to the extent of one and a half million tons and they have to go to other markets to sell the remaining quantity. If, however, Burma begins to dump rice on us, even there we may have to fix a quota for their import or impose some other restrictions in future for our own protection. That is a matter which may be taken up along with the scheme of separation of that province from us. But the case is quite different with Siamese and Indo-Chinese importation. They have a kind of broken rice which they must somehow get rid of, and it is imported into this country and sold for whatever price they can get. This has brought about a very serious situation and has begun to tell on the conditions of landholders, tenants and agricultural labourers. This matter has been prominently brought to the notice of the Government of India who, alone

can take effective measures to stop the importation either by completely stopping it or by imposing sufficiently high duty. Not only the Madras representatives including myself have made representations to the Government of India, but the Madras Government also have made very strenuous and urgent representations to relieve the presidency of this menace.

Speaking on this question in the Madras Legislative Council, the Revenue Member said, he was perfectly aware that there was a feeling of great discontent, which he himself shared, with the import of rice from Siam, Indo-China and other places and which had not been stopped:

"This Government had urged in season and out of season and they would urge still on the Government of India the necessity of stopping such an import. He hoped the Government of India would be strongly supported by the Presidency's representatives both in the Legislative Assembly and the Council of State, and between them they might get some specific good results."

The Government of India have so far taken absolutely no steps in this matter and have been wholly responsible for the condition in which the people of the province and the Madras Government have been placed. During the last three years, a remission in the land tax had to be given to the extent of Rs. 60 lakhs a year and it has not touched the fringe of the requirements. This year, again, the Legislative Council has voted for a reduction of 33 1/3 per cent which, if given effect to, will reduce the land revenue by about two crores of rupees. The Madras Government seem to have just issued orders that they cannot accept the Resolution of the Legislative Council for the only reason that it will bring about serious disturbance in their own finance. So, the agriculturists are again left in the lurch. If only the Government of India had taken early and prompt steps to stop this ruinous competition from Siam, Indo-China and other countries, the Madras Government would not have had to forgo their revenue to the extent I have stated. It has made serious inroads into their financial conditions and has benefited nobody in the least. On the other hand, every one in the Madras Presidency feels bitterly against the attitude of the Government of India, and there is a wide discontent, and, I may even say, disaffection prevailing in the country. If the present attitude of the Government of India continues, they will find that very soon they will not have many friends in that province. Already the Government must have noticed—I need not allude to the last election—how little support the country gives to those who are standing by the present Government. The people cannot be blamed for it, because by their attitude the Government have driven them to economic despair. To mention only one single instance,—I can cite many more—land worth Rs. 45,000 in Malabar was sold for Rs. 1,500 for failure in paying assessment. This may sound incredible, but it is a gruesome fact. If immediate steps are not taken, I am sure, there will be trouble in the country for which the Government cannot reasonably blame the people.

During the life of the last Assembly, several Members pressed this matter on the attention of the Government and requested for some relief, but the only reply forthcoming was that the matter was receiving their consideration. The period of consideration has now lasted for over two years and the life of the last Assembly has also ceased. Now, this Assembly has taken the matter up, and, I hope, hereafter at least we shall be vouchsafed a reply more satisfactory than in the past, viz., "The matter is receiving consideration". We are tired of hearing this

[Raja Sir Vasudeva Rajah.]

stereotyped answer and think that even for the Government of India's consideration there must be a limit. If indeed they cannot solve the problem, it is better they say so. The whole country is simply disgusted with their present attitude and evasion.

When a similar question arose with regard to the protection of wheat in the Punjab, the matter was taken up expeditiously, and relief was given. I do not know why a different treatment is given in approaching the rice question. The country is blaming the non-official Members here for the actions or inactions of Government. If we are unable to make you move in this matter, which is one of very great importance, and if you are going to continue your callous attitude, let us know it. In the West Coast we are also threatened with a similar situation by the importation of cocoanut and copra from Ceylon. It is also of grave importance to our Presidency. If Government feel a delicacy in completely stopping the importation of foreign rice and paddy, I would suggest that at least a protective duty of Rs. 1-4-0 per maund of rice and 15 annas on paddy may be levied without further delay.

With these words, I commend the amendment to the acceptance of the House.

Mr. G. S. Bajpai: Mr. President, as has been pointed out by more than one speaker in the course of the debate, this question has come up before the House from time to time since February, 1934, when it was discussed as a side issue at the time that the Wheat Import Duty Extension Bill was under consideration. Government, Sir, are really glad that an opportunity has offered itself this time for an objective and a detailed presentation of what is really an economic problem—a problem which ought not, I submit, be presented in any but a dispassionate light. The Honourable the Mover of the Resolution who comes from Bihar very chivalrously took up the cudgels on behalf of the Southern Presidency. The position, if I may be allowed to put it that way, is that this problem of the imports of foreign rice is exclusively a Madras Presidency problem. It is not a problem which affects the whole of India, because, outside the Presidency of Madras, there are practically no imports of foreign rice.

Mr. Ghansham Singh Gupta (Central Provinces Hindi Divisions: Non-Muhammadian): That affects the prices everywhere.

Mr. G. S. Bajpai: I think if my Honourable friend will let me develop the argument, he will be satisfied as to what it is that affects prices and what it is that does not affect prices. Now, the broad argument which has been used in the course of the debate today is that there has been a catastrophic fall in the price of rice. This fall set in in 1930-31. There has been a steady increase in the imports of foreign rice also from the year 1930-31. Therefore, the import of rice from Siam and French Indo-China—these are the two countries primarily concerned—is largely responsible for the drop in prices. Now, Sir, as I hope to explain to the House, the matter is not quite so simple as all that. I shall mention a few figures. 1929-30 is the year in which the depression began. In 1930-31, rice prices in Madras had fallen by nine per cent.; in 1931-32, they had fallen by 37 per cent.; in 1932-33, they had fallen by 45 per cent.:

in 1933-34 they had fallen by 55 per cent. What exactly was the proportion in these areas of the imports of rice from Siam and French Indo-China to the production of rice in the Presidency of Madras? In 1930-31, the proportion of imports to the production which was 5.25 million tons was less than .1 per cent. In the succeeding year, imports were about 7,500 tons, in other words, .14 per cent of the production for the year which was 5.37 million tons. Next year, the imports were 17,000 tons, proportion one-third of a per cent. In 1933-34, imports were 70 thousand tons, proportion a little over one per cent. of the total production of the Presidency. I submit that, from this detailed presentation of the case, it will be clear that the fall of 55 per cent. in prices could not possibly be due to these imports from Siam and French Indo-China. In fact, as I hope to show the fall was due to exactly the same cause which has brought about the fall of prices for primary commodities all over the world, that is to say, world depression. I will give corroborative evidence

Mr. T. S. Avinashilingam Chettiar: But importation makes it worse.

Mr. G. S. Bajpai: Will my Honourable friend let me pursue the matter? We are at present trying to determine to what extent, if any, prices are affected by these imports. I am trying to show that this abnormal fall in prices could not be primarily or even largely due to the imports of rice from Siam and French Indo-China. I am not contending anything more than that at the present stage. Now, I was going to adduce corroborative evidence in support of my contention, which is that primarily the fall in prices has been due to the same causes which have produced the fall in prices of other agricultural commodities. Take, for example, rice itself. The fall in Burma, which is a considerable producing area, was exactly the same, 55 per cent. Take the United Provinces from which I come. We have exactly the same position. Take cotton, a non-food crop. In the Madras Presidency, in the Punjab and in the Central Provinces, the fall in prices was the same, 55 per cent. Take wheat. In 1930-31, the price had actually fallen by 63 per cent. I can go on multiplying instances, but it does not seem to be necessary, because I think I have said enough to establish my main point, which is that the main cause of the fall in prices of rice is the same as in the case of other agricultural commodities, namely, world depression and not the import of small quantities of rice from French Indo-China and Siam.

Now, Sir, my Honourable friend, Professor Ranga, tried to castigate me this morning for having promised some statement to the Assembly last year, a promise which I did not carry out. The position as regards that is this. Up to the end, as I have said, of April 1933-34, for which I have given figures, there was no special feature in the situation in the Madras Presidency calling for either special or emergent action. All the same, the Government of India were impressed by the increase in the volume of imports, and, therefore, they made representations to the Governments of Siam and French Indo-China in order to see how they viewed the problem from their angle and whether there was any possibility of adjustment by friendly negotiations. What I had said when this matter came up in February was that I would take the House into the confidence of Government if the result of these negotiations became available before the end of the Session. The result did not become available before the

[Mr. G. S. Bajpai.]

end of the Session. One can hardly blame me in the circumstances for not having fulfilled my promise. I was not in a position to fulfil the promise, because I did not have the material. But that is by the way. The fact remains that, after having made these representations, the Government of India said "we must watch the situation and watch it as closely and carefully as we can." They took steps to instruct the Customs authorities to give them fortnightly information as regards the quantities of imports that were coming in from Siam and French Indo-China. The other relevant factor to the problem was the position of prices in the Southern Presidency. The Government of Madras had themselves taken action in February, 1934, to appoint a special officer to go into the whole question of the production of rice and the trade in rice. The Government of India hoped that the data which this officer collected would put them in a position to appraise the situation clearly and completely. I may mention that this report was not received by the Government of India until the end of December, 1934.

Although the problem was under investigation by a special officer of the Government of Madras, the Government of India took steps in July, 1934, to send down an officer of their own, the Statistician of the Imperial Council of Agricultural Research, to South India, because the imports were still continuing and the Government of India wanted to make some effort to find out as to whether the situation was such as to call for immediate and urgent action. Mr. Vaidyanathan, the Officer to whom I have referred, presented his report to the Government of India early in August. What did that report show? Since the beginning of July, prices had already started rising. Further, he reported to the Government of India that they anticipated scarcity in the food position in Madras, a scarcity which unfortunately had materialised as must be known to Honourable Members coming from the Southern Presidency. I think the House will agree with me that in a situation like that, with prices rising and with an anticipated shortage of food, the Government of India would not have been justified in taking any restrictive action in regard to a staple food commodity. That, Sir, was the position in July and August, 1934. I will now review the matter since we last heard from the Government of Madras.

Pandit Nilakantha Das (Orissa Division: Non-Muhammadian): As regards the export duty on rice, was there any investigation made as to its influence on the price of rice?

Mr. G. S. Bajpai: I do not think that the export duty has any effect on the rice position at all, because an export duty is in force not merely in India, which is an exporting country including Burma, but also in French Indo-China and Siam, India's competitors. I do not think that that in any way complicates the position; the amount is practically the same.

Raja Sir Vasudeva Rajah: Why are these reports kept confidential? Why are these reports not placed on the table?

Mr. G. S. Bajpai: So far as the report of the Madras Government, Sir, is concerned, I submit my Honourable friend, if he has any grievance against the non-posting of that report to him, it is against the Government

of Madras and not against the Government of India. We have received only six copies. As regards Mr. Vaidyanathan's report, it was an interim report, not a complete report; it could not and did not anticipate the report of Mr. Srinivasan, the Madras Officer. No useful purpose would have been served by publishing it. Sir, I must now resume the thread of my argument. I was stating what has happened, what has materialised since the receipt of the last representation made on this subject by the Government of Madras. That representation was accompanied by Mr. Srinivasan's report, but unfortunately even there the statistical data as regards prices were not complete. We had, however, taken action independently of getting this material from the Government of Madras and we found that, concentrating the attention on prices alone, we were led from obscurity into greater obscurity. It happened like this. In the port of Madras, imports were rising, nevertheless the prices were rising. In Calicut, the imports were rising, and prices, on the other hand, were falling. Further, information showed that for the Presidency as a whole there was no such thing as a uniform or consistent tendency; in some cases prices were rising and in other cases prices were falling. We had, therefore, to re-examine the problem afresh, and the provisional conclusion which we have reached is that it is not over the whole field as it were of rice production and rice prices that these imports and prices reflect themselves, but that the problem is a limited problem of the competition of this imported, which is primarily broken, rice from Siam and French Indo-China with the finer varieties of rice which are produced in the Madras Presidency. I have figures here which tend to corroborate that conclusion, and I simply mention three tendencies which emerge from a scrutiny of these figures broadly. The first factor is that these prices of the finer varieties of Madras rice have been steadily falling. The second factor to bear in mind is that the year of the greatest fall has been the year of the heaviest imports. The third factor—and I hope that this will be marked by those Honourable Members who have been contending that this rice is dumped at any price—is that the prices of imported broken rice have been steadily rising, and, what is more, that they are barely below the price of the finer varieties. There is a fall in price no doubt of the finer varieties of Madras rice. That, Sir, in a nutshell, puts the position clearly,—that these imports do not depress the rice prices as a whole, that this rice does not compete with every variety of rice produced in the Madras Presidency, that it is a problem of the competition of this broken rice with the finer varieties of rice produced in the Madras Presidency

Prot. N. G. Ranga: That makes the position even worse.

Mr. President (The Honourable Sir Abdur Rahim): Let the Honourable Member go on.

Mr. G. S. Bajpai: I do not see how the position is made worse. The contention of my Honourable friends has been that in Madras rice is the staple crop produced in the Presidency. These imports dislocate prices all over the Presidency, and, therefore, the circle of misery is as wide as the circle of the Madras Presidency. I have shown and I think it will be admitted that the difficulty is limited to the grower of this particular variety of Madras rice. Sir, let us view the thing in a correct perspective and not be carried away by extraneous considerations. I was going to mention

[Mr. G. S. Bajpai.]

for the information of the House that this conclusion which I have mentioned has emerged as the result of an examination which we made only recently. It is because of that that I am not in a position to announce to the House today as to what measures the Government propose to take in order to deal with this problem.

Mr. F. E. James (Madras: European): Are Government going to take some action?

Mr. G. S. Bajpai: My Honourable friend asks whether they are going to take some action. I wish to ask him to wait and see, and I hope he will not have to wait very long this time.

An Honourable Member: How long?

Mr. G. S. Bajpai: I cannot fix any time-limit, but I can assure the House that now that the problem has been isolated, there is no reason really why the decision of the Government of India should be delayed long. There are administrative considerations and other considerations. How are you going to deal with this problem? Then, this morning, there seemed to be a tendency to regard the trade balance or trade relations with Siam and French Indo-China as of no special value. Well, it may be that our trade balance with Siam and our trade balance with French Indo-China is nothing very formidable. I have the figures here and I can give them to the House,—as, for example, that with Siam it was 57 lakhs in 1931-32, 22 lakhs in 1932-33 and 44 lakhs in 1933-34. But the important point to remember is that what we do or may be doing towards French Indo-China affects the policy of France, and our trade balance with France is an extraordinarily important factor. It was 7.6 crores trade balance in our favour in 1931-32, a little over eight crores in 1932-33. Then, in 1933-34, perhaps a bad year, it was 690 lakhs, very nearly seven crores. There you are—there are many considerations involved; administrative considerations and economic considerations; and, finally, let it not be forgotten, there is the effect, shall we say, of any action that might be taken up upon the food situation in the Madras Presidency at the present moment, when there is a famine in certain districts and the failure of the north-east monsoon threatens the food situation for the Presidency as a whole. These are complicating factors which necessarily make it important that the Government should have a little further time for reflection and decision. Sir, I have done what I could to put the position and the problem in its correct perspective. I think I have satisfied the House that the problem was not so simple as it has been made out to be. I have also tried to satisfy the House that we could not, before a full and complete examination of the problem, decide what was the proper line to take, that we are considering what that line should be. I hope the House will not press this Resolution, but be satisfied with the exposition and the assurance I have given.

Several Honourable Members: The question may now be put.

Mr. F. E. James: Sir, we have heard with great interest the statement of my Honourable friend, Mr. Bajpai, which is to the effect that the Government of India have at last succeeded in localising the problem and in recognising the fact that there is a problem. They do not go further

than that, and I should like to ask whether we cannot have a little more specific assurance that, having recognised the presence of a definite problem, they will, without any delay, proceed to the next stage and decide upon the particular measures which they should adopt to deal with this problem. I was interested in the arguments which my Honourable friend, Mr. Bajpai, used in regard to the possible danger of retaliation from other countries with whom we had satisfactory trade balances. I should like to ask him one question. I understand that the real competition in Madras is between the better class of raw rice of the country and the imported broken rice which comes, almost exclusively, from Siam. I do not know whether I am correct in that or not.

Mr. G. S. Bajpai: No, Sir, it does not come exclusively from Siam.

Mr. F. E. James: I said almost exclusively. I understand what comes from Indo-China is mainly paddy, and, if that is the case, it is not paddy that we are dealing with. In fact, I have had representations from one or two Chambers of Commerce in South India whom I consulted on this very point. Here is an extract from a letter from the Coimbatore Chamber of Commerce in which they say that the position is not a simple one:

"Already in some parts of the Presidency of Madras, paddy production has failed over a large area, and, in order to provide food for people in those areas, it will be necessary to transport paddy from other parts of the Presidency including overseas sources."

If most of the imports from Indo-China are paddy, then, I suggest that, if the problem is localised to a competition between the broken rice and the better class raw rice in the Madras Presidency, there is no need to touch the import of paddy at all. Then, there was one other point on which I should like to have a little more definite information. My Honourable friend, Mr. Bajpai, said that the fall in price had been greater in the case of the better class rice than in the case of the inferior rice in the Madras Presidency on account of their

Mr. G. S. Bajpai: No, Sir. I think that my Honourable friend did not understand me, or, at any rate, I did not make myself clear. What I said was that the fall in the price of better variety of rice had been consistent. I did not say it had been higher than in the case of the inferior variety.

Mr. F. E. James: That was one of the points which I wanted him to explain. Is it or is it not a fact that the fall which occurs in connection with the better class rice is greater or has been greater for the last two and a half years than the fall in regard to the price of the inferior class of rice? I understand that it is the case. That question serves to emphasise the argument which he has used that the problem is one of competition between this imported broken rice and the particular specialised better class Madras raw rice. But the main purpose of my rising to my feet after my Honourable friend, Mr. Bajpai, sat down was to ask whether the Government cannot give us a little more definite assurance in regard to their determination to do something which will meet this particular problem? In the early parts of December, I remember being in the House of Commons, when Mr. Lloyd George, was speaking about the unemployment question, and he used the phrase that "it is no use people merely admitting the existence of a problem, someone has got to deal with it". In a very small way, I would echo that remark to

[Mr. F. E. James.]

Government today. We thank them for having admitted the problem and for having, so to speak, put this finger on the actual spot where the problem occurs. Can we not have a little more definite assurance that, having gone so far, they will take as urgent steps as possible to meet that problem in one or other way? It has been suggested by some of my constituents that the problem should be met either by the imposition of an import duty, which should be of a specific nature, or by the fixing of a quota based upon the average of imports to Madras covering a certain number of years, under which licenses should be issued for purposes of importation. I do not suggest for a moment which of those would be the preferable method. But if it is decided that there should be an import duty, I would stress the importance of that duty being of a specific nature for obvious reasons. On the other hand, if it is decided to fix a quota, I would also urge the importance of fixing that quota on the basis of a fairly wide average in the matter of years, so that the amount of quota may not be a figure inflated as the result of the very large importations of the year 1934. I hope, therefore, that, when considering what action they are going to take, the Government will bear these two considerations in mind.

Seth Haji Abdoola Haroon (Sind: Muhammadan Rural): Sir, the question of the importation of rice to India is not only a question connected with the Madras Presidency, but I find that Sind is also producing large quantities of rice. In Sind, we do not get the Siam or Indo-China rice but mostly the rice from Burma. Sir, today the plight of the agriculturists in Sind is very bad. Last November, when I had to tour about in connection with my election in Sind, I found that they were hardly able to sell their paddy between Rs. 1-4-0 and Rs. 1-8-0 a maund, and, because of that, they were unable to pay their land revenue to Government. Sir, I wish to support the Resolution which we are discussing now. From its wording I find that the Honourable the Mover is only suggesting to the Government to take some important steps to prevent the import of rice or fixing the quota. If I have correctly understood the Honourable Mr. Bajpai, he told us that the Government were also considering the matter and the Honourable Members will soon know about their decision. So, I hope that Government will also support it. Then, my Honourable friend also said that, on account of importation of this low quality rice in Madras, the price of the high quality of rice did not go down, but remained steady. Of course, when rice of a low quality is coming, the price of the high quality rice might not be reduced, but, at the same time, it cannot be increased.

Now, Sir, we are faced with two questions so far as rice is concerned. Firstly, whether any import duty should be put on rice, and secondly, whether some quota should be fixed. The House knows that the price of wheat at one time went down very much when India started getting wheat from Australia and some other countries. Therefore, we levied an import duty of two rupees per cwt. on wheat. So, if any sort of protection is given to the local rice, the cultivators, not only in Sind, but in many parts of India, will be able to grow more rice, and, for that reason, will be able to pay their land revenue to their Provincial Governments.

Then, there is another point to which I should like to draw the attention of the House. At present on the rice that we are exporting to foreign

countries, Government are levying an excise duty or an export duty, whatever you may like to call it. The time has come when Government should consider this question very seriously. It is true that 100 years ago the only country which supplied rice to the world was India, and, therefore, the Government levied an export duty of three annas at that time and it has since been reduced to two annas and three pies. Sir, I know that we are exporting rice from Sind to the Persian Gulf and previously we used to export rice to South Africa, Mauritius and many other places. But today we find there is no export to South Africa and Mauritius; there is only a little export to the Persian Gulf. I think that unless and until Government come forward and abolish the export duty on rice, India cannot export her rice to any foreign country. With these remarks, I support the Resolution.

Dr. T. S. S. Rajan (Tanjore *cum* Trichinopoly: Non-Muhammadan Rural): Mr. President, I am really glad to find that we are mostly on common ground on this question. The Government accept that there has been an increasing import, and, during the last year, they have themselves confessed that the increase has been rather alarming, if I may use such a word. But I may tell for the information of the Honourable Member in charge that, during the last month or two, the imports have been more terrific than during the previous months, and, if we could refer to the article in the *Hindu* and the picture it contains with regard to bags of paddy lying all over the open stores, both in the Tuticorin port and in the streets there, then we can infer the menace is on the increase. That the Government have also accepted to take the matter in hand and that they would soon be doing something definite, the nature of which they are not in a position to divulge, is perhaps the only thing that we have had as a result of this discussion. I put it to them, here is a Resolution, the facts underlying which we can vouch for and which the Government themselves are prepared to acknowledge. Having done that, I ask the Government to accept this Resolution, so that we may not force it to a division. The Government have given assurance that they will take steps, the nature of which steps they have not, however, specified. We have suggested an import duty, the object of which is not so much to penalise Siam or Indo-China as to protect our rice and to protect our prices from falling further. If that is conceded, I really do not see any point in pursuing this discussion any further. What I would like the Government as well as Honourable Members on this side of the House to consider is, whether we shall not ask the Government to accept this Resolution and ask them also to inform this House at the earliest opportunity as to the specific measures that they have either formulated or intend formulating. If that procedure could be accepted, I do not think there is need for any further discussion on this Resolution. Therefore, I suggest to the House that this Resolution should be accepted without any division whatsoever.

The Honourable Sir Nripendra Sircar (Leader of the House): May I say this that the Government will not oppose this Resolution.

Some Honourable Members: The question may now be put.

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

"That the question be now put."

The motion was adopted.

Mr. Satya Narayan Sinha: Sir, several Honourable Members, who have spoken on this motion, after my Honourable friend, Mr. Bajpai, spoke raising certain objections against the Resolution, have very clearly and lucidly answered all those objections. I have only one word to add. The dexterous attempt of the Honourable Member, Mr. Bajpai, to make this motion look like affecting only one province and thereby making the Honourable Members coming from the different provinces feel luke-warm about this Resolution,—I say, Sir, this common practice of *divide et impera* will not succeed in this case.

Mr. G. S. Bajpai: There was no such intention, I can assure my Honourable friend.

Mr. Satya Narayan Sinha: In spite of what my Honourable friend, Mr. Bajpai, has said, we are convinced that the importation of foreign rice does affect the price of rice in our province. Because the Government have not said anything definite as to what they are going to do in connection with this motion, I have nothing more to say, Sir, but I once more appeal to the House to accept this Resolution as it stands.

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

"That for the original Resolution, the following be substituted:

"That this Assembly recommends to the Governor General in Council to take immediate and necessary steps, fiscal and other, to prevent or to control the importation of foreign rice and paddy'."

The motion was adopted.

RESOLUTION *RE* REMOVAL OF DISQUALIFICATION IN
RESPECT OF PANDIT DWARKA PARSHAD MISRA AND
CHOWDHURY ASHRAFUDDIN FOR ELECTION AS A MEM-
BER OF THE LEGISLATIVE ASSEMBLY.

Mr. K. M. Jedhe (Bombay Central Division: Non-Muhammadan Rural): Sir, I move the Resolution which is as under:

"That this Assembly recommends to the Governor General in Council to remove the disqualification in respect of eligibility of Pandit Dwarka Parahad Misra of Jubbulpore and Chowdhury Ashrafuddin of Comilla for election as a Member of the Legislative Assembly under Rule 5(2) of the Legislative Assembly Electoral Rules."

Sir, the decision of the Indian National Congress to participate in the election of the Assembly was welcomed by the Government. As a corollary to this, the country expected that those who have suffered for their country according to their humble judgment would not be disqualified from standing as candidates for the various elections. As a matter of fact, the Governor General removed disqualifications in cases of those who applied for the removal. But two exceptions have been made, in the case of Pandit Dwarka Parahad Misra of Jubbulpore and Chowdhury Ashrafuddin of Comilla. No valid reasons have been so far given by the Local Governments concerned or the Government of India.

Taking the case of Pandit Dwarka Parshad Misra of Jubbulpore, I say, Sir, that he was a Member of this Assembly from 1926 to 1929 when he resigned as per mandate of the Lahore Congress. In the year 1930, at the time of the Civil Disobedience Movement, Mr. Dwarka Parshad was sentenced to two years rigorous imprisonment under section 124A read with sections 109 and 120B on each count, but the sentences were to run concurrently. Under the well-known Gandhi-Irwin Pact, he was released in the month of March, 1931, and was, thereafter, in the Jubbulpore Municipality as a member. In 1932, he was sentenced to one year's rigorous imprisonment under the Criminal Law Amendment Act. But this last sentence, Sir, according to the rules, cannot prevent him from contesting the election. But it must, therefore, be that his sentence in 1930 was construed to be a bar, hence the removal of this disqualification under the election rules is wanted by this Resolution.

Now, Sir, Seth Govind Das, who is happily here in this House as an elected Member, was similarly sentenced in 1930, and again sentenced in 1932-33, and yet disqualification against him has been removed by the Government of India. I fail to see, why this discriminating policy of removing disqualification in the case of one and not removing in the case of another. Pandit Dwarka Parshad Misra had been the President of the Jubbulpore Municipality in 1933-34, and apparently he was allowed to be there. If he was good enough to be the President of the Jubbulpore Municipality even after his conviction, I fail to see why he should be held unfit to be elected to this Legislative Assembly. There is a suspicion in the country that his strong attitude in municipal matters is responsible for this action. I am quite unable to say how far it is true. But it is for the Government, Sir, to remove the suspicion by simply removing the disqualification.

The same is the case with respect to Chowdhury Ashrafuddin of Comilla. In Bengal, the disqualification has been removed in all cases except this. Even Mr. Sarat Chandra Bose was allowed to contest the election although in prison. I, therefore, request this House and request Government that it would be inequitable, unjust, to keep the disqualifications in respect of these two gentlemen, and move this Resolution for its acceptance.

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

"That this Assembly recommends to the Governor General in Council to remove the disqualification in respect of eligibility of Pandit Dwarka Parshad Misra of Jubbulpore and Chowdhury Ashrafuddin of Comilla for election as a Member of the Legislative Assembly under Rule 5(2) of the Legislative Assembly Electoral Rules."

Mr. Ghansham Singh Gupta (Central Provinces Hindi Divisions: Non-Muhammadian): Sir, I associate myself with this Resolution. I will not go into the personal matters in detail, but I will look at this from a general point of view. It was understood at any rate among the Congress rank and file that it was a mere question of formality for any member of the Congress to apply to the Government and to have the ban removed. On that understanding, most of us applied to the Government, and, in the case of many, the ban was removed. It is, so far as I understand, only in the case of these two gentlemen or one or two more that the ban was not removed, and I do not see why there should have been this distinction, particularly as reasons have not been assigned publicly.

[Mr. Ghansham Singh Gupta.]

Now, as my Honourable friend said, the position of Pandit Dwarka Parshad Misra and Seth Govind Das were exactly the same, but I need not go into details. I will confine myself to merely condemning the attitude of Government in singling out these two gentlemen from among the rest. I repeat, Sir, that so far as my friend, Pandit Dwarka Parshad Misra, is concerned, he was and is as good a Congressman as any of us. He was adopted by the Parliamentary Board along with my Honourable friend, Seth Govind Das. Both of them are pledged to non-violence and truth, and it was a surprise to us in the Central Provinces why that sanction was given in the case of Seth Govind Das, while it was refused in the case of Pandit Dwarka Parshad Misra. My submission is that these invidious distinctions should have been avoided unless there were very strong grounds which were known publicly to the people. So far as we are concerned, there is no ground which is known to us, and I do not suppose that there must have been very strong grounds not known to us. So far as I am concerned, I have been closely associated with Pandit Dwarka Parshad Misra from a very long time. He was the Secretary of the Provincial Congress Committee when my friend, Seth Govind Das, was its President. And if the President of the Provincial Congress Committee, who was sentenced in the same trial, could be permitted to stand, why should Pandit Dwarka Parshad Misra not have been allowed to do so? That is my grievance. Sir, I cut short my speech, because I do not want to go into the personal aspect of the case, and it is only the general aspect that I want to touch upon.

Mr. Abdul Matin Chaudhury (Assam: Muhammadan): Sir, I rise to support this Resolution. I think I am one of the very few Members in this Assembly who can claim, not only acquaintance, but close personal friendship with both the gentlemen mentioned in this Resolution. Sir, I knew Pandit Dwarka Parshad Misra while he was a Member of this Assembly and I had learnt to appreciate and admire his intellectual and moral qualities. As regards Chowdhury Ashrafuddin, I have known him since our college days when we were contemporaries at college, and both Pandit Misra and Chowdhury Ashrafuddin are men of unimpeachable character, very patriotic, honest, straightforward and brave. They are among the finest type of young men that the present political movement has brought into existence in India, and they are ever ready to suffer for their own convictions and they have suffered also for their convictions.

Now, Government have been very liberal in granting exemptions and removing disqualifications on persons who were convicted of offences, and it is difficult to understand why Government should make an exception in the case of these two persons. Government have allowed even Mr. Sarat Chandra Bose, who is suspected of being connected with the terrorist movement, to stand for election. Even in the case of the Red Shirts, whom Government consider to be revolutionary, they have allowed the leader of the movement to come and contest the election. But we do not understand what could be the heinous character of the crime that these two persons have committed that Government should single them out for this particular distinction. All that we know about them is that they are not anarchists, they are not revolutionaries. They are merely non-violent civil resisters and my own impression is that these two gentlemen have been the victims of vindictiveness of some of the

officials somewhere. Because, when these applications come to the Government of India for removal of disqualifications, I presume they usually send it to the Local Government and the Local Government sends to the Commissioner, the Commissioner sends it to the District Magistrate and he sends it to the Superintendent of Police and the local Intelligence Branch. And if any applicant has the misfortune of incurring the displeasure of any one in this chain of official hierarchy, his fate is sealed and no amount of representation is of any use in securing the removal of his grievances. I do not see what terrible consequences would have followed if Government along with other cases had removed the disqualifications of these two gentlemen. Yet Government are very adamant in their decision and they are persisting in that decision, because they always trust the man on the spot and stand by his decision in spite of the fact that it might have been the most capricious decision that was arrived at by the man on the spot. I only hope that in these small matters the Government of India will not be guided by the personal predilections of subordinate officials and that they will remove the ban on these two gentlemen.

Mr. M. S. Aney (Berar Representative): Sir, the Resolution now before the House makes a demand which, I believe, is simply irresistible. I know, as some of the Members of this House also know, Pandit Dwarka Parshad Misra personally. He has been a Member of this House and in that capacity has done his duties here, I am sure, to the satisfaction of all his colleagues and the constituency which sent him. In denying him the right to contest the constituency once more for the seat in this House, Government singled him out as if he has perpetrated some heinous crime which irrevocably disqualified him. Others, who were sailing in the same boat with him, were permitted to stand and be returned by their constituencies here. Government have not only done an injustice to Pandit Dwarka Parshad Misra but to the constituency which wanted to return him. His services to that constituency both in the capacity of a Member who represented them in this House as well as in other capacities as a public man are so well known that the insult is felt very keenly by that constituency. I am here to inform the Government that the order of the Government is resented very keenly, and there is a very keen sense of indignation in the whole of the Central Provinces and Berar on account of the very obstinate and perverse attitude of the Government in this matter. I know there has been going on for some time a kind of tussle between Pandit Dwarka Parshad Misra and the Local Government on account of some municipal matters: I do not want to impute any motive to anybody, but I am afraid that those whom the Government of India probably thought it wise to consult have unfortunately not been able in this case to rise superior to their personal prejudices and their personal feelings, and it is the perverse view of certain men in office in the Central Provinces that must have come in the way. I wish that the Government of India had been more careful and more exacting in getting and sifting the information from the Local Government, when they found that the Local Government was recommending everybody else and making an exception in the case of one man, whom at least some Members on the Treasury Benches had the privilege to know personally as their colleague for some time. If they had acted upon the recommendation of the Local Government, it was necessary for them to have thoroughly satisfied themselves that there was good ground for the unusual order.

[Mr. M. S. Aney.]

We are all up to this time in the dark as to what is the special ground on which they had to make an exception in the case of Pandit Dwarka Parshad Misra. My late lamented friend, Mr. Abhyankar, my friend, Seth Govind Das, and other friends and Pandit Dwarka Parshad Misra had committed the same offence: they were all sent to jail for the same offence: they all had been living together in the jail for the same offence: and if their incarceration was no disqualification, or if such disqualification was of a nature that the Government could remove it and permit them to stand for the Assembly, where was the necessity to make an invidious exception in the case of Pandit Dwarka Parshad?

The same can be said also of the other gentleman to whom reference has been made by Mr. Abdul Matin Chaudhury. I wish that the Government of India at any rate now will see that they have been misled by somebody and will not perpetuate the mistakes by voting against the Resolution: they should accept this Resolution.

Mr. Akhil Chandra Datta (Chittagong and Rajshahi Divisions: Non-Muhammadan Rural): Sir, I rise to support this Resolution. I have not the honour and pleasure of knowing personally Pandit Dwarka Parshad Misra: but the other gentleman named in the Resolution, Chowdhury Ashrafuddin of Comilla, I have known for a long time. He was convicted and sentenced to two years' imprisonment for leading a procession at Comilla in January, 1932. I myself witnessed that procession passing along the road. If a procession by itself is an offence, that is quite another matter. But so far as the character of the procession is concerned, I am in a position to bear personal testimony to the fact that it was a most peaceful procession, orderly, without any violence of any sort. The procession had covered about two miles, after which they were obstructed by the police; and, the moment the police turned up, they stopped and surrendered: although there was a merciless beating of some members of the procession by the police, they did not raise a finger—they actually surrendered and they were arrested and taken off to the thana. Chowdhury Ashrafuddin was the leader of that procession. Beyond that there was nothing of which it can be said that he was guilty. As my Honourable friend, Mr. Abdul Matin Chaudhury, has said, he is a very fine gentleman, coming of a very respectable family, a respectable landholder and a devoted follower of the Congress. He believes, I know, in non-violence: he was never guilty of any violence ever since he joined the movement. It was very difficult for me to believe when I heard that his application had been rejected; I could not possibly understand as to what could be the reason for making this distinction: of course I do not know what there is in the police record about him: that is more than we know; but I know this, living in the same place, Comilla, for a long time together—he is a neighbour of mine: so far as we are concerned, we have never heard that he was associated in any way with any movement of violence—much less of being a member of or associated with any revolutionary party. The injustice that has been done to him may have been due to the over-zealousness of some local official: but it is really a fit case for the Government to interfere. I do not know how the mistake can be rectified, but only for future guidance the matter should be inquired into and at all events there should be an announcement made as regards the case of these two gentlemen. Of course the wrong that has been done to them is irreparable so far as the present Session of the Assembly is concerned.

The Honourable Sir Henry Craik (Home Member): Sir, I do not think I need detain the House very long in connection with this Resolution: but I should like at the outset to remove what seems to be a misconception as to the actual rules on this subject of disqualification. The rules are contained in the Legislative Assembly Electoral Rules which are Statutory Rules made under the Government of India Act. First, the general proposition is laid down that any person, against whom a conviction by a criminal Court involving a sentence of transportation or imprisonment for a period of more than one year is subsisting, shall not be eligible for election for five years from the date of the expiration of his sentence. But it is provided that, on application made by the person disqualified under this sub-rule, the Local Government of a province may remove the disqualification with the previous approval of the Governor General in Council. But the Local Government may, of their own motion and without any reference to the Government of India, decline to remove the disqualification. The position thus is that it is within the power of the Local Government to reject an application, but it is not within the power of the Local Government, unless it has obtained the previous sanction of the Government of India, to remove the disqualification . . .

Mr. Ghansham Singh Gupta: May I know whether in the case of Pandit Dwarka Parshad Misra any approval was asked for or did the Central Provinces Government reject it on their own initiative?

The Honourable Sir Henry Craik: I am coming to that. I will explain what has happened. When the question of the removal of this disqualification in the case of persons who had been convicted in connection with the Civil Disobedience Movement was raised in this House by an interpellation, my predecessor explained that would-be candidates who had incurred the disqualification would have to apply to the Local Government, and that there was no intention of departing from the procedure laid down in the rules. In fact, it would have been illegal to depart from that procedure. These are Statutory Rules having the force of law, which Government cannot break any more than any one else. But it was also stated in reply to a question in another place that arrangements had been made that all such applications should be referred to the Government of India in order that there might be uniform treatment of all these cases, that all of them might be dealt with on the same lines. Accordingly, we asked all Local Governments to refer to us any such applications that might be submitted to them for the removal of the disqualification. Now, in all, there were 20 people who wished to stand as candidates and who were disqualified under this rule, and all their cases were referred to the Government of India, including the cases of the two gentlemen named in this Resolution. In 18 out of the 20 cases, the Governor General in Council agreed with the Local Governments that the disqualification should be removed, and, therefore, I think I can fairly claim that the Government's interpretation of the rule has been on the generous side. Ninety per cent. of the total number of the applications have been granted. These two cases, which are referred to in the Resolution today, were the only two exceptions. But I should explain that in certain cases, including these two, the candidates put off till almost the last moment what is, as I have tried to explain, a necessary stage in the process of getting the disqualification removed,—they put off submitting their applications to

[Sir Henry Craik.]

the Local Government till the last moment, and, therefore, the Local Government had to refer both their cases by telegram, as in such case the application was not received till a day or two before the nomination had to be submitted to the Returning Officer.

Mr. Ghanashiam Singh Gupta: May I know, Sir, what was the date of Seth Govind Das's application and also what was the date of the application of Pandit Dwarka Parshad Misra?

The Honourable Sir Henry Craik: On the 6th of October we received a telegram from the Government of the Central Provinces about Mr. Dwarka Parshad Misra, and they asked for a reply by telegram on the ground that the nomination had to be submitted within a day or two of that date.

Mr. Ghanashiam Singh Gupta: Was not the application made on the same day as was made by Seth Govind Das, who is sitting here today?

Seth Govind Das (Central Provinces Hindi Division Non-Muhammadan): I, Sir, along with Mr. Misra, applied on the 4th of October. My application was forwarded to the Government of India on the 6th, and, on the same day, Pandit Dwarka Parshad's application was forwarded.

The Honourable Sir Henry Craik: The Honourable Member is perfectly correct. The two cases were submitted in one telegram, and the telegram asked that the decision of the Government of India should be communicated by wire. I do not yet know if I have made myself clear. The point is this, that if an application is to be accepted and the disqualification is to be removed, the Government of India's sanction is necessary, and, therefore, the Honourable Member's case, in which the Local Government recommended that the disqualification should be removed, required the orders of the Government of India. In the other case, they recommended that the disqualification should not be removed (Ironical Cheers from Congress Party Benches), and they referred it to the Government of India, but it is under the rules within their own competence to reject the application. In the Honourable Member's case, the disqualification was removed, and the Local Government gave good reasons, or what appeared to us to be good reasons, why they did not recommend the same treatment in the other case. I had to reply immediately, and I accepted their reasons,—and when I say I, I mean the Government of India. We accepted their reasons as good and said we agreed. Precisely the same thing happened in the case of the other gentleman referred to, Chowdhury Ashrafuddin. In his case, the letter or telegram was received on the 7th October, and the nomination date was the 9th October. There, again, a decision had to be arrived at at once and orders communicated by wire.

Now, Sir, it would be more in consonance with the dignity of this House and far better from every point of view that I should not be called upon to enter into personalities. I do not wish to do so, and if I were to do so, my hands would be very much tied, because part of the information communicated to me is of a confidential nature which I am not at liberty to disclose. But I think the House generally will agree with me that the

debate should be kept on on impersonal grounds. We tried, in communication with the Local Governments, to lay down beforehand certain general principles which should guide them in dealing with such applications, but naturally general principles cannot be expected to cover all possible cases that may arise, and the Government of India, who cannot be expected to have their own sources of information about every possible candidate all over India, must be guided in these matters by the views of the Local Governments. Having to make an immediate decision,—for time did not permit us to refer the matter again to the Local Government,—we had to accept the views of the Local Government. That we have as a rule interpreted these rules about the removal of the disqualification in a generous manner is, I think, shown by the fact that, as I have mentioned already, 18 out of the 20 applications were accepted, and I understand that a good many of the gentlemen in whose cases they were accepted are today Members of this House.

Now, when I turn to the actual terms of this Resolution, I find that I cannot accept it, because it asks the Government of India to do something which it would not be legal for them to do. It asks us to remove the disqualification. Now, the rule, which I have quoted and which I have stated is a Statutory Rule having the force of law, makes it quite clear that in the first place there must be an application by the person concerned; in the second place, the authority to remove the disqualification is the Local Government, and that it must obtain the previous sanction of the Governor General in Council. It would thus not be following the correct procedure if we were to remove this disqualification without the first step being taken by the gentlemen concerned by putting in their formal applications to the Local Governments

Mr. M. S. Aney: Is not that application before the Government? I think it is still before the Government

The Honourable Sir Henry Craik: I don't think so, as that application has been rejected. They must put in a fresh application

Mr. M. S. Aney: What prevents the Government from revising their decision?

The Honourable Sir Henry Craik: These gentlemen are perfectly free to put in their applications either now, or, if they so desire, when they again wish to stand for the House in the unfortunate event of a seat falling vacant or in the case of a general election. And if and when they do put in their applications, I am quite prepared to consider them again and go into the matter more carefully than I was able to do, owing to circumstances which I have explained, on the previous occasion. I am quite willing to take into account what has been said in this debate, and I am quite willing to ask the two Local Governments concerned to do so also. I do not think the House can expect me to go further than that. They cannot expect me to accept a Resolution which in effect asks us to take a course which, as I hope I made clear, would not be a legal course. I trust, Sir, that after considering these observations, the Honourable Member who moved this Resolution will be prepared to accept my assurance and withdraw his Resolution.

Seth Govind Das: Sir, I have not much to say on this Resolution, because the Honourable the Home Member did not give out those reasons on account of which Mr. Misra's disqualification was not removed, as well as the disqualification of another gentleman from Bengal. But, Sir, one thing has been made clear by the Honourable the Home Member, and till now we did not know it so clearly as we do it today. It is this, that Mr. Misra's disqualification was not removed, because the Central Provinces Government came in the way of the removal of that disqualification. Till now we were made to understand, and specially from that lawyer who went with my application and also with the application of Mr. Misra to Pachmarhi to the Honourable the Home Member of the Central Provinces Government, Mr. E. Raghavendra Rao, and the Chief Secretary, that the Central Provinces Government had recommended the removal of the disqualification of Mr. Misra and it was on account of the Government of India that the disqualification was not removed. Today the cat is out of the bag, and though the Government have not given the reasons, I, at least, can understand them very well. But because the Honourable the Home Member did not want to enter into personal questions, I also do not want to enter into that sphere as far as Mr. Rao is concerned. So I leave it there.

Mr. B. Das (Orissa Division: Non-Muhammadan): Is he not a Swarajist?

Seth Govind Das: He was a Swarajist; He is the ex-President of the Provincial Congress Committee, and he is what not. (Laughter.) But, before I sit down, I want to make one thing very clear, that neither Mr. Misra nor I were anxious to come here. The Leader of my Party Mr. Bhulabhai Desai and also the then President of the Congress, Mr. Vallabhbhai Patel, pressed us to stand for the Assembly. Mr. Bhulabhai Desai issued a statement to that effect. So, as far as I am concerned, and as far as Mr. Misra is concerned, we are not at all hurt by this attitude of the Government, but the constituency from which I come and the constituency which should have been represented by Mr. Misra in this Assembly resent this action of the Government. I hope that in future the Government of India will not be befooled by the Local Governments in this way as they have been befooled as far as Mr. Misra's case is concerned. I am sure, if the Honourable the Home Member will refer the whole matter to the Central Provinces Government, he will find that all those reasons which that Government will give him will not justify the non-removal of the disqualification of Mr. Misra. With these few words, Sir, I support this Resolution.

Mr. S. Satyamurti (Madras City: Non-Muhammadan Urban): Mr. President, I should like to give a different turn to this debate, if I may, from the one which the Honourable the Home Member concluded it on. He suggested that if these two friends would apply again, he would reconsider their cases and ask the Local Governments to remove their disqualifications.

The Honourable Sir Henry Craik: The Honourable Member is misquoting me. I said that I would reconsider their cases again and take into consideration everything that was said in the course of this debate, and I would ask the Local Governments to do the same.

Mr. S. Satyamurti: I am sorry I gave more credit to the Honourable the Home Member than he deserved. I quite realise that, even though these friends apply again, he won't give any promise of changing his mind.

The Honourable Sir Henry Craik: It is not a question of my changing my mind.

Mr. S. Satyamurti: The whole question is that the point of view of those who support this motion and that of the Government are different. The Government look upon it as a personal favour, which they may either grant or not grant. But I would beg of my Honourable friend to look upon it from a slightly different angle of vision. The first thing that I would suggest to him and his Government is that those constituencies ought not to be deprived of the right of sending those, in whom they have got the greatest confidence, by an executive action which is not consistent with the general policy which the Government wanted to follow.

The Honourable the Home Member began, very rightly, if I may say so, by quoting from the electoral rules of the Legislative Assembly, that the Local Governments have got the right to remove the disqualification with the sanction of the Government of India. And he made a nice point that, if it is a case of non-removal, the Local Governments' words are final. I grant him the legal plausibility of that argument, but he cut the ground from under his own feet when he said with engaging frankness, but with equally engaging unconsciousness of the illogicality of his position, that, while the question came up before the Government of India of members who had incurred the disqualification by convictions in respect of offences committed in connection with the Civil Disobedience Movement, the Government of India had, in consultation with the Local Governments, agreed to lay down a uniform policy. I should like to know from him what is the uniform policy which the Government of India laid down, in consultation with the Local Governments, in respect of the removal of disqualification.

The Honourable Sir Henry Craik: I am sorry to interrupt the Honourable Member, but he is again misquoting me. I said that, in order to ensure uniformity of treatment, we had arranged that all these cases should be referred to the Government of India.

Mr. S. Satyamurti: I suggest that my Honourable friend may speak louder next time. It is so difficult even for me to hear though I am near him; he is inaudible. Because he is so inaudible, I suggest that, in order not to be misquoted, he must improve his voice or evolve some other means by which he can make himself more audible even to those who sit so near him. It is very unfair; we have to take down notes and he simply mumbles to himself all the time. I suggest

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

Mr. S. Satyamurti: Honestly, Sir, I could not hear him. What can I do? I see that he can raise his voice when he wants to impress, and I suggest that he raises his voice. I suggest to the Government of India that either they wanted these cases to be referred to them for the fun of

[Mr. S. Satyamurti.]

it, or because they wanted to follow some uniform policy. I should like whether, in these eighteen cases in which the Honourable the Home Member prided himself on his generosity of treatment, there was any uniform policy or not. Was it a case of the disqualifications being removed, because they were the first eighteen which were received in order of time, or because there was some policy behind it? If there was, I should like to know what that policy was. Then, I should like to raise the other question as to whether the fact that the applications came on the 6th, when, as a matter of fact, the nominations had to be filed in two or three days, really affected the Government's judgment. Was it a case of their making up their minds without enough time; and I suggest to the Government, if they have not enough time to decide this question in case of doubt, it is much better to be generous than to err on the other side. As a matter of fact, the Honourable the Home Member claims that, as the Government have no time they simply accepted the recommendations of the Local Government. May I take it, therefore, Mr. President, that these were the only two cases in which the Local Government said "No" and the Government said "ditto" to them? Therefore, may I infer that the uniform policy was for the Government of India to accept the recommendations of the Local Governments in all cases? Wherever they recommended removal, they accepted it, wherever they did not recommend removal, they also accepted the recommendation. That seems to me then a waste of time for the Government of India to have asked the Local Governments to refer all the cases to them with a view to laying down any kind of uniform policy.

Then, Sir, there is one matter which the Honourable the Home Member touched upon, but did not elaborate, for a reason the soundness of which I concede, namely, that while the Local Government did give certain reasons, he would not like to enter into them, because they were personal. Then, I suggest to him that, if they were purely personal reasons, no decent Government should really bother about these personal reasons, unless there are any public reasons as to why these Honourable friends ought to be disqualified. I suggest, the Government were all advised in refusing the removal of the disqualification for reasons they cannot and do not state on the floor of this House.

There is only one more matter on which I want to answer the Home Member. He objected to the Resolution as it stands, because it recommends to the Governor General in Council to remove the disqualification. I submit that that is not an insuperable obstacle. After all, these Resolutions are only recommendations, and the substance of this recommendation is that, to the extent to which the Government of India can influence judgment in this matter, they should use that influence for the purpose of having these disqualifications removed, and I would submit that, under the Government of India Act, as I read it, if the Government of India today make up their minds that Local Governments ought to remove these disqualifications, Local Governments dare not disobey that order. Secondly, the Honourable the Home Member himself has stated that they have already issued orders asking Local Governments to submit all these applications to the Government of India with a view to a uniform policy being pursued. If, therefore, the Government of India tell the Local Governments that they want a uniform policy of removal of disqualifications, they should agree to accept this Resolution.

Sir, there is only one general point which I should like the Government to consider. My Honourable friend from the Central Provinces, who spoke just before me, said that neither he nor Mr. Misra was anxious to come here, but that they were persuaded by the Congress leaders to stand for election; and I would suggest to the Government of India to take a broad and far-sighted view of this question. After all, if at any time, they contemplate any kind of honourable peace and reconciliation in this country, they must not make the path of those who fight them today difficult, whenever they want to function in any Assembly constituted in this country. From that point of view, it seems to me that this House cannot be satisfied by the vague and general character of the reply of the Honourable the Home Member. Here are two Honourable friends to whose character, to whose public service, and to whose position in public life, public testimony has been given by more than one Honourable Member of this House, from personal knowledge of these two friends. It seems to me, therefore, that the Government will be well advised to accept this Resolution, and to remove the disqualification of these two friends in respect of the applications which are still before them. Otherwise, it will leave a sore in the minds of many people and will make people feel that the Government are not following a uniform policy, but are following a petty policy, which may be laid down by Local Governments out of personal prejudice or passion. I, therefore, suggest to this Honourable House that, whatever the Government may or may not do, it should accept this Resolution, and make it a recommendation to the Government.

Mr. Sham Lal (Ambala Division: Non-Muhammadian): I also have to support this Resolution. I am very glad that the Honourable the Home Member has taken up the role of an advocate. Lawyers are being blamed for raising technical objections, and I was blamed by the Honourable the Home Member who was in the Punjab then for raising technical objections in the Lahore Conspiracy case. Now, I think the technical objection raised by the Honourable the Home Member is that if the Central Government were to remove the disqualification, it would act without jurisdiction. When we find in Courts that the decision is going to be against us, we plead want of jurisdiction, but, I submit, that there is no want of jurisdiction if the Central Government could ask the Local Government to refer all the cases to the Central Government, because they are a superior authority. After all, the Local Government is a subordinate authority and act upon the directions issued by the Central Government. The Governor General can never plead want of jurisdiction. What the Resolution wants, as my friend, Mr. Satyamurti, explained, is that the Governor General in Council should take the initiative and ask the Local Government to reconsider the decision and see if the disqualification can be removed or not. Therefore, my submission is that there will not be any difficulty.

Then, there is one thing more. As we read the Joint Parliamentary Committee Report, we find that the principle laid down there is that any imprisonment would not be a disqualification. The authors of the Joint Parliamentary Committee Report have realised that the idea of disqualifying a person who has been imprisoned for more than a year is a mistake. Of course, so far as the Act is concerned, that provision comes in again. Our fears are that at first the authors of the Joint Parliamentary Committee Report thought that the Congress people would not succeed, but

[Mr. Sham Lal.]

when they found that the Congress had succeeded at the polls, they inserted this provision in the Act; but, whatever that may be, that appears to be the case. Otherwise, when I read the Joint Parliamentary Committee Report, I find that there was one bright feature in the Joint Parliamentary Committee Report and that was that imprisonment would not be any disqualification, and when I read the Act, I find the provision again inserted. What happened in the meantime to change the opinion of the authors of the Joint Parliamentary Committee Report? Just now, my friend, Seth Govind Das, pointed out that he was not very particular about the election, but the question was one of principle—whether a person convicted of an offence not involving violence should remain disqualified.

The Honourable the Home Member rightly refused to disclose the information that is with him, but, I think, in law, a conviction, if it is for an offence not involving violence, should have a limited effect. We have only to see the conviction, and if there is an opinion given by the Local Government that this person is undesirable, of course, so far as the conviction goes,—I would say that the Governor General in Council should not in any case go upon the reasons or upon the information supplied by the Local Government. A person may be a fit Member of the Assembly, but the Local Government may not consider him to be fit. Therefore, my submission is that there can be no technical bar and the principle as laid down in the Joint Parliamentary Committee Report should be accepted and persons convicted of offences not involving violence should not be disqualified. I, therefore, support this motion.

Several Honourable Members: I move that 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 to remove the disqualification in respect of eligibility of Pandit Dwarka Prasad Mishra of Jabalpur and Chowdhury Ashrafuddin of Comilla for election as a Member of the Legislative Assembly under Rule 5(2) of the Legislative Assembly Electoral Rules."

The motion was adopted.

RESOLUTION RE REVISION OF THE TAXATION POLICY.

Mr. President (The Honourable Sir Abdur Rahim): Dr. Ziauddin Ahmad. The Chair would allow the Honourable Member to move this Resolution on the understanding that he will finish in time before the rising of the Assembly, that is, at a quarter to five.

Dr. Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, I move:

"That this Assembly recommends to the Governor General in Council to take immediate steps for revising their present taxation policy."

(Applause.)

Sir, on account of more pleasant engagements outside the House, I would like to be very brief and to just refer to the salient points as I will have plenty of opportunity to discuss this matter in greater details in connection with the Budget and the Finance Bill.

Sir, I shall first begin with the export duty. I think I may lay it down as a principle that all export duties are unhealthy, and, in the case of articles of declining trade, I think they are vicious. (Hear, hear.) Sir, we can justify an export duty on two grounds only; that is, there must be two conditions which must be satisfied before we are entitled to put any export duty. The first is that the commodity is required in India for industrial purposes, and we could not possibly afford to export it to the outside world who will become our competitors to our finished articles. The second condition is that we may have a monopoly. If we neither have a monopoly, nor we require it for industrial purposes in our own country, then I think it is absolutely incorrect to levy any export duty. We discussed, Sir, in detail an export duty on rice only an hour ago, and, I think, in connection with that, my Honourable friend, Mr. Bajpai, put the whole Assembly on the wrong track and he did not appreciate the real point of view which we were pressing from this side. We wanted from this side on that occasion that the export duty on rice should be abolished and the import duty should be raised, but he really shifted the issue to the question of what are the different causes which regulate the prices of rice. But that was not really the issue. The point which I wish to emphasize is that, in the case of rice, in the case of skins, we have a declining trade, there is absolutely no justification to put any export duty. As I said, export duties are not justifiable at all in the case of rice. I have in my hand the figures for the first eight months of the seaborne trade of India, 1934-35, from which it appears that the export is declining; that is, last year, our export of rice was 2,23 lakhs; this year, during the same period, it has fallen to 1.18 lakhs. Now, whenever an export is falling, there is absolutely no justification for putting any export duty. Similarly, as regards skins, we can also show that this export is falling very rapidly. Last year it was worth 2,23 lakhs and this year it is only 1.18 lakhs. Therefore, with this declining trade, it is not justifiable to put any duty whatsoever. Coming to the third article where we have got an export duty, that is jute, here we find that, in the case of jute, we have got a duty of Rs. 4-8-0 for the raw jute, but for manufactured articles it goes up from Rs. 20 up to Rs. 82. This really means that we encourage our jute going outside to be manufactured in places outside India. If we find that jute has got a monopoly, then we are justified to put an export duty on jute, but this export duty should not vary so enormously in the case of raw jute and manufactured articles. I think we must have a slightly varying duty in the case of manufactured jute compared with raw jute. Otherwise, it would really mean that we are encouraging our jute going outside India and manufactured in other countries. That is my first point. I should like to

[Dr. Ziauddin Ahmad:]

abolish the export duty on rice, on skins, and I would very much like to reduce the export duty on Hessians and other manufactured goods and make them comparable to export duty on raw jute. I won't abolish the export duties here altogether, because we have got a monopoly here. The second point I would like to emphasize is that our income-tax principle is very wrong. This is an admitted fact . . .

The Honourable Sir James Grigg (Finance Member): Did the Honourable Member say that all income-tax is wrong?

Dr. Ziauddin Ahmad: I mean my friend will admit that India is a poor country compared with the United Kingdom. There is no doubt about that, but yet we find that the rate of income-tax in England is not so heavy as it is in this poor country. Last time, during the Simla Session, they had to produce a particular Bill in order that India might get the advantage of the lower rate of income-tax in England. I do not want to go into details at present, but I will only point this out again that in England they make concessions to married men, concessions for children, but no concessions of this kind are allowed in this country. Therefore, while I do not object to the levy of an income-tax—after all, that is a kind of an inelastic article—at the same time, I must say that the income-taxes are very heavy, our poor country cannot bear them, and I would give only one proof and that is this that if India would have been capable of paying the income-tax which is levied upon us, then the estimates of receipts of the Finance Member would actually have materialised, but we find that the estimates of the Finance Member do not materialise,—that is, the actual income last year was a crore less than as estimated in the Budget of 1933-34. This really means that our income has fallen and we are putting too much burden by means of the income-tax on the people of India. Therefore, Sir, though I do not object to an income-tax, I certainly do advocate that the income-tax should be in proportion to our capacity to pay, and the one test is that whatever estimates may be made by the Finance Member, they should materialise, and that is the test by means of which we can see whether our country can or cannot pay such high rates of income-tax. The third point I would like to refer is the heavy rate of postage stamps. Now, we are putting very heavy charges on our postage—heavier than we have in the United Kingdom. In the latter country, Sir, a man can post a letter for a little over one anna from London to India but here we have to pay two annas . . .

The Honourable Sir Frank Noyce (Member for Industries and Labour): I am sorry to interrupt the Honourable Member. Did I understand him to say that the postage from England to India is one anna? The postage is one and a half pence.

Dr. Ziauddin Ahmad: I mean three ha'pennies. Here it is two and a half annas. There is no justification for putting an additional anna, but the point which I would like to make is this. We increased the duty on postcards by 50 per cent. If the law of diminishing returns does not apply, then our income from postcards ought to be exactly 50 per cent.

more than it was in the previous years. No doubt there was some increase as the figures quoted on the floor of the House showed, but it was not 50 per cent, that is, it was not in proportion to the extra duty which we put on the postcards. Sir, the principle by which I judge everything is that whatever additional tax you put, the whole of it should be realised. It would then mean that the country is in a position to pay, otherwise the country is not prepared to pay, and, therefore, the law of diminishing returns begins to operate, as it did apply in the case of the postcards.

Next I come to the protection duty. Two years I was protectionist, but the manner in which we had applied this protection duty in the year 1934 has made me absolutely mad. So much so, that I have now given up all belief in the protection theory. I think the whole thing requires a good deal of revision. Now, the protection theory is based on the principle that we want to protect the articles in order to restore the price level of 1931-32. Then, it is said that we ought to have a fair selling price of these commodities, and a "fair selling price" is an expression which I cannot understand. It has an entirely different connotation in my dictionary from that which it has in the dictionary of the Honourable the Commerce Member. When a person can get a little more, say, one per cent more than the bank rate, then I call it a fair selling price. But my friend is not satisfied with that. Therefore, the way in which this fair selling price is looked upon does not satisfy me and it is not satisfactory. In the second place, the whole protection is based on the Tariff Board Report. I object to the manner in which the Tariff Board functions and the manner in which their recommendations are carried out by the Government of India. There is always an enormous delay in giving effect to their recommendations, and, during this interval, the circumstances of the world change considerably. Therefore, this theory of protection requires a good deal of revision. We do require some protection to our industries, but we do not want in the manner in which it is thought out and devised by the Government of India. The policy of Government is certainly wrong, and especially in these days of depression. Sir, India is an agricultural country, and we have always demanded that the price of agricultural products should be raised, but the Government of India have adopted measures after measures and Bills after Bills in spite of the protests from Members on this side of the House. And for this I should blame my Honourable friend on the right for leaving us alone during the last four or five years. Repeated deliberate attempts were made to raise the price level of the manufactured articles, but no attempt has been made except the Wheat Bill which is repeated from year to year to raise the price level of agricultural products. Excepting that, nothing has been done for our agricultural products. Now, my Honourable friend, the Finance Member, will hear me out when I say that the price level of all articles is constant and the price level of manufactured articles has gone up. Therefore, it naturally follows that the price level of the agricultural products must have gone down. It is all due to the indiscreet action of the Government in connection with the protection policy. Sir, I should very much like to advocate what the policy of Government should be, but this requires a good deal of time. At the present moment, I only wish to suggest one or two principles which I will elaborate later on.

[Dr. Ziauddin Ahmad.]

The first principle is that you should select a few articles which should be of two kinds—either inelastic articles or articles of luxury—and you should get all the revenue which you want from these few selected articles. Government may have a monopoly of these articles and get almost entire revenue. If, however, it may not be possible to get the entire revenue from these selected articles, then I would advocate—although I myself do not like it very much—a very small revenue duty of 2½ per cent. or five per cent. on every article which comes to this country. I hate custom duty in astronomical figures, which we have lately introduced by the pressure of millowners. From these two measures, you should be able to get practically everything which you require.

Mr. B. Das (Orissa Division: Non-Muhammadan): How to get 50 crores?

Dr. Ziauddin Ahmad: Select a few articles of luxury and get all the revenue from them.

Mr. B. Das: Will you kindly mention those articles?

Dr. Ziauddin Ahmad: I will mention them later on. Now, about the protection and the manner in which it ought to be applied, we should not put a very heavy duty on these articles, but stop or regulate their import into this country. It is useless to say: Put so much duty on them. You must stop them altogether. Suppose the consumption of a particular commodity is 100 and we can manufacture only 50 in the first year, then we will import only 50 and not allow the other articles to be imported. In the next year, if you can manufacture 60 articles, then we will allow only 40 articles to come into this country, and so on. In this particular way, the price of the manufactured articles will remain within reasonable bounds. We give quota to various countries by taking our export into consideration,—our export to these countries. I think this will be much better for India and she will certainly prosper more by being a free trader than by the principle of protection which has been so unwisely applied by the Government of India during the last year. Sir, we are in favour of protection on articles which we need, but not in the way in which the Government of India are putting it. We must consider the method of protection by some other ways, and I believe that better methods are available.

With these words, Sir, I move the Resolution.

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

"That this Assembly recommends to the Governor General in Council to take immediate steps for revising their present taxation policy."

There are several amendments to this Resolution, and one of them stands in the name of Sardar Mangal Singh. Before he moves his amendment, the Chair would like to ask him how his amendment "that at the end of the Resolution, the following be added: 'with a view to assess land revenue on the basis of income-tax'" is in order, as the Chair understands that the assessment of land revenue is a provincial subject. The Chair would like to know how he can justify his adding that portion at the end of the Resolution.

Sardar Mangal Singh (East Punjab: Sikh): Sir, the amendment which stands in my name deals with the taxation policy from a broader point of view. If you do not include land revenue in this revision of taxation, then you practically leave out 80 per cent. of the population from the sphere of the inquiry which we are going to institute.

Mr. President (The Honourable Sir Abdur Rahim): The Chair only wants to know what the Honourable Member has got to say regarding the question whether it is in order.

Sardar Mangal Singh: Land revenue is no doubt a provincial subject, but this amendment deals with it from a broader point of view. There are some areas which are administered by the Central Government also, and, in those areas, it is the Central Government which is concerned. I think that my amendment is quite in order and I should be allowed to move it.

Sir Muhammad Yakub (Rohilkund and Kumaon Divisions: Muhammadan Rural): May I also, Sir, add a few words to clarify the position? Although land revenue is a provincial subject, it is a provincial subject in the meaning that the revenue derived from the sources of land revenue is devoted to provincial expenditure. We have got a centrally administered Government in India. The policy of land revenue, the policy of settlement and the policy of taxation are all decided by the Government of India. Therefore, in this Resolution, when we are discussing the policy of the taxation of the Government of India, land revenue can appropriately be included in it.

Mr. G. S. Bajpai (Secretary, Department of Education, Health and Lands): Sir, I submit that my Honourable friend's rather dexterous attempt to throw responsibility for land revenue upon the Government of India is not justified by the present constitutional position. The pitch of assessment and the incidence of land revenue are matters which are now primarily within the competence of Local Governments. It is perfectly true that land revenue is imposed in Central Administered Areas, but if my Honourable friend wishes to touch upon that, he must limit his speech to land revenue within the Centrally Administered Areas only.

Mr. N. M. Joshi (Nominated Non-Official): May I give one more reason, Sir? Land Revenue in the provinces is a reserved subject, and, to that extent, it is under the control and supervision of the Government of India. I think the Government of India cannot escape their responsibility for the land revenue policy.

Mr. President (The Honourable Sir Abdur Rahim): The Chair does not think that this amendment, so far as it includes the general question of assessment of land revenue, is in order, because it is a provincial subject. As regards the second point that Government have powers of superintendence and control, that applies practically to all activities of Local Governments, and the Chair does not think that that is a good ground to make an exception in a case of this nature. The Chair would, therefore, like to know from the Honourable Member, Sardar Mangal Singh, in whose name the amendment stands, whether he is prepared to confine

[Mr. President.]

his amendment to the assessment of land revenue in the Centrally Administered Areas.

Sardar Mangal Singh: Yes, Sir. In obedience to your ruling, I shall do so, because, if land revenue is assessed on the principles suggested by me in the Centrally Administered Areas, then I will be able to persuade the Local Government of my province to adopt the same principles there.

Mr. President (The Honourable Sir Abdur Rahim): Then the Honourable Member can move his amendment.

Sardar Mangal Singh: Sir, I beg to move:

"That at the end of the Resolution, the following be added :

'with a view to assess land revenue in the Centrally Administered Areas on the basis of income-tax'."

My amendment, Sir, at the very outset, seems to be a revolutionary proposal. But if we look into the matter carefully, we find that land revenue which is assessed in the Centrally Administered Areas is based on a very wrong and unjust principle. (Laughter.) I am afraid I must confine myself only to the Centrally Administered Areas. The principle of taxation is that it must be levied according to the capacity of the man from whom it is to be realised. The second principle is that it must be graded according to the income which he is earning.

Major Nawab Ahmad Nawaz Khan (Nominated Non-Official): Land revenue is fixed according to crops, such as rice, wheat or sugarcane, not on the income of the man.

Sardar Mangal Singh: Land revenue should be assessed on the ground as to how much income a man gets from his land. While assessing income-tax, we leave a certain margin at present—even under the cuts regime,—we leave, say Rs. 1,000 income per annum. But in the case of land, we do not leave any margin whatsoever. A man having one acre is taxed on the same principles and on the same scale as a man having 20,000 acres. This is a wrong principle. In other countries, for instance, in Russia, about 40 per cent. of the peasants are tax-free. Even in England, which is ruling us and whose institutions and principles of administration we are copying, we do not find land revenue to be assessed on the same principle as we have got here in India. There land revenue is a tax, but in this country, land revenue is a rent. This is a very old controversy into which I do not want to go. Suffice it to say, that in old days, this land revenue was assessed on the presumption that Government are the owner of the land and the cultivator is only a tenant. That theory has now been exploded. Nobody even from the Treasury Benches would stand up and say that Government are the owner of the land. If that point is contended, I hope other speakers will refute that argument. While revising our taxation policy, we omit land revenue from our enquiry, we do not go into the real question at all. We all admit that India is a great agricultural country, and, in these days, even those leaders who never thought of the masses are now going to the villages to uplift them.

If we leave my amendment out of this Resolution, then we will be only touching the fringe of the question. We will not go sufficiently far to remove the poverty of the agricultural masses. Sir, our country is now suffering from starvation. Poverty is grinding our masses. The principal reason is that the masses are heavily and unjustly taxed. When we come to New Delhi, we see the splendour of its buildings, the neatness of its roads and a lot of other most attractive things. But if we go to the outskirts of Delhi, a few miles into the interior, just as we went the other day to see the army manœuvres, we see with our own eyes how wretched and poor the people are. I, therefore, submit that the House should accept my amendment and include my amendment while revising the taxation policy and land revenue in the Centrally Administered Areas should be included in the enquiry. In that enquiry we should include that land revenue should be assessed on the basis of income-tax and not on the basis of rent.

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

"That at the end of the Resolution, the following be added :

'with a view to assess land revenue in the Centrally Administered Areas on the basis of income-tax'."

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 12th February, 1935.