

13th February 1935

THE  
LEGISLATIVE ASSEMBLY DEBATES

Report)

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Volume I, 1935

*(21st January to 18th February, 1935)*

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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.

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# LEGISLATIVE ASSEMBLY.

Wednesday, 13th February, 1935.

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

## QUESTIONS AND ANSWERS.

### ARRANGEMENTS FOR THE SUPPLY OF BOOKS AND MAGAZINES TO STATE PRISONERS.

185. \*Mr. V. V. Giri: (a) Will Government be pleased to state what arrangements have been made to supply the State Prisoners in provinces outside Bengal with books from local, provincial, public or other libraries?

(b) Will Government be pleased to state whether it is a fact that arrangements have been made with the Imperial Library Council, Calcutta, to regularly supply books to the State Prisoners and detenus and that a Special Officer has been appointed for the purpose but that the State Prisoners have not so far been getting full benefit of the said arrangement?

(c) Will Government be pleased to state whether any complaints have been received from the State Prisoners about the non-supply of books from the Imperial Library? If so, will Government be pleased to state what action they have taken in the matter?

(d) Is it a fact that the Superintendents of jails, the District Superintendents of Police and the District Collectors concerned, have not been authorised to censor books applied for by the State Prisoners and that the present practice of referring the applications to D.I.G., C.I.D., I.B., causes unusual delay in supply of books to the prisoners? If the reply be in the affirmative, will Government be pleased to state whether they propose to authorise the local officials in charge of jails to pass applications for books, made by the prisoners?

(e) Is it a fact that certain first class magazines and periodicals liked by all the sections of the leading public such as the *Modern Review*, *Prabaski*, *The Uttara*, *The Basumati* and *Bharata Barsha*, a literary magazine edited by Rai Jaladhar Sen Bahadur, who has been a loyal supporter of the Government, have not been allowed to be read by the State Prisoners?

The Honourable Sir Henry Craik:—(a), (b) and (d). State Prisoners under Regulation III of 1818 and detenus confined in jails outside Bengal under the provisions of the Bengal Criminal Law Amendment (Supplementary) Act, 1932, are allowed to borrow books from the jail library and other outside sources including the Imperial Library, Calcutta, provided they are passed by the Superintendent of the jail concerned who makes the necessary arrangements on application from the State Prisoners or detenus. In cases in which the Superintendent of the jail is in doubt in regard to any particular book desired he refers to certain officers in Bengal

No special officer has been appointed by the Government of India, nor as far as I am aware, by the Government of Bengal.

(c) The Government of India have not had any complaints about the non-supply of books from the Imperial Library, Calcutta. Any such complaints would be enquired into and dealt with by the local authorities.

(e) These magazines and periodicals are not included in the list of approved papers for perusal by State Prisoners and detenus, as recently revised.

**Mr. V. V. Giri:** Will the Honourable Member enquire if any complaints have been made to the local authorities in the matter of the supply of books to the prisoners?

**The Honourable Sir Henry Craik:** I said, we had no complaints. As regards complaints to the local authorities, I will, if the Honourable Member so desires, make enquiries.

**Mr. S. Satyamurti:** With reference to the answer to part (e), may I know if the Government will reconsider their decision, not to include these magazines, and consider their inclusion among the magazines supplied to State Prisoners?

**The Honourable Sir Henry Craik:** I will take the point up with the Government of Bengal if the Honourable Member so desires. The decision not to include these papers was that of the Government of Bengal.

**Mr. M. Ananthasayanam Ayyangar:** Are any Indian dailies, weeklies or magazines included in the list now? Are they being supplied to State Prisoners?

**The Honourable Sir Henry Craik:** I must have notice of that question. I think the papers included in the list are all weekly papers, but I am not quite sure. Anyhow, I want notice of the question.

**Mr. M. Ananthasayanam Ayyangar:** It was stated in answer to part (e) that the periodicals referred to were not in the approved list. May I know which body approves the list?

**The Honourable Sir Henry Craik:** I have said that I will take up that question with the Government of Bengal.

**Mr. M. Ananthasayanam Ayyangar:** Who is the official or which is the body that approves?

**Mr. President (The Honourable Sir Abdur Rahim):** The Honourable Member has already answered that he will take up that question with the Government of Bengal.

**Mr. M. Ananthasayanam Ayyangar:** The Honourable Member just now said that the question of inclusion of these periodicals will be taken up with the Government of Bengal hereafter. But may I know if any non-officials or the visitors to jails are included in the committee which approves the list?

**The Honourable Sir Henry Craik:** The decision rests with the Government of Bengal. If the Honourable Member wishes to approach any officer, I should suggest that he should address the Secretary to the Government of Bengal.

**Mr. Basanta Kumar Das:** What is the principle followed in selecting the books?

**The Honourable Sir Henry Craik:** I assume that the principle followed is to exclude books and periodicals which might have a deteriorating effect on the morals of the detenus. (Laughter.)

**CONFIDENTIAL CIRCULAR ISSUED BY THE HOME DEPARTMENT OF THE GOVERNMENT OF INDIA ON THE DECISIONS OF THE BOMBAY CONGRESS.**

186. **\*Mr. V. V. Giri:** (a) Has the attention of Government been drawn to the alleged copy of Home Department's circular, dated 23rd November, 1934, to Local Governments, published in the *Indian Express* of 9th January, 1935?

(b) Will Government be pleased to state whether the copy of the alleged letter published in the *Indian Express* is a true copy of the Home Department circular?

**The Honourable Sir Henry Craik:** With your permission, Sir, I will reply to these two questions together. With regard to both parts of question No. 186 the answer is in the affirmative. With regard to the rest of the question I have dealt with the points in my speech on the adjournment motion.

**Mr. S. Satyamurti:** May I know if the Honourable Member's attention has been drawn to Mahatma Gandhi's speeches on the objects of this Association and the constitution of the Association published after the debate in this House, and whether the Government are still of the same opinion that they should not co-operate with the Association?

**The Honourable Sir Henry Craik:** My impression is that I replied to that question the other day. I have seen those articles and I stated they would be taken into consideration in arriving at a decision on the question.

**Mr. S. Satyamurti:** May I know, therefore, if the Government have not yet come to any final conclusion on their attitude towards the activities of this Association?

**The Honourable Sir Henry Craik:** That is correct.

**Dr. T. S. S. Rajan:** Have the Government of India received any replies to their circulars from the Local Governments?

**The Honourable Sir Henry Craik:** Yes, Sir.

**Dr. T. S. S. Rajan:** Will they place them on the table of the House?

**The Honourable Sir Henry Craik:** No, Sir.

**Mr. S. Satyamurti:** Why not, Sir?

**The Honourable Sir Henry Craik:** Because they are confidential.

**Mr. M. Ananthasayanam Ayyangar:** Will Government place an authentic copy of the original communication issued on the table of the House?

**The Honourable Sir Henry Craik:** There is a substantive question later on in the list on the same subject.

#### VILLAGE INDUSTRIES ASSOCIATION STARTED BY MR. GANDHI.

1187. **\*Mr. V. V. Giri:** Are Government aware that the Village Industries Association started by Mahatma Gandhi is a non-political organisation and do Government propose to create obstacles in the way of legitimate activities of the Association? If the reply is in the affirmative, will Government be pleased to state the grounds on which their attitude is based?

#### ALLEGED CURFEW ORDER IN KHARAGPUR RAILWAY COLONY.

1188. **\*Mr. V. V. Giri:** (a) Will Government be pleased to state whether any curfew order is in force in Kharagpur Railway Colony?

(b) Will Government be pleased to state whether it is a fact that Kharagpur Railway Colony has not been the scene of any political outrage in recent years?

(c) Are Government aware that Bengali railway employees are subjected to humiliating restrictions in glaring contrast to other communities at Kharagpur? If the reply is in the affirmative, will Government be pleased to state the reasons for this communal humiliation and do Government propose to withdraw this order in the Railway Colony?

**The Honourable Sir Henry Craik:** (a) Yes.

(b) and (c). Though there has been no terrorist outrage in Kharagpur itself, the Local Government is satisfied that Kharagpur has been and still is a centre of terrorist plotting and, it is in view of this, that they have imposed restrictions on Bengali residents because Bengalis are particularly concerned in terrorist activities. The Local Government consider that the situation does not warrant the withdrawal of the restrictions.

**Mr. V. V. Giri:** Is the Honourable Member aware that Kharagpur contains only peaceful and non-violent workers, and, as such, will Government consider the advisability of withdrawing this curfew order against the employees at any rate?

**The Honourable Sir Henry Craik:** I think that is covered by the reply I have already given.

**Mr. S. Satyamurti:** May I know the evidence on which the Government have come to the conclusion that the Bengalis in Kharagpur are particularly concerned in terrorist activities?

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†For answer to this question, see answer to question No. 1186.

**The Honourable Sir Henry Craik:** No, Sir. Obviously I cannot give the evidence.

**Mr. S. Satyamurti:** May I know if the Government have any evidence at all, or is it merely their surmise?

**The Honourable Sir Henry Craik:** Certainly not; it is based on information received.

**QUALIFICATIONS AND EXPERIENCE OF THE PREVENTIVE OFFICERS AND THE ASSISTANT PREVENTIVE OFFICERS IN THE MADRAS SEA CUSTOMS OFFICE.**

189. **\*Mr. V. V. Giri:-** (a) Will Government be pleased to state whether it is a fact that till October, 1934, there was no distinction made in the nature of duties allotted between Madras Sea Customs Preventive Service Officers and Assistant Preventive Officers, although the scales of pay for the two classes are Rs. 120—7—295 and Rs. 60—3—185 respectively?

(b) Will Government be pleased to lay on the table a statement showing the qualifications and experience possessed by the present Preventive Officers and the Assistant Preventive Officers in the Madras Sea Customs Office?

**Mr. A. J. Raisman:** (a) Some distinction was made in the postings of Preventive Officers and Assistant Preventive Officers. Work of special importance and requiring experience was always given to Preventive Officers.

(b) A statement is placed on the table of the House.

*Statement showing the qualifications of the Preventive and Assistant Preventive Officers in the Madras Customs House.*

*Preventive Officers—*

- One Graduate.
- One Intermediate.
- Two S. S. L. C.
- One European High School.
- One Military Pensioner.
- Seven exempted.

(No officer has less than seven years' service).

*Assistant Preventive Officers—*

- One Passed Part II of B.A. Examination.
- Two Intermediate.
- Eleven S. S. L. C.
- One European High School.
- Four Exempted.

(Average service of the Assistant Preventive Officers is nine years.)

**Mr. V. V. Giri:** Are Government aware that simply to justify the differences in the scales of pay, the Preventive Manual was amended omitting the rule which stated that generally speaking no distinction should be made in the nature of the duties allotted to them?

**Mr. A. J. Raisman:** The position is that in spite of the fact that the Manual so stood formerly there was in practice a degree of distinction which I have indicated in my reply.

**Mr. V. V. Giri:** Will the Honourable Member indicate the nature of the duties performed by the Preventive Officers and the Assistant Preventive Officers?

**Mr. A. J. Raisman:** I am afraid I cannot possibly go into all such details.

**Mr. V. V. Giri:** Will the Honourable Member supply the details regarding the duties performed by these Officers?

**Mr. A. J. Raisman:** If the Honourable Member wishes to study the Manual on the subject, he is at liberty to do so, but I cannot possibly give that information in answer to a question.

#### OVERTIME FEES RECEIVED BY THE CUSTOMS SERVICE OFFICERS.

190. **Mr. V. V. Giri:** (a) Will Government be pleased to state whether it is a fact that it has become a recognised part of the terms on which the Customs Service Officers are engaged that they should be entitled to over-time fees on the scale which has become customary, viz., the rate of Re. 1 per hour for officers drawing Rs. 75 per mensem and above and half this rate for officers drawing less than Rs. 75 per mensem?

(b) Is it a fact that over-time fees are paid from receipts under Sunday penalty fees levied from the shipping agents and are not connected with the Government revenue?

(c) Will Government be pleased to state whether it is a fact that orders have been recently issued to the effect that the maximum over-time drawn by an Assistant Preventive Officer should not exceed half his salary?

(d) Will Government be pleased to state whether it is a fact that consequent upon the aforesaid order, there has been considerable reduction in the emoluments of the Assistant Preventive Officers without corresponding reduction in over-time work?

(e) Will Government be pleased to lay on the table a statement showing the amount of over-time work in hours performed by the Assistant Preventive Officers drawing Rs. 75 and above and those drawing below, during the last twelve months and the corresponding over-time earnings of the officers in the said period?

**Mr. A. J. Raisman:** (a) Overtime fees are a normal expectation of the Customs Preventive Service. The scale of these fees is, however, liable to alteration and alterations have actually been made in the past. An officer is not entitled to expect that the scale in force at the time of his appointment will necessarily continue throughout his service.

(b) No. A portion of Government overtime fees is also met from the General Revenues.



(c) The orders are intended to ensure an equitable distribution of overtime fees to the whole staff. They do not necessarily mean that the overtime fees drawn by an officer should in no circumstances exceed half his salary. When all the officers available have earned overtime fees, equal to half their salary, they can earn further fees if there is more overtime to be worked.

(d) No. The remuneration is in proportion to the time worked.

(e) The information is being collected and will be laid on the table when ready.

**Lieut.-Colonel Sir Henry Gidney:** With reference to the Honourable Member's reply that the salaries are subject to alteration during service, is it or is it not a fact that the practice of that policy would be a violation of vested interests?

**Mr. A. J. Raisman:** If I had said so, it might be a fact.

**Lieut.-Colonel Sir Henry Gidney:** If he did not say that about salaries, may I know what the Honourable Member really did say?

**Mr. A. J. Raisman:** What I said was that the regulations relating to overtime fees were liable to alteration.

**Lieut.-Colonel Sir Henry Gidney:** Thank you, Sir.

**MEMORIAL FROM THE ASSISTANT PREVENTIVE OFFICERS IN MADRAS *re* IGNORING THEIR CLAIMS.**

191. **\*Mr. V. V. Giri:** Will Government be pleased to state whether any memorial has been received from the Assistant Preventive Officers representing that their claims for promotion by virtue of longer service, greater experience and adequate qualifications, were ignored in favour of less efficient persons in the selection made in September, 1934, for the posts of Examining Officers and if so, will Government be pleased to lay on the table a copy of the reply sent to the memorial?

**Mr. A. J. Raisman:** A memorial from certain Assistant Preventive Officers in the Madras Custom House was received by the Central Board of Revenue. A copy of the orders passed on it is placed on the table.

*Copy of letter O. Dis. No. 329-C. R./34, Pt. II, dated the 19th January 1935, from the First Secretary, Central Board of Revenue, New Delhi, to the Collector of Customs, Madras.*

*Memorials—Assistant Preventive Officers—Madras Custom House—Promotion to Examiner's Grade—*

Your letter L. No. 1267/34/Ac., dated the 10th September 1934.

With reference to the memorials from the Assistant Preventive Officer Madras Custom House, received with the letter cited above, I am directed to say that the Central Board of Revenue sees no reason to interfere with the decision taken by you in the matter of selection of persons for appointment to the Examiners' grade in the Madras Custom House and rejects the memorial. The memorialists may be informed accordingly.

FREQUENT REPAIRS AND RENEWALS OF BRIDGES BETWEEN KARACHI CITY AND KOTRI ON THE NORTH WESTERN RAILWAY.

192. \*Mr. Fakir Chand (on behalf of Mr. Lalchand Navalrai): (a) Will Government be pleased to state how many times during the last ten years the North Western Railway Bridges between Karachi city and Kotri have been strengthened?

(b) Will Government be pleased to give reasons necessitating the frequent repairs and renewals of bridges on this section, and also to state the time when last renewals and repairs were carried out and when the fresh work started and whether that work has been completed or not?

(c) Is it not a fact that the members of North Western Railway Advisory Committee at Karachi brought this matter to the notice of the Agent, who ruled out the motion on the ground that it was not within their jurisdiction?

(d) Is it not a fact that the members complained that constant repairs and renewals were uncalled for and that the work was unnecessarily prolonged, and that this put the travelling public to great hardship and inconvenience on account of the prolonging of the duration of journeys on this line?

(e) Will Government be pleased to state the cost of repairs and renewals to these bridges during each period within the last ten years?

Mr. P. E. Rau: (a) and (b). The Karachi-Kotri Section was opened to traffic in 1861 and contains over 200 bridges; these bridges which were built for light axle loads and slow speeds have been and are in succession showing signs of distress, and have been or are being strengthened accordingly, and this can be expected to continue until all are brought up to the standard required for modern loads and speeds.

(c) and (d). A member of the Karachi Advisory Committee forwarded a proposal for discussion by the Committee for the appointment of an expert Committee comprising three railway officials and three non-official members of the committee with the Agent as Chairman to investigate the whole question of the Karachi-Kotri track. The matter was ruled out by the Chairman as being outside the scope of the Advisory Committee.

(e) Government regret that the information is not readily available.

REMODELLING OF THE KARACHI CITY RAILWAY STATION.

193. \*Mr. Fakir Chand (on behalf of Mr. Lalchand Navalrai): (a) Will Government be pleased to state if it is a fact that the Karachi city station remodelling plan has been held over for the last ten years on the ground of financial stringency?

(b) Is it a fact that such a big terminus station has been left over in an unseemly state and that it has not even a cemented or asphalted platform?

(c) Do Government propose to provide a special amount in the next budget for the entire city station platform until funds are found for the whole scheme? If not, why not?

**Mr. P. R. Rau:** (a) A scheme for remodelling the Karachi City station was considered by the Railway Board in 1929, but its cost of over Rs. 30 lakhs made it financially unjustifiable. The succeeding depression, and the reduction in present day traffic requirements, make it still less justifiable.

(b) and (c). The Agent, North Western Railway, reports that the surface of the existing platform is in fair condition but requires to be improved. It is proposed to provide a concrete or asphalt surface.

**SPEED OF TRAINS ON THE KOTRI LARKANA SECTION OF THE NORTH WESTERN RAILWAY.**

194. **\*Mr. Fakir Chand** (on behalf of Mr. Lalchand Navalrai): (a) Are Government aware that the Kotri Larkana Section on the North Western Railway line has been declared by the Engineering Department as a line which would not allow of more than 30 miles speed?

(b) Is it a fact that on other main lines 50 to 60 miles speed can be attained and if so, do Government propose to renovate the line so as to allow the maximum speed on this important tract? If not, why not?

**Mr. P. R. Rau:** (a) The Kotri-Larkana Section of the North Western Railway is a Section for which the Senior Government Inspector of Railways has sanctioned a maximum speed of 35 miles per hour.

(b) Yes, but the Agent, North Western Railway, has reported that the Kotri-Larkana Section is not a main line Section, but a loop line classified as 'Branch Line Class B'. The expenditure to raise the classification of this Section and increase speed on it cannot be financially justified.

**ABSENCE OF AN UNDERGROUND OR OVERHEAD PASSAGE FOR TRAFFIC AT THE NORTH WESTERN RAILWAY NORTHERN CROSSING OF THE LARKANA STATION.**

195. **\*Mr. Fakir Chand** (on behalf of Mr. Lalchand Navalrai): (a) Is it a fact that there have been complaints for a very long time of the inconvenience caused by the absence of an underground or overhead passage for traffic at the North Western Railway northern crossing of the Larkana station?

(b) Is it a fact that the Railway authorities conceded the necessity of the passage and proposed to construct the passage below the Railway lines at a point opposite the Civil Hospital, provided the Municipality of Larkana contributed a portion of the cost?

(c) Is it a fact that the Larkana Municipality refused to donate for want of a rule or practice and owing to their funds being limited?

(d) Are Government prepared to defray the whole cost of the proposed scheme? If not, why not?

**Mr. P. R. Rau:** (a) Complaints have been made from time to time of inconvenience caused by level crossing gates within Larkana Station limits being closed for lengthy periods. The matter has lately been under reference with the Senior Government Inspector of Railways who has

agreed to sanction special working rules which will reduce materially the period for which gates have to be closed at present to comply with rules for signalling.

(b) The railway authorities have not conceded the necessity for an underground or overhead passage, but the municipality was advised that the railway was prepared to provide a sub-way or an over-bridge at the cost of the municipality.

(c) I understand no reply has been received from the municipality.

(d) The number of trains on this section has not been increased within recent years and the railway administration is under no obligation to defray the cost of the sub-way or over-bridge or even to share it. The steps which the railway are taking to reduce the period for which the gates have to be closed to comply with existing rules will, it is hoped, remove any reasonable cause of complaint against the Railway.

#### CLOSURE OF THE NAGPUR DIVISION OF THE GREAT INDIAN PENINSULA RAILWAY.

196. **Lieut.-Colonel Sir Henry Gidney:** Will Government be pleased to state:

- (a) the date of and the reasons for the closure of the Nagpur Division of the Great Indian Peninsula Railway;
- (b) the number of subordinate and menial employees in the different categories who were, in consequence of this abolition of the Division, either retrenched or demoted;
- (c) the number of officers in their different categories—Lower Gazetted and Superior Service Officers—who were in consequence of this abolition of the Division either retrenched or demoted; and
- (d) if the answer, to part (c) be nil, the manner in which those officers who were working in this Division were dealt with?

**Mr. P. B. Rau:** (a) The Nagpur Division was amalgamated with the Bhusawal Division on the 1st April, 1934, for reasons of economy.

(b) Nil. All were absorbed in vacancies.

(c) Nil.

(d) I understand two officers were rendered surplus. One was transferred to the East Indian Railway, and the other was absorbed in a vacancy caused by retirement. The other officers in the Nagpur Division were transferred to the amalgamated Divisional Office at Bhusawal.

**Lieut.-Colonel Sir Henry Gidney:** Do I understand that by the amalgamation of these two Divisions all the Divisional and Assistant Divisional Officers have been duplicated?

**Mr. P. B. Rau:** The amalgamation reduces the staff; it cannot duplicate the staff.

**Lieut.-Colonel Sir Henry Gidney:** Is it not a fact that, on the dissolution of a Division, the Divisional staff becomes surplus?

**Mr. P. B. Rau:** I have already said that all were absorbed in vacancies.

**Lieut.-Colonel Sir Henry Gidney:** What vacancies?

**DISCONTENT IN THE ENGINEERING DEPARTMENT OF THE GREAT INDIAN PENINSULA RAILWAY.**

197. **\*Lieut.-Colonel Sir Henry Gidney:** (a) Are Government aware of the discontent that prevails in the Engineering Department of the Great Indian Peninsula Railway regarding the recent reduction in the wages of the gangmen, the reduction in the number of gangmen in each gang, the increase in the distance allotted to Keymen to attend to and the reduction in the number of Keymen on the Great Indian Peninsula Railway?

(b) Is it a fact that conflicting reports have been received regarding the condition of the Permanent Way between Igatpuri and Delhi on the Great Indian Peninsula Railway?

(c) Will Government please state on what grounds they introduced the reforms mentioned in part (a) above?

**Mr. P. B. Rau:** The Agent, Great Indian Peninsula Railway, reports as follows:

(a) and (c). The reduction in the wages of gangmen is consequent upon the introduction of the revised scales of pay which apply to all staff appointed on or after the 16th July, 1931, in a temporary or officiating capacity.

A number of gangmen in certain gangs has been reduced as a result of job analysis.

An experiment is being tried out on the Nagpur Division, on lengths where there are modern types of steel keys in use, to increase the keymen's beat. No actual reduction in staff has been effected.

No substantial grounds for discontent have become apparent.

(b) A complaint was received from a passenger regarding the bad running of the coach in which he was travelling over a section of the line between Igatpuri and Delhi. The complaint was enquired into and certain portions of the track were given special attention.

**Lieut.-Colonel Sir Henry Gidney:** Is it or is it not a fact that the rules controlling the new rates of pay,—the reduction of wages I mean,—are not strictly applied to the date which is given by the Honourable Member, but is being applied to employees who were in service before that date,—July, 1931?

**Mr. P. B. Rau:** No, Sir; I have no information to that effect.

**Lieut.-Colonel Sir Henry Gidney:** Will the Honourable Member be good enough to make inquiries if I state that I have information on that point to the contrary?

**Mr. P. B. Rau:** If my Honourable friend can give me any specific instances in which he considers that the rules laid down by the Government of India have not been applied, I shall certainly make inquiries.

**Mr. B. Das:** Is it not a fact that permanent way staff are paid on the daily wage basis and not on the monthly system?

**Mr. P. B. Rau:** I think permanent way staff are paid on the monthly system.

#### INCOME-TAX OFFICERS IN BENGAL.

198. **\*Lieut.-Colonel Sir Henry Gidney:** (a) Is it a fact that the Secretary of State for India sanctioned a cadre of 67 Income-tax Officers for a separate service in Bengal, which was started from April, 1922?

(b) Is it a fact that the conditions of service as they appeared from an advertisement issued in the Press by the then Commissioner of Income-tax were;

- (i) that all persons would be required to serve a period of probation which would normally be two years;
- (ii) that all persons would be required to pass the lower and higher standard of Departmental examinations before confirmation, and
- (iii) that the Commissioner of Income-tax reserved to himself the right to vary the terms in respect of any candidates whom he thought fit?

(c) Is it a fact that the Commissioner appointed three persons to the post of Income-tax Officer on Rs. 500 per mensem, the initial pay of the sanctioned scale?

(d) Is it not a fact:

- (i) that the designation of Income-tax Officer was generally given to one who was put in administrative charge of an Income-tax District or Circle;
- (ii) that the other officers who exercised powers of assessment in respect of certain classes of persons and income were all designated as Additional Income-tax Officers; and
- (iii) that an Income-tax Officer was designated as Assistant Income-tax Officer only so long as he had not completed his period of probation and been confirmed as an Income-tax Officer and only so long as he had not been vested with any powers of assessment?

(e) Is it not a fact that the three Officers mentioned in part (c) above and the other Income-tax Officers were originally designated Assistant Income-tax Officers before they had passed the Departmental Examinations?

**Mr. A. J. Raisman:** With your permission, Sir, I propose to answer question Nos. 198 and 199 together. The information is being obtained and will be laid on the table in due course.

REORGANIZATION OF THE SUPERIOR STAFF OF THE INCOME-TAX DEPARTMENT  
IN BENGAL.

†199. \*Lieut.-Colonel Sir Henry Gidney: (a) Is it a fact that the Government of India ordered the reorganization of the Superior Staff of the Income-tax Department in Bengal with effect from the 1st March, 1927?

(b) Is it a fact that the reorganization scheme fixed the total strength of the service at 37 Income-tax Officers and 50 Examiners of Accounts?

(c) Is it not a fact that the scale of the Income-tax Officers pay under the reorganization was fixed at Rs. 500—50/2—900 with Rs. 450 during the period of probation?

(d) Is it not a fact that on the 28th February, 1927, there were shown in the Civil List of Bengal 37 Income-tax Officers besides 40 Assistant Income-tax Officers who had already been confirmed in that appointment before that date?

(e) Is it not a fact that the reorganization order definitely stated that the existing Assistant Income-tax Officers, who at that date numbered 40, would be counted against their scale of pay Rs. 300—50/2—900 until they were promoted to the rank of the Income-tax Officers or were otherwise provided for?

(f) Is it a fact that the reorganization order was not strictly carried out and that it was not given effect to from the 1st March, 1927, as required in the said order, to the detriment of many of the officers concerned?

(g) Is it a fact:

(i) that the eight senior officers who had already been drawing a pay in excess of the minimum pay of the new scale, i.e., Rs. 500 were denied the option due to them under Fundamental Rules 22 and 28 on transfer to the new scale;

(ii) that three Income-tax Officers were given three rapid increments of Rs. 150 from the 1st March, 1927 to the 1st August, 1928; and

(iii) that three Income-tax Officers were also brought to the new scale of Rs. 500 from Rs. 450 with effect from the 1st March, 1927?

(h) Is it a fact that with respect to the rest of the 23 Income-tax Officers, the Commissioner of Income-tax kept in force the abolished scale until after a year of the date mentioned in the reorganization order?

(i) Is it a fact:

(i) that ten Income-tax Officers were put on the new scale at Rs. 500 per mensem from the 1st February, 1928;

(ii) that 11 Income-tax Officers were placed as Probationary Income-tax Officers from the 1st February, 1928 at a salary of Rs. 450; and

(iii) that two Income-tax Officers were transferred to the new scale with effect from the 2nd June, 1928?

†For answer to this question, see answer to question No. 198.

(j) Is it a fact that in reply to representations made to him by the Officers concerned, the Commissioner of Income-tax stated that as they had been appointed to a new scale of pay their previous confirmed service as Income-tax Officers did not count?

(k) Are Government aware that the money placed at the disposal of the Commissioner of Income-tax, Bengal, to meet the increased expenditure consequent to the reorganization order was allowed to lapse by the non-observance of the instructions contained in the said order?

(l) Do Government propose to consider the advisability of removing the hardships caused to these Officers and reimburse the losses incurred by them through the non-compliance of the orders of the Government of India on the subject by the Income-tax Commissioner, Bengal? If not, why not?

#### SELECTION BOARDS ON THE EAST INDIAN RAILWAY.

200. \*Lieut.-Colonel Sir Henry Gidney: (a) Will Government please state whether Selection Boards have been operating on the East Indian Railway for the purpose of making permanent and officiating appointments to selection posts in the Chief Operating Superintendent's Office, the Chief Commercial Manager's Office and the Divisional Offices?

(b) If the answer to part (a) be in the affirmative, will Government please state since when these Selection Boards have been operating in these Offices?

(c) What must be the rank of the Officers who compose such Boards, i.e., Junior Scale, Senior Scale or Deputies?

Mr. P. R. Rau: (a) and (b). Government are informed that owing to retrenchment there has not been occasion for promotions in these offices recently, but selection boards will be formed when necessary.

(c) It is understood that normally Senior Scale Officers compose the Selection Boards.

#### POSTS OF TRANSPORTATION INSPECTORS SANCTIONED BY THE EAST INDIAN RAILWAY.

201. \*Lieut.-Colonel Sir Henry Gidney: (a) Is it a fact that seven posts of the Transportation Inspectors have recently been sanctioned by the East Indian Railway?

(b) Is it a fact that the post of Transportation Inspector is a Selection post?

(c) If the answer to part (b) be in the affirmative, will Government please state whether a Selection Board selected the candidates to fill the newly sanctioned posts?

(d) If the answer to part (c) be in the negative, will Government please state whether claims of other candidates were considered? If not, what action they propose to take in the matter?

Mr. P. R. Rau: (a), (b) and (c). Yes.

(d) Does not arise.



**RULES REGULATING THE TRAINING AND PROMOTION OF RAILWAY SUBORDINATES.**

**202. \*Lieut.-Colonel Sir Henry Gidney:** (a) With reference to the statement laid on the table regarding the publication of the rules regulating the training and promotion of subordinates, will Government be pleased to state whether the said rules are made available to the subordinates by the respective Departments concerned?

(b) Will Government please state the reason why they do not consider it necessary to publish these rules in the Railway Gazettes?

**Mr. P. E. Rau:** (a) The Agent, East Indian Railway, reports that the rules for the recruitment and training of subordinate staff were published in the form of an Agent's circular in 1932 and copies are available in all offices for reference purposes.

(b) The Agent explains that the rules are intended principally as a guide for officers competent to make appointments and promotions. As, in his opinion no *bonâ fide* enquirer will have any difficulty in obtaining the information required, by application to the proper official, he considers it unnecessary to publish them in the Weekly Gazette.

**Lieut.-Colonel Sir Henry Gidney:** With reference to the Honourable Member's reply, I asked for his opinion and not for the Agents or Railway Divisional Officer's: in regard to the other matter, will the Honourable Member inform this House whether or not it is a fact that rules pertaining to training and promotion of officials are published at a nominal cost and are easily obtainable by all officials, who, moreover, are all familiar with those rules?

**Mr. P. E. Rau:** As regards the first part of the question, I think my Honourable friend has no right to ask for my opinion. As regards the second part, I have some sympathy with his point of view, and the Railway Board propose to discuss with Agents of State-managed Railways in March the best form in which information necessary to the staff can be made available to the staff.

**Lieut.-Colonel Sir Henry Gidney:** May I ask for a distinct reply to a distinct question—is it or is it not a fact that rules controlling the training and promotion of officials are available to all officials at a nominal cost?

**Mr. P. E. Rau:** I do not know to what rules my Honourable friend is referring.

**Lieut.-Colonel Sir Henry Gidney:** The rules regulating the training and promotion of officials.

**Mr. P. E. Rau:** I am afraid I cannot recognise them from that description.

**Lieut.-Colonel Sir Henry Gidney:** If copies of these rules are easily obtainable by officials, will the Honourable Member inform this House why it is denied to subordinates whose interests in life are equal?

**Mr. P. E. Rau:** That is a hypothetical question: but in any case I have informed the House that the Railway Board will discuss in March with Agents of State-managed Railways the best form in which such rules can be made available to the staff.

**Lieut.-Colonel Sir Henry Gidney:** Will those rules be discussed at the next annual general meeting of the Railway Conference Association or will they be inquired into at once?

**Mr. P. E. Rau:** It is not a question of the rules being discussed: the form in which the rules should be made available to the staff will be discussed by the Railway Board with Agents of State-managed Railways next month.

**Lieut.-Colonel Sir Henry Gidney:** I thank you, Sir.

**Mr. N. M. Joshi:** May I ask whether the word "form" will include the publication of certain rules, or whether all the rules will be published?

**Mr. P. E. Rau:** All the rules which are necessary for the staff to know.

**Mr. V. V. Giri:** Does the Honourable Member propose to discuss these rules also at the next meeting of the Railway Board with the All-India Railwaymen's Federation?

**Mr. P. E. Rau:** There is nothing to prevent the Federation from bringing it up as a subject for discussion with the Railway Board.

GOVERNMENT'S ATTITUDE TOWARDS THE VILLAGE INDUSTRIES ASSOCIATION  
FOUNDED BY MR. GANDHI.

203. **\*Mr. Mohan Lal Saksena:** (a) Is it a fact that the Government of India have issued a circular to the Provincial Governments outlining the policy to be followed by them in regard to the All-India Village Industries Association, founded by Mahatma Gandhi under the auspices of the Indian National Congress?

(b) If so, will Government be pleased to lay on the table a copy of the same?

(c) In case no circular has been issued so far, will Government please state what attitude they propose to adopt towards the aforesaid association?

**The Honourable Sir Henry Craik:** I invite the Honourable Member's attention to my speech on the adjournment motion on the 21st January and to the replies given to the questions of Mr. Asaf Ali and Mr. Giri.

**Mr. Mohan Lal Saksena:** What is the reply to part (b)?

**The Honourable Sir Henry Craik:** I have already replied to that in my answer to Mr. Asaf Ali on the 11th February.

**Mr. Mohan Lal Saksena:** Is the Honourable Member aware that Mr. Ghuznavi had a copy of that circular?

**The Honourable Sir Henry Craik:** Yes, I am aware of it: I gave it to him.

**Mr. Mohan Lal Saksena:** Will the Honourable the Home Member supply all other Members with a copy of the circular?

**The Honourable Sir Henry Craik:** Not now: but if any Honourable Member had asked for a copy on the day it was debated, I would have gladly supplied it.

**Mr. Mohan Lal Saksena:** And if they ask for it now?

**The Honourable Sir Henry Craik:** No.

**Munshi Iswar Saran:** Will the Honourable Member kindly tell the House if those copies would have been made available to those who, the Honourable Member had reasons to know, would oppose the Indo-British Pact?

**The Honourable Sir Henry Craik:** Yes, certainly.

**Munshi Iswar Saran:** And not to those only who would support the Government?

**The Honourable Sir Henry Craik:** No: I say I would have given a copy to any Honourable Member of the House who applied for one on the day it was debated.

**Munshi Iswar Saran:** Will the Honourable the Home Member kindly state the reason why it cannot be made available now?

**The Honourable Sir Henry Craik:** I have already said that it is a matter of principle: the circular is a confidential one which has leaked out by some illicit means, and, as a matter of principle, I am not prepared to lay it on the table or publish it.

**Munshi Iswar Saran:** Will the Honourable the Home Member kindly state the principle which underlies it? The circular is no longer confidential: it has been given to one Honourable Member of this House?

**The Honourable Sir Henry Craik:** The principle underlying it is that papers marked confidential must, so far as is possible, be treated as confidential.

**Mr. S. Satyamurti:** May I ask your ruling, Sir, on the matter? Is it open to the Government to give a copy of a circular to one Honourable Member and not place it on the table of the House?

**Mr. President** (The Honourable Sir Abdur Rahim): It is not a question for ruling. It is for the Government to decide, in the case of a confidential circular, whether they are prepared to supply copies to Honourable Members who want them.

**Sir Muhammad Yakub:** Have Government instituted any inquiry to find out how this confidential paper leaked out, because I find that on several occasions important confidential papers from the offices of the Government of India have come to light, and they have formed the subject matter of questions in the Assembly? Do Government propose to make a searching inquiry and find out why this leakage occurs?

**The Honourable Sir Henry Craik:** Yes: inquiries are being made.

**Sardar Sant Singh:** May I know if this circular forms part of the proceedings of that day's debate in this House?

**The Honourable Sir Henry Craik:** That is not for me to say.

**Sardar Sant Singh:** Will it be published as part of the proceedings of that day?

**The Honourable Sir Henry Craik:** I do not know.

**Mr. B. Das:** May I ask for your ruling, Sir, on one aspect of the question? The Honourable the Home Member said after 4 P.M. on the 21st January that he would make a copy of the circular available to any Member who wanted it, but the question was discussed till 6 P.M. How could he now say that we did not ask for copies between those two hours: and so he cannot allow copies to Members thereafter?

**Mr. President** (The Honourable Sir Abdur Rahim): What is the ruling that the Honourable Member wants?

**Mr. B. Das:** The Honourable Member pleaded just now that he could not make a copy of the circular available, because he was not asked for it that very day: I say it was impossible for us to ask him to supply copies that day as the debate took place between 4 P.M. and 6 P.M. and he offered to give us copies only after 4 P.M.

**Mr. President** (The Honourable Sir Abdur Rahim): That is not a point for ruling. It is for the Honourable the Home Member to consider.

**Mr. B. Das:** I would request you, Sir, kindly to go over that speech and see whether he made the point that a copy of this circular would be made available that very day and on no other day, and whether there was any time for us to ask him for it.

**The Honourable Sir Henry Craik:** Perhaps I may give some personal explanation, and tell the Honourable Member exactly what happened. During the course of the debate it occurred to me that some Honourable Members might not be in possession of the circular which was being debated, which had been published in some newspapers, of which I noticed that one or two Members had copies and all had not. I, therefore, asked the Secretary in my Department to bring a certain number of copies to this House and to give a copy to any Honourable Member who asked for it, and I understand he gave it to some Members.

**Mr. Mohan Lal Saksena:** Is the Honourable the Home Member aware that in reply to a question put by me, Mr. Ghuznavi stated that he had received the circular from the same source as the Press?

**The Honourable Sir Henry Craik:** I am not aware of that.

**Mr. M. Asaf Ali:** Will the Honourable the Home Member kindly elucidate the position a little further and tell us on what principle and under what circumstances he is prepared to supply confidential documents to the Members of this House?

**The Honourable Sir Henry Craik:** I have not formulated any principle. This is the only case that has arisen during my Membership of this House, but I can assure the Honourable Member that if, at any time, I consider that it will suit the convenience of Honourable Members to be supplied with copies of the papers and that these papers can be supplied without detriment to the public interest, I should be happy to supply them.

**Mr. S. Satyamurti:** May I know, Sir, to which Honourable Members copies were supplied on that day, and whether any Honourable Member of the Congress Party was supplied with a copy?

**The Honourable Sir Henry Craik:** I do not know exactly to which Honourable Members copies were supplied. I did not supply them myself. They were supplied by my Secretary.

**Mr. S. Satyamurti:** Will you kindly inquire and say to whom they were supplied? Will you kindly supply a copy now?

**The Honourable Sir Henry Craik:** As I said, I do not know exactly to whom copies were supplied, and I doubt whether my Secretary can now remember to whom he supplied copies.

**Mr. Mohan Lal Saksena:** One more question, Sir? Will the Honourable the Home Member read Mr. Ghuznavi's speech.

**Mr. President** (The Honourable Sir Abdur Rahim). Order, order. I think the matter has been sufficiently explored. Next question.

**ALLEGED PROPAGANDA FOR THE JOINT PARLIAMENTARY COMMITTEE REPORT BY GOVERNMENT SERVANTS.**

204. **\*Mr. T. S. Avinashilingam Chettiar:** Are Government aware that permanent servants of Government are doing propaganda on behalf of the Joint Parliamentary Committee Report?

**The Honourable Sir Henry Craik:** According to the Government Servants' Conduct Rules, it is permissible to Government officers to defend and explain in public the policy of Government for the purpose of removing misapprehensions and countering misrepresentations and they have, therefore, taken that action in respect of the proposals contained in the Joint Committee's Report which as the Honourable Member is aware has formed the basis of the new Government of India Bill.

**Mr. T. S. Avinashilingam Chettiar:** Are Government aware whether the Government Servants' Conduct Rules prohibit Government servants from doing propoganda for any side of political opinion in the country?

**The Honourable Sir Henry Craik:** No, they are allowed to defend and explain the policy of Government. The Bill founded on the Joint Select Committee's Report is now the policy of the Government.

**Sardar Sant Singh:** May I know what construction does my Honourable friend place upon the definition of a Government servant in permitting him to take part in the political activities of the country? What definition does he give to the term "political activities" of the country?

**The Honourable Sir Henry Craik:** I do not think that arises out of this question. In any case, I am not prepared at a moment's notice to give my interpretation of the rule with the phraseology of which I had nothing to do.

**Mr. N. M. Joshi:** May I know whether it is in accordance with the principle that permanent Government servants cannot take part in the politics of the day?

**The Honourable Sir Henry Craik:** Yes.

**Mr. S. Satyamurti:** Have Government considered the deleterious effects on permanent Government servants being drawn into controversial politics?

**The Honourable Sir Henry Craik:** I don't see how that arises out of the question.

**Mr. S. Satyamurti:** May I know whether the Joint Parliamentary Committee's proposals are or are not controversial in India today? Do not the Government know it?

**The Honourable Sir Henry Craik:** Yes. Of course, but the proposals in the Report are now the policy of His Majesty's Government.

**Mr. S. Satyamurti:** May I know if the Government Servants' Conduct Rules include also the policy of His Majesty's Government and not merely the policy of the Governments in India?

**The Honourable Sir Henry Craik:** I should say they include the policy of His Majesty's Government so far as it affects India.

**Mr. S. Satyamurti:** May I know, Sir, whether that is also the policy of the Government of India, in view of the statement of the Honourable the Home Member that the Government of India were overruled by the Secretary of State and the British Parliament in more than one respect, especially in regard to the question of direct elections to the Federal Lower House?

**The Honourable Sir Henry Craik:** That does not arise out of this question. Obviously, the constitutional position is this. The Government of India is a subordinate Government of His Majesty's Government, and, therefore, they are bound to adopt and carry out the policy of His Majesty's Government.

**Mr. M. Ananthasayanam Ayyangar:** Will the Honourable the Home Member say whether Government servants can convene and address public meetings?

**The Honourable Sir Henry Craik:** Will the Honourable Member please speak up?

**Mr. M. Ananthasayanam Ayyangar:** I want to know whether in carrying on this propaganda, Government servants are allowed to convene and address public meetings?

**The Honourable Sir Henry Craik:** I have not got a copy of the Rules handy, and I am not certain as to that, but according to the rule they are allowed to defend and explain the policy of the Government.

**Mr. M. Ananthasayanam Ayyangar:** Can they decide for themselves?

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

SIAMESE RICE IMPORTED INTO INDIA.

205. **\*Mr. T. S. Avinashilingam Chettiar:** (a) Will Government please state the amount of Siamese rice imported into this country in 1930 and in each year since 1930?

(b) Are Government aware that due to this import a great deal of the locally grown rice in South India is remaining unsold?

(c) What action have Government taken to dispose of the unsold rice or to prevent this foreign import?

**Mr. G. S. Bajpai:** (a) Imports of Siamese rice into this country were as follows:

1930-31.	1931-32.	1932-33.	1933-34.
Tons.	Tons.	Tons.	Tons.
101	2,292	14,697	57,194

(b) Government have no information.

(c) The matter is already under the consideration of Government.

INDO-BRITISH TRADE AGREEMENT.

206. **\*Mr. S. Satyamurti:** Will the Honourable the Commerce Member be pleased to state:

(a) whether an Indo-British Trade Agreement has been signed;

(b) if so, the terms thereof; and

(c) the reasons why either the Legislature or the representatives of Indian Trade and Commerce were not consulted before the Agreement was entered into or signed?

**The Honourable Sir Joseph Bhore:** (a) Yes, Sir.

(b) The Honourable Member is referred to the Agreement, a copy of which has been supplied to him.

(c) I dealt with the point in my speech on the motion that the Indo-British Trade Agreement be taken into consideration and I would refer the Honourable Member to that speech.

**Mr. S. Satyamurti:** May I ask a supplementary question, Sir? May I know the reasons why the Government of India have ignored the verdict of this House to terminate this Agreement?

**The Honourable Sir Joseph Bhore:** Because the Government of India consider that it is really in the best interests of India that this Agreement should be maintained.

**Mr. S. Satyamurti:** Did the Government of India reconsider their position, after the verdict of the House?

**The Honourable Sir Joseph Bhore:** It is likely, Sir, that the House may reconsider its verdict, when a specific case comes up before it and it is necessary to give effect to the general principles which are embodied in that Agreement.

**Mr. S. Satyamurti:** I am grateful to the Honourable Member for the compliment he has paid to the House, but what I want to know is this. Did the Government pay this courtesy at least to this House, that, after its verdict, they formally met and considered whether they could accept it or ignore it?

**The Honourable Sir Joseph Bhore:** The debates in this House were most carefully considered. I can assure my Honourable friend about that.

**Mr. S. Satyamurti:** Was there any meeting of the Governor General's Council to consider this matter?

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member says that the debates were carefully considered.

**Mr. S. Satyamurti:** I want to know by whom, whether by the Governor General in Council?

**The Honourable Sir Joseph Bhore:** I am not prepared to disclose what took place in the Governor General's Council.

**Mr. S. Satyamurti:** I want to know whether a meeting took place to consider this question. I am entitled to an answer, Sir.

**The Honourable Sir Joseph Bhore:** I am not prepared to give any further information on this point.

**Mr. S. Satyamurti:** I quite see his difficulty.



PROPOSED INDO-BURMA TRADE AGREEMENT.

207. \***Mr. S. Satyamurti:** Will the Honourable the Commerce Member be pleased to state:

- (a) whether the terms of the proposed Indo-Burma trade agreement will be placed before the legislature for its sanction and approval;
- (b) whether the right of Indians resident and trading in Burma will be amply protected; and
- (c) whether the opinions of Indians resident in Burma will be given due weight in coming to such an agreement?

**The Honourable Sir Joseph Shore:** (a), (b) and (c). I would refer the Honourable Member to the reply given to his short notice question and to the connected supplementary questions on the 4th February last.

**Mr. S. Satyamurti:** In view of the fact that the Honourable Sir Frank Noyce has been put forward as the representative of Labour, may I ask the Honourable the Commerce Member whether he will reconsider the matter, and whether he will consult any representatives of Indian labour before that part of the convention governing Indian labour in Burma is finally agreed to?

**The Honourable Sir Joseph Shore:** If any representative of Indian labour comes to me and places his views before me, I should be only too glad to listen to what he has to say.

**Mr. S. Satyamurti:** I put only clauses (b) to (f) of question No. 208. Clause (a) has been dealt with already.

CONFIDENTIAL CIRCULAR ISSUED BY THE HOME DEPARTMENT OF THE GOVERNMENT OF INDIA ON THE DECISIONS OF THE BOMBAY CONGRESS.

208. \***Mr. S. Satyamurti:** Will the Honourable the Home Member be pleased to state:

- (a) whether it is a fact that a confidential circular has been issued by the Government of India, Home Department, Political, dated November 23, 1934, to all local Governments and administrations on the situation arising out of the decisions of the recent Bombay Congress;
- (b) whether the circular was approved by Government as a whole;
- (c) the purposes for which the circular has been issued;
- (d) the names of the Officers to whom it has been issued;
- (e) whether it has been issued only to European Officers and not to Indian Officers; and
- (f) whether Government have received any replies to the circular and whether those replies will be placed on the table of this House?

**The Honourable Sir Henry Craik:** (b) The circular was issued over the signature of the Secretary of the Home Department and it conveys the views of the Governor General in Council.

(d) and (e). It is for Local Governments to decide to what officers it should be circulated, but in this as in other matters neither the Government of India nor Local Governments draw any distinction between Indian and European Officers in deciding to whom a circular shall be distributed.

(f) Some replies have been received but as these replies are like the circular itself, confidential, Government are not prepared to lay them on the table.

**Mr. S. Satyamurti:** May I know the answer to part (c) of the question:

**The Honourable Sir Henry Craik:** The answer to part (c) is: I refer the Honourable Member to my speech on the adjournment motion and to the previous replies given on the question.

**Mr. S. Satyamurti:** May I know how many and which Local Governments have replied to this circular?

**The Honourable Sir Henry Craik:** I think nearly all of them.

**Mr. S. Satyamurti:** May I know whether the Madras Government have replied to this circular?

**The Honourable Sir Henry Craik:** I cannot remember.

#### WORKING OF THE JOINT PARLIAMENTARY COMMITTEE'S PROPOSALS.

209. **\*Mr. S. Satyamurti:** Will the Honourable the Home Member be pleased to state:

- (a) whether the Government of India were consulted by the Secretary of State on the possibility of parties or individuals taking the responsibility of working the Joint Parliamentary Committee's proposals;
- (b) if so, what their reply was; and
- (c) whether in giving that reply, they consulted Indians of any party or political opinion, officially or unofficially, and if so, the names of those Indians?

**The Honourable Sir Nripendra Sircar:** The answer to part (a) is No.

Parts (b) and (c). Strictly speaking, the answer is, they do not arise, but I may state that the Government of India have been in close touch with the Secretary of State throughout the whole of the discussions leading up to the Constitution Bill now before Parliament. Since the presentation of the report of the Joint Select Committee they have informed the Secretary of State that in their opinion the scheme presented in the Report provided a basis for a Bill which they believed would be workable. Before expressing that opinion the Government of India did not consult persons belonging to political parties in India.

**Mr. S. Satyamurti:** May I know, in view of the answer to clause (a) of this question being "No", whether the Government of India's attention has been drawn to the Secretary of State's statement and that of Mr. Stanley Baldwin in this morning's papers that they had been assured by Governments in India that the reforms would be worked? May I know if that answer is based on any formal information sent by the Government of India, or is it merely an impression produced on their minds?

**The Honourable Sir Nripendra Sircar:** The answer to the last portion is "No", and I do not accept the first portion as correct, because I have got here a brief report of what Sir Samuel Hoare is reported to have said. He is reported to have said:

"Critics in India must not be taken to mean that Indians would obstruct the reforms. On the contrary, the Viceroy and all Governors had told him that India would work the reforms."

In this report nothing is said about Government of India.

**Mr. S. Satyamurti:** May I know if the Government of India never informed the Secretary of State that in their opinion there will be people found in this country to work the reforms?

**The Honourable Sir Nripendra Sircar:** I think that follows from the answer to the first part, but, if necessary, I again say, "Yes."

**Mr. S. Satyamurti:** Then may I know when the Government of India, according to the Law Member's reply, informally, as a result of correspondence, gave the impression to the authorities in England that the reforms would be workable, whether they were giving expression to their own opinion, or whether it was arrived at in consultation with any representative Indians, persons or parties?

**The Honourable Sir Nripendra Sircar:** They had drawn their own inference from facts before them.

**Mr. S. Satyamurti:** So, may I know that they did not consult any Indian belonging to any school of political thought before giving this opinion or impression to the Government in England?

**The Honourable Sir Nripendra Sircar:** I have answered once and I give the same answer, and that is, they did not consult.

**Mr. S. Satyamurti:** May I know the reason why the Government chose not to consult any Indian, and yet informed the British Government that the reforms would be workable?

**The Honourable Sir Nripendra Sircar:** Because the Government had hundreds of opinions as expressed in speeches, resolutions and writings.

**Mr. S. Satyamurti:** May I know whether those speeches and writings were not available to the Government in England? May I know where the Government of India come in?

**The Honourable Sir Nripendra Sircar:** That is a question which ought to be put to the Government in England.

#### SUPPLY OF BOOKS TO STATE PRISONERS IN PROVINCES OUTSIDE BENGAL.

210. **\*Mr. S. Satyamurti:** Will the Honourable the Home Member be pleased to state:

- (a) what arrangement has been made to supply the State Prisoners in provinces outside Bengal with books according to their choice;

- (b) what arrangement has been made to accord facilities to the State Prisoners for the supply of books from the public libraries—local and provincial, or other libraries; if none, whether Government propose to make any arrangement in the future;
- (c) whether it is a fact that Government have arranged for the current year (from February 1934 to January 1935) with the Imperial Library Council, Calcutta, to supply regularly books to the State Prisoners and detenus, detained in jails and camps all over India; and have appointed a special officer to deal with, and also granted and allotted a lump sum for the same;
- (d) whether the State Prisoners and detenus concerned have been getting full benefit of the grant thereof; and
- (e) whether there have been complaints received, if any, regarding the non-compliance of the regular supply of the same; if so, the action taken to remedy the said grievance?

**The Honourable Sir Henry Orsk:** With your permission, Sir, I propose to reply to questions Nos. 210, 211 and 212 together. I would invite the Honourable Member's attention to the reply given by me to Mr. V. V. Giri's question No. 185 today. I may add with reference to clause (e) of question No. 210 that the Government of Bengal have recently sanctioned a special grant of Rs. 600 for the employment of an additional clerk to cope with the work of distributing books to detenus and State Prisoners.

**Mr. S. Satyamurti:** With reference to the answer to clause (d) of question No. 212, may I ask the Honourable the Home Member the reasons why journals like the *Modern Review*, the *Basumati*, and so on, are not supplied to these State Prisoners?

**The Honourable Sir Henry Orsk:** I think I answered that in reply to a supplementary question on Mr. Giri's question No. 185. I said that I was not aware of the reasons, but I would take the matter up, if the Honourable Member so desired, with the Government of Bengal.

**Mr. S. Satyamurti:** In view of the Honourable the Home Member's answer to an earlier supplementary question, that journals which may have a deleterious effect on the morals of State Prisoners are not supplied, does he contend that Journals like the *Modern Review*, the *Prabasi*, or the *Basumati* would have any such effect?

**The Honourable Sir Henry Orsk:** That is a matter of opinion, but not having read the magazines in question I am not in a position to say.

**Mr. S. Satyamurti:** Has the Honourable Member never read the *Modern Review*?

**The Honourable Sir Henry Orsk:** No, never. (Laughter.)

**Mr. Mohan Lal Saxena:** Is he aware that a magazine of the name of the *Modern Review* is being published?

**The Honourable Sir Henry Orsk:** No. (Laughter.)

**Mr. S. Satyamurti:** A fine Home Member!

**Mr. M. A. Jinnah:** No wonder that the Home Member goes wrong every time. (Laughter.)

**The Honourable Sir Henry Craik:** I would go more wrong if I read those papers. (Laughter.)

**SUPPLY OF BOOKS TO STATE PRISONERS IN PROVINCES OUTSIDE BENGAL.**

†211. **\*Mr. S. Satyamurti:** Will Government be pleased to state:

- (a) whether the Deputy Inspector-General, Criminal Investigation Department, Intelligence Bureau, Bengal, is the only authority to censor and pass books meant for State Prisoners and detenus, detained in far off provinces outside Bengal, thereby causing unusual delay in the censorship and consequently the supply of the books; and
- (b) whether the Superintendents of Jails, the District Superintendents of Police and the District Collectors concerned, have also been authorised to censor and allow books to the State Prisoners and detenus, thereby facilitating supply without unusual delay; if not, whether Government propose to so authorise them now?

**NON-SUPPLY OF CERTAIN MAGAZINES TO STATE PRISONERS AND DETENUS.**

†212. **\*Mr. S. Satyamurti:** (a) Is it fact that magazine like *The Modern Review*, *the Prabasi* and the like are not allowed to the State Prisoners and detenus? If so, will Government be pleased to state reasons therefor, and whether they propose to reconsider the matter?

(b) Is it a fact that *The Uttara*, *The Basumati* and other literary, Bengali monthlies are also not allowed to the State Prisoners and detenus? If so, do Government propose to reconsider their decision in the matter?

(c) Has the *Bharatbarsha* also been prohibited to the State Prisoners and detenus? If so, why? Do Government propose to reconsider their decision in the matter?

(d) If the replies to the first portions of parts (a) to (c) be in the affirmative, will Government please state the reasons why they are not allowed to the State Prisoners and detenus?

(e) Do Government propose to reconsider their decision in the respective cases mentioned in parts (a), (b) and (c), and allow them to State Prisoners and detenus?

**LOCKING UP OF CERTAIN STATE PRISONERS DETAINED IN THE TRICHINOPOLY CENTRAL JAIL.**

213. **\*Mr. S. Satyamurti:** (a) Will Government be pleased to state whether the State Prisoners, Srijuts Trailakyanath Chakravarty, Pratul Chandra Ganguly, Ramesh Chandra Acharya and Rabindra Mohan Sen Gupta, detained in the Trichinopoly Central Jail (Madras) had never till the end of September last been locked up before 8-30 P.M.?

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†For answer to this question, see answer to question No. 210.

(b) Have the said State Prisoners since then been locked up in their rooms at 7 P.M.? If so, will Government please state the reason for this new change of lock-up time?

(c) Is it a fact that since the enforcement of the new order, the State Prisoners do not get sufficient time after evening exercises, allowed them for rest, bath prayers and food before lock-up?

(d) Is it a fact that no sooner had the present system of lock-up been enforced than the State Prisoners protested and brought their grave inconveniences to the notice of the authorities and whether the District Collector realising their difficulties, recommended for their continuance of the old system of lock-up?

(e) Is it a fact that the State Prisoners did bring this matter to the notice of the Government of India? If so, do Government propose to remove their grievances and pass orders for the re-introduction and continuance of the old system of lock-up at 8-30 P.M.?

(f) Is it not a fact that in all jails and detention camps sufficient time is always allowed, after evening exercises and before lock-up, for rest, bath, prayer and food?

**The Honourable Sir Henry Craik:** Under the rules, which have been drawn up for the care and treatment of State Prisoners, all State Prisoners detained in jail are required to be locked up within one hour after the locking up of ordinary prisoners. The State Prisoners in Madras jails, who are accordingly locked up at 7 P.M., have represented against the recent enforcement of this rule. The matter is under consideration with the Government of Bengal.

**Mr. S. Satyamurti:** Is it or is it not a fact that they were not locked up before September last, before 8-30 P.M.?

**The Honourable Sir Henry Craik:** I am not sure of the exact date, but I think the Honourable Member is correct that at that time they were not locked up before 8-30 P.M.

**Mr. S. Satyamurti:** May I know the reason for this change then?

**The Honourable Sir Henry Craik:** Because the attention of the jail authorities was drawn to this rule which directs that State Prisoners are to be locked up within one hour after the locking up of ordinary prisoners.

**Mr. S. Satyamurti:** May I know whether the jail authorities have considered that locking up the State Prisoners, an hour and a half earlier than previously, deprives them of the time for exercise, rest, bath, prayers, food, etc.?

**The Honourable Sir Henry Craik:** I have said that the matter is under consideration in consultation with the Bengal Government.

#### DIETARY ALLOWANCE TO STATE PRISONERS IN THE MADRAS PRESIDENCY.

214. **Mr. S. Satyamurti:** (a) Is it a fact that the opinions of the Superintendents of Jails of the Madras Presidency, where State Prisoners have been kept, had been invited as soon as the Bengal State Prisoners

were transferred to the Presidency as to the daily dietary allowance for each State Prisoner and whether the range of recommendation was to vary from Rs. 1-4-0 to Rs. 2 per head per diem?

(b) Did all the Superintendents, supported by officials and non-official visitors concerned, recommend Rs. 2 per diem, with the exception of only one Superintendent who recommended Rs. 1-12-0?

(c) Has the dietary allowance been finally fixed at Rs. 1-4-0 per head per diem notwithstanding all the recommendations?

(d) Were the Bengali State Prisoners kept in jails of the Madras Presidency during 1926-27, allowed Rs. 2 per diem?

(e) Do Government propose to reconsider their decisions as regards the dietary allowance to State Prisoners in the Madras Presidency, and to enhance it?

**The Honourable Sir Henry Craik:** I would refer the Honourable Member to the replies, given by my predecessor, to Mr. Mitra's question No. 257 on the 8th February and Mr. Bhuput Sing's question No. 609 on the 5th September, 1933, to which I have nothing to add.

**Mr. S. Satyamurti:** May I know if Government will reconsider their decision in view of the fact that Rs. 1-4-0 per diem is considered inadequate?

**The Honourable Sir Henry Craik:** It is not considered inadequate by the Local Government.

**Mr. S. Satyamurti:** But, Sir, may I know if the prisoners' view also has been taken into consideration?

**The Honourable Sir Henry Craik:** I have no doubt that the Local Government have taken that into consideration.

#### REVOLUTIONARY CONVICTS IN THE CELLULAR JAIL, ANDAMANS.

215. \***Mr. S. Satyamurti:** Will Government be pleased to state:

- (a) the present number of revolutionary convicts, province by province, in the Andamans Cellular Jail, under classifications A, B and C, respectively;
- (b) the nature of labour imposed on them under respective classifications;
- (c) the special privileges, if any, granted to the political convicts in the Andamans; and
- (d) whether the privilege of remaining outside the Cellular Jail, as ticket-of-leave prisoners, has also been extended to the above political convicts just as is usually accorded to the ordinary criminals after serving a few months inside the jail?

**The Honourable Sir Henry Orsk:** (a) The number of terrorist prisoners at present confined in the Cellular Jail, Port Blair, is:

- 62 B and 137 C class from Bengal,
- 1 B and 12 C class from Bihar and Orissa,
- 2 B and 1 C class from Delhi,
- 6 C class from Madras, and
- 6 C class from the Punjab.

There are no A class terrorist prisoners in the Cellular Jail, Port Blair.

(b) The terrorist prisoners in the Andamans are employed on tailoring, weaving, book-binding and press compositing. C class prisoners are also employed on the twisting of coir yarn.

(c) I would refer the Honourable Member to the rules made by the Chief Commissioner, Andamans, for the treatment of terrorist prisoners, a copy of which will be found in the Library of the House.

(d) No.

**Mr. S. Satyamurti:** With reference to the answer to clause (d), may I know why the privilege of remaining outside the Cellular Jail has not been extended to these prisoners?

**The Honourable Sir Henry Orsk:** That is not the policy of Government—to allow them out in the settlement. The object of sending them to the Andamans was to secure their complete segregation.

**Mr. B. Das:** With reference to part (a) of the question, may I know if the figures include the recent batch of political prisoners that were drafted from Bengal to the Andamans?

**The Honourable Sir Henry Orsk:** Yes, they do include the recent batch.

#### SOLDIERS REQUISITIONED FOR THE SUPPRESSION OF TERRORIST MOVEMENT IN BENGAL.

216. **\*Mr. S. Satyamurti:** (a) Will Government be pleased to state the total number of soldiers specially requisitioned for the suppression of the terrorist movement in Bengal?

(b) What is the nature of the duties assigned to them?

(c) Have the aforesaid soldiers visited and marched throughout the length and breadth of Bengal?

(d) Have the receptions everywhere been spontaneous or otherwise?

(e) Have Government ascertained the notions and wishes of the people as to the presence of these soldiers in their midst?

(f) Is it a fact that so many villages, especially in the Midnapore District, have been deserted at the news of the approach of the soldiers, and if so, how many villages?

(g) Is it incumbent on the people to accord reception to the soldiers?

(h) What is the number of schools, colleges, hostels, and other public institutions, as well as private houses, ordered to be vacated to make room for the quartering of these soldiers, temporarily or otherwise?



(i) Will Government please state whether all the various measures, including quartering and route marches of the soldiers, etc., adopted by Government to counteract and suppress the terrorist activities, have had the desired effect in making the people more and more loyal?

**The Honourable Sir Henry Crank:** (a) The additional garrison in Bengal amounts to seven battalions of infantry.

(b) They are primarily a reserve of strength behind the civil power, and their duties are solely in aid of the civil power. They may afford their aid by means of flag marches, by providing cordons, while the police are conducting searches, or in other ways as the local situation requires.

(c) The following districts have been visited from time to time: Dacca, Mymensingh, Noakhali, Tippera, Bakarganj, Chittagong, Rangpur, Jalpaiguri, Bogra, Dinajpur, Malda, Pabna, Bankura, Burdwan, Hooghly, Murshidabad, Nadia, Midnapur, Howrah and Birbhum.

(d) The troops have in general been cordially welcomed.

(e) If by this is implied previous consultation with the people, the answer is in the negative.

(f) No.

(g) There has been no compulsion but the people have always been given the opportunity to do so.

(h) According to the reports received by the Local Government, one school has been commandeered to provide accommodation for troops. Several such premises have been occupied from time to time for short periods but this has been by arrangement.

(i) The deputation of troops to Bengal has undoubtedly had the effect of greatly improving the general situation in regard to terrorism.

**Mr. S. Satyamurti:** With reference to the answer to clause (d) of the question, may I know what is the information on which the Government state that on the whole they have been received well?

**The Honourable Sir Henry Crank:** That is the information supplied to me by the Bengal Government.

**Mr. S. Satyamurti:** With reference to clause (e) of the question, may I know whether, after these marches, Government have in any way ascertained the opinions and wishes of the people?

**The Honourable Sir Henry Crank:** I should imagine that Government have full reports as to the effect of the marches from the local authorities.

**Mr. S. Satyamurti:** I am not talking of the effect. I want to know whether the Government have ascertained the wishes of the people as to the presence of these soldiers in their midst.

**The Honourable Sir Henry Crank:** I cannot say as to that, but I know that certainly large sections of the people desire to retain the troops there.

**Mr. S. Satyamurti:** Are they compelled to attend these marches?

**The Honourable Sir Henry Craik:** I have dealt with in reply to the substantive question. Part (d) of the question was "Have the receptions everywhere been spontaneous or otherwise". My reply was "The troops have in general been cordially welcomed".

**Mr. S. Satyamurti:** With reference to the answer to clause (f) of the question, have Government made any enquiries on this matter since the receipt of this question?

**The Honourable Sir Henry Craik:** Yes, the Local Government have certainly made enquiries.

**Mr. S. Satyamurti:** Are they satisfied that no people in any village deserted at the news of the approach of the soldiers?

**The Honourable Sir Henry Craik:** They are so satisfied.

**Mr. S. Satyamurti:** With reference to clause (g) of the question, may I know if, apart from the report of the Bengal Government, the Government of India have any information as to the effect of these matches in Bengal?

**The Honourable Sir Henry Craik:** I have visited myself two districts in which troops are at present, and I have had some opportunities of forming my own opinion.

**Mr. S. Satyamurti:** Have Government not been impressed by the fact that the people have become sullen and angry, because of this exhibition of counter terrorism?

**The Honourable Sir Henry Craik:** We have no information to that effect.

**Mr. Mohan Lal Saksena:** Are Government aware of the adverse comments of, and complaints in, the Bengal papers?

**The Honourable Sir Henry Craik:** I am.

**Mr. Mohan Lal Saksena:** Have Government taken any steps to make inquiries into the allegations made?

**The Honourable Sir Henry Craik:** As to the truth of the comment? No.

**Mr. Mohan Lal Saksena:** Do Government propose to take any steps now to find out if the comments in the Bengal papers are true?

(No answer.)

†217\*.

†This question was withdrawn by the questioner.

DUMPING OF WHEAT INTO INDIA.

218. \*Prof. N. G. Ranga: Will the Honourable the Commerce Member be pleased to state:

- (i) when the dumping of wheat into this country was first noticed by Government;
- (ii) the nature of the representations received by Government from peasants and others for protection against dumping; and
- (iii) what steps have been taken so far by Government to help the peasants?

Mr. G. S. Bajpai: (i)—(iii). As the Honourable Member is aware, an import duty of Rs. 2 per cwt. has been in force on wheat since the 1st April 1931. The circumstances in which the duty came to be imposed will be found explained in the speech of Sir George Rainy delivered in this House on the 31st March, 1931, on the motion that the Wheat Import Duty Bill be taken into consideration.

Prof. N. G. Ranga: Have Government decided to continue this duty for next year?

Mr. G. S. Bajpai: My Honourable friend knows perfectly well that that question cannot be answered.

ASSESSMENT WITH EXCISE DUTY OF SUGAR FACTORIES IN THE INDIAN STATES.

219. \*Seth Haji Abdoola Haroon: (a) Will Government be pleased to state how many sugar factories are there in the Indian States?

(b) Are these factories assessed by the Government of India with excise duty according to the Sugar Excise Duty Act, 1934?

(c) If the answer to part (b) above be in the affirmative, what amounts have each of them paid, and to what States?

Mr. A. J. Raisman: (a) Information is being collected and will be laid on the table of the House in due course.

(b) No.

(c) Does not arise.

LIST OF CALCUTTA FIRMS RECOMMENDED TO THE SUPERINTENDENTS OF JAILS ACCOMMODATING STATE PRISONERS AND DETENUS.

220. \*Mr. V. V. Giri: (a) Is it a fact that two lists, one "desirable" and the other "undesirable" of Calcutta firms have been issued to the Superintendents of Jails, where State Prisoners and detenues are lodged, for their guidance in placing orders for articles of daily necessities? If the reply is in the affirmative, will Government be pleased to lay a copy of the said lists on the table?

(b) Will Government be pleased to state whether it is a fact that instructions have been issued to the Superintendents of Jails not to place orders with firms which have not been included in the "desirable" list, although not coming under the "undesirable" list?

**The Honourable Sir Henry Oralk:** With your permission, Sir, I propose to reply to questions Nos. 220 and 221 together. There are no State prisoners detained in jail in Bengal, and hence, no orders have been issued regarding the manner in which orders for articles required by them shall be placed. As regards persons detained under the Bengal Criminal Law Amendment Act, it is understood that certain orders or executive instructions have been issued on this point by the Government of Bengal which has full discretion to issue such orders.

**Mr. S. Satyamurti:** What are the reasons on which certain firms are considered "undesirable"?

**The Honourable Sir Henry Oralk:** That is the decision of the Government of Bengal, in which they use their discretion.

LIST OF CALCUTTA FIRMS RECOMMENDED TO THE SUPERINTENDENTS OF JAILS ACCOMMODATING STATE PRISONERS AND DETENUS.

†221. **\*Mr. S. Satyamurti:** (a) Is it a fact that two lists, one "desirable" and the other "undesirable" of Calcutta firms, have been issued to the Superintendents of Jails, where State prisoners and detenues are kept, for their guidance in placing orders for articles of daily necessities meant for State Prisoners and detenues? If so, will Government be pleased to lay the said lists on the table of this House?

(b) Will Government please state the reasons for considering certain firms as undesirable?

(c) Have the Superintendents been instructed to place orders with firms mentioned in the "desirable" lists (which contain only about a dozen or so names and hence far from being at all exhaustive) and those alone and not to use their discretion at all in placing orders, however urgent they might be, with firms beyond the said desirable list, even in the face of their being in the undesirable list?

(d) Is it a fact that the orders are invariably placed by the Superintendents in their names and official capacity only, and that all articles are invariably subject to their personal examination before delivery to the State prisoners? If so, are the Superintendents authorised to place orders direct with any firm not included in either of the lists?

UNSTARRED QUESTIONS AND ANSWERS.

ALLEGED IRREGULARITIES OF THE EXECUTIVE OFFICER, AMBALA CANTONMENT.

15. **Mr. Sham Lal:** (a) Has the attention of Government been drawn to the facts of a case published on pages 4 to 9 of the *Cantonment Advocate* for February 1934, under the heading "Unadulterated autocracy"†

(b) Are the facts as stated in the article correct? If not, what are the true facts of the case?

†For answer to this question, see answer to question No. 220.

(c) Is it a fact that the All-India Cantonments Association has represented the case to Government and pointed out the following irregularities :

- (i) that there was no valid order of the Command under section 52 (I) (b) of the Cantonments Act inasmuch as the order was not signed by the General Officer Commanding-in-Chief, Northern Command;
- (ii) that the Executive Officer issued orders actually suspending the Resolutions, though the Northern Command's telegram merely informed the Cantonment authority of its intention to suspend these Resolutions if passed by the Board, and the Resolutions in question had not been actually suspended at that time.
- (iii) that the Executive Officer sent a telegram to the General Officer Commanding-in-Chief, Northern Command, asking him not to admit the appeal of the party concerned against the order of demolition ; and
- (iv) that though the orders were addressed to Cantonment Board, Ambala, the Executive Officer took what action he thought fit to take without consulting the Board on any occasion ?

(d) What action have Government taken to put right the above irregularities and to prevent their recurrence in the future ?

(e) What was the reason of the General Officer Commanding-in-Chief, Northern Command, for issuing the order under section 52 (I) (b) ?

(f) Was the Cantonment Board given an opportunity to explain why these Resolutions be not rescinded? If not, will Government please state the reasons for not doing so ?

**Mr. G. B. F. Tottenham:** Government have already fully considered the case of Messrs. Bansi Lal Behari Lal of Ambala Cantonment to which the article quoted in paragraph (a) of the question particularly related. They have expressed their views in the statements which were laid on the table on the 2nd April and 19th July, 1934, when giving the information promised in reply to unstarred questions Nos. 67, 69, 70 and 73, asked by Khan Bahadur Haji Wajihuddin on the 19th February, 1934. I also now attach a copy of the Government's reply to the All-India Cantonments' Association on the subject, dated the 8th June, 1934. They do not consider it necessary to re-open the matter.

*Copy of a letter from the Secretary to the Government of India, Army Department, to the Honorary Secretary, All-India Cantonments Association, Ambala, No. 259-R./A. D.-4, dated the 8th June, 1934.*

*Executive Officer's responsibility towards the Cantonment Board.*

With reference to your letter No. 5371-A. C., dated the 24th May 1934, I am directed to say that the Government of India have already fully considered the case of Messrs. Bansi Lal Behari Lal of Ambala Cantonment in connection with the representation made by your Association in its letter No. 4429-A. C., dated the 3rd February, 1934, and the questions asked by Khan Bahadur Haji Wajihuddin in the last Session of the Legislative Assembly. They are of opinion that the action taken in that case was proper and that the Executive Officer would have failed in his duty if he had acted otherwise. Under section 24 of the Cantonments Act, the Executive Officer is responsible for carrying out all the duties imposed upon him by or under the Act, and consequently he is bound to carry out the orders of the General Officer Commanding-in-Chief the Command, under the Act, without unnecessary delay. Such orders do not always require to be confirmed by the Cantonment Board before they are carried out.

## SEPARATION OF THE SADAR BAZAR, AMBALA, FROM THE CANTONMENT AREA.

16. **Mr. Sham Lal:** (a) Will Government be pleased to state the objects and reasons which have led them to separate the Sadar Bazar, Ambala, from the Cantonment ?

(b) Have Government under contemplation the separation of the Sadar Bazar in any other Cantonment, and if so, where and when is the separation likely to come off ?

(c) Have Government received any representation from the people of any Cantonment, asking for the Sadar Bazar to be separated from the Cantonment ? If so, from which Cantonment has such a request been received and how have Government disposed of it ?

**Mr. G. R. F. Tottenham:** (a) The attention of the Honourable Member is invited to the full reply that I gave to parts (a) and (b) of unstarred question No. 113, asked by Khan Bahadur Haji Wajihuddin on the 3rd March, 1934.

(b) Not at present.

(c) No.

## COFFEE SHOP CONTRACTORS IN REGIMENTS.

17. **Mr. Sham Lal:** (a) How are appointments of Coffee Shop Contractors made in Regiments ?

(b) Are there any rules governing such appointments, and if so, wherefrom can the same be obtained by the public ?

(c) What are the functions of a Coffee Shop Contractor ?

(d) Is sub-letting of business permitted to Coffee Shop Contractors, and if not, are Government aware that almost every Coffee Shop Contractor sub-lets a number of the branches of his business and in those cases he is only a channel for making certain supplies to the troops ?

(e) Who controls 'hawking' in Regimental Lines ? Are hawking passes issued through or on the recommendation of the Coffee Shop Contractor ?

(f) What are the reasons for using this medium ?

**Mr. G. R. F. Tottenham:** (a) By selection by Officers Commanding.

(b) Yes. "Rules for the Management of Station and Regimental Institutes" may be purchased from the Manager, Government of India Central Publication Branch, Delhi.

(c) To supply all goods (other than those supplied by the Indian Army Service Corps or the Government Farms and Dairies) for purchase by troops.

(d) There is no objection to the sub-letting of bicycle shops, tailor's or shoe-maker's shop contracts, or *dhobie* and barber contracts.

(e) and (f). The Officer Commanding controls hawking in regimental lines and passes are issued by the President, Regimental Institutes.

**INTRODUCTION OF 'COUPON SYSTEM' BY THE COFFEE SHOP CONTRACTORS IN CANTONMENTS.**

18. **Mr. Sham Lal :** (a) Is it a fact that Coffee Shop Contractors have introduced what is known as 'Coupon System' and that under this system 'Coupons' of various values are given to soldiers to enable them to make purchases from the Coffee Shop and that the value of all such Coupons issued is realised from the soldiers concerned at the time of the disbursement of their salary ?

(b) Are Government aware that by this system the local trade of Cantonments is prejudicially affected, for the soldiers find themselves compelled to make purchases only from the Coffee Shop Contractors ?

(c) Is it a fact that the 'Piggery Institute' was put out of bounds for troops at Sabathu in the summer season of 1934 ? If so, why ?

(d) Do Government propose in the interests of the soldiers to abolish the 'Coupon System' and stop the practice of putting local shops out of bounds ?

**Mr. G. R. F. Tottenham :** (a) No.

(b) and (d). Do not arise.

(c) Government are not aware of the existence of a "Piggery Institute" in Subathu.

**PROSECUTIONS INSTITUTED BY THE EXECUTIVE OFFICER, MEERUT CANTONMENT, AGAINST CERTAIN GHEE SELLERS.**

19. **Mr. Sham Lal :** (a) Is it a fact that the Executive Officer, Meerut Cantonment, instituted prosecutions against four *ghee*-sellers for adulteration of *ghee* without obtaining the sanction of the Cantonment Board ?

(b) Are Government aware that these prosecutions were subsequently withdrawn by the Executive Officer after charging some composition fee from the *ghee*-sellers for compounding their offences, and this also was done without the knowledge and sanction of the Cantonment Authority ?

(c) Is it a fact that under their Circular No. 1165 AD. 4., dated the 1st April, 1930, Executive Officers have been prohibited by Government to institute prosecutions in any circumstances under section 25 of the Cantonments Act ? Is it a fact that this is the only section authorising the Executive Officer to exercise the powers of the Cantonment Board in certain cases ?

(d) Is it a fact that a non-official member has tabled a motion of protest against this action of the Executive Officer ?

(e) Do Government propose to take any further action to effectively stop the practice of Executive Officers instituting prosecutions without any reference to the Board ?

**Mr. G. R. F. Tottenham :** The information has been called for and a reply will be laid on the table in due course.

**REFUSAL BY THE EXECUTIVE OFFICER, AMBALA, OF AN OFFER OF CO-OPERATION BY THE NON-OFFICIAL MEMBERS OF THE CANTONMENT BOARD DURING THE OUTBREAK OF CHOLERA.**

20. **Mr. Sham Lal :** (a) Are Government aware that in August 1934, when there were a few cases of cholera in Ambala Cantonment, the

Cantonment General Hospital was converted into a Military Hospital and put under the command of Captain Reed, I.M.S. ?

(b) Is it a fact that a non-official member of the Board asked the Executive Officer to inform him of the special measures taken under section 151 of the Cantonments Act, of the rules framed thereunder to carry out those measures, of the patients admitted to the cholera huts and the number of such huts erected and the arrangements made therein to accommodate suspected cholera patients, and that the Executive Officer refused to supply that information ?

(c) Are Government aware that some of the non-official members of the Board offered their co-operation in explaining the measures to the people and to persuade them to adopt the same, but the Executive Officer wrote to them that the only co-operation he wanted from the non-official members was that they should keep out of his way ?

(d) Are Government aware that such a response to an offer of co-operation was greatly resented by the non-official members ?

(e) Do Government propose to take steps to stop such acts on the part of an Executive Officer ?

**Mr. G. B. F. Tottenham:** Questions Nos. 20, 21 and 22 are answered together.

Government have no detailed information as regards various parts of questions Nos. 20 and 21. They have, however, seen the article published in the *Cantonment Advocate* for October, 1934, under the heading 'Abuse of section 151' referred to in question No. 21, and have also received a representation from the All-India Cantonments' Association, complaining against the removal of a woman suffering from cholera to the Cantonment General Hospital at Ambala and her treatment there against her wishes. I presume that this is the case to which the Honourable Member is referring to in part (b) of question No. 22. As a result of the enquiries made in the latter case, Government have ascertained that the woman was very ill with cholera and her husband refused to send her to the hospital. The Medical Officer in charge of the hospital, which is a well equipped and up to date institution, considered her condition to be a menace to the health of the population of the Cantonment including the troops, and, therefore, issued an order in writing under section 175 of the Cantonments Act directing her to attend the hospital. Her husband refused to bring her to the hospital and it was then proposed to issue an order under section 176 of the Cantonments Act directing the woman to leave the Cantonment. The local civil authorities, however, objected to the probable spread of cholera in civil areas which might have resulted from such a course of action. Thereupon the Cantonment Magistrate issued an order to the woman to go to the hospital and she was taken there under a police escort. She was lodged in one of the infectious huts in the compound of the hospital which have water-tight roofs, cemented floors and electric lights. There are two such huts in the compound and they were considered suitable for the purpose by the Medical Officer. The Medical Officer also had sufficient tents and *chouldaris* to meet requirements if the necessity arose.

A non-official member of the late Cantonment Board of Ambala was found inside the hospital wards interfering with the patients and the work of the staff. As there was a grave risk of his spreading infection, he was ordered to leave and not to re-enter the hospital. He then asked the



Medical Officers to allow a local medical practitioner to attend the hospital and treat the woman, but the Medical Officer did not consider it advisable to allow the patient to be treated by an outside doctor.

Government consider that the Medical Officer was unquestionably right, in the interests of public health, in compelling the patient to come to his hospital. It is equally clear that no private practitioner has a claim to treat his patients in an official hospital. It is possible that, in ordinary circumstances and if time had permitted, the Medical Officer might have come to some arrangement with the private practitioners, but there was a grave danger of a serious outbreak of cholera in the Cantonment at the time and the Government have no doubt whatever that he acted in what he considered to be the best interests both of the woman herself and the population at large.

**MEASURES TAKEN BY THE EXECUTIVE OFFICER, AMBALA, WITHOUT THE KNOWLEDGE AND PERMISSION OF THE CANTONMENT AUTHORITY DURING THE OUTBREAK OF CHOLERA.**

†21. **Mr. Sham Lal:** (a) Has the attention of Government been drawn to the article published under the heading "Abuse of section 151" on pages 16 and 17 of the *Cantonment Advocate* for October, 1934?

(b) Is it a fact that the Executive Officer, Ambala, sent a telegram to the Northern Command asking for a "free hand" to take all necessary steps agreed to by the Station Commander to combat the threatened outbreak of cholera in the Ambala Cantonment?

(c) Are Government aware that the Northern Command sanctioned taking whatever steps the Executive Officer thought necessary in consultation with local police and civil authorities?

(d) Will Government be pleased to state the Section of the Cantonments Act under which this general sanction was given by the Northern Command?

(e) Is it a fact that the above sanction was given under section 151 of the Cantonments Act, and if so, are Government aware that the section requires the General Officer Commanding-in-Chief the Command to specify the special measures to be taken and to secure the previous approval thereof of the Local Government?

(f) Was the sanction of the Local Government taken in this case? If not, what was the urgency under which it was dispensed with?

(g) Is it a fact that the above general sanction was given by the Northern Command merely on a report by the Executive Officer of the prevalence of cholera at Kalka, a distance of over 40 miles from the Ambala Cantonment?

**ALLEGATIONS AGAINST THE EXECUTIVE OFFICER, AMBALA CANTONMENT.**

†22. **Mr. Sham Lal:** (a) Is it a fact that the wife and daughter of a respectable citizen were removed from their house at dead of night by the police, requisitioned by the Executive Officer, Ambala Cantonment, to a miserable hut standing in the midst of thick weeds in a corner of the compound of the Cantonment General Hospital?

† For answer to this question, see answer to question No. 20.

(b) Is it a fact that another female patient suspected to be suffering from cholera was removed to another hut and remained there without any treatment for more than 24 hours, as she was not allowed to take the medicine prescribed by Dr. B. K. Mukerji, a leading medical practitioner of the Cantonment, in whom she had great faith ?

(c) Are Government aware that Dr. B. K. Mukerji offered to examine her in the hospital in the presence of the Doctor in charge and to give medicine with his consultation ?

(d) Is it a fact that the Cantonment General Hospital is very poorly equipped and as a result, the patient could not have the costly medicine not available in the Hospital which was considered very efficacious for the disease ?

(e) Are Government aware that the Executive Officer stopped the sale and import of a number of vegetables and fruits and later when approached by the dealers concerned, he lifted the ban in the case of some on his own authority ?

(f) Will Government be pleased to state under what section of the Cantonments Act the Executive Officer was empowered to take all the measures referred to above ?

(g) Is it a fact that he took those measures under section 25 of the Cantonments Act, and if so, did he obtain the concurrence of the President and the Vice-President beforehand, and did he ever report the measures to the Cantonment Authority ? If so, in which meeting and under what item of the agenda ?

(h) How many cases of cholera occurred altogether in the Cantonment ?

(i) Are Government aware that such arbitrary acts lead to corruption ?

(j) Do Government propose to take steps to stop these irregularities in the future ?

#### GRIEVANCES OF THE PIGGERY OWNERS IN CANTONMENTS.

23. **Mr. Sham Lal:** (a) Has the attention of Government been drawn to an article published on pages 6—10 of the *Cantonment Advocate* for July, 1934, under the heading "Piggery Owners Grievances" ? If so, what have Government done to redress the grievances detailed therein ?

(b) Is it a fact that the Piggery Owners Association requested the Quartermaster General in India for an interview to lay before him their legitimate grievances ?

(c) Is it a fact that the Quartermaster General in India referred them to see the Army Commanders and the latter replied that no useful purpose would be served by an interview ?

(d) Are Government aware that Piggery-Owners in the past have rendered valuable services to the troops and have constructed Piggeries in the Cantonments at a considerable cost and are running them under the direct control of the Cantonment Health Officer ?

(e) Is it a fact that the Coffee Shop Contractor demands 'heavy rebates', failing which he imports 'Piggery produce' from outside for the use of the troops ?

(f) Do Government propose to give the Piggery-Owners an opportunity to lay their grievances before responsible authorities for the protection of their interests ?

**Mr. G. R. F. Tottenham:** (a) Government have seen the article.

(b) to (d). Yes.

(e) Government have no information.

(f) Government see no reason to interfere in the matter.

#### CIVILIAN EXECUTIVE OFFICERS WORKING IN CANTONMENTS.

24. **Mr. Sham Lal:** (a) Will Government be pleased to state how many civilian Executive Officers are at present working in the Cantonments of India and how many of them have already reached the age of 55 and are still kept in service?

(b) Will Government please state the reasons in each case for allowing the Executive Officer to continue in service after attaining the age of 55?

(c) Do Government propose to issue orders that those Executive Officers who have reached the age of 55 be made to retire?

**Mr. G. R. F. Tottenham:** (a) and (b). The number is 33. As regards the second part of (a) and part (b) Government have no information. The appointments are made by General Officers Commanding-in-Chief, Commands.

(c) Under rule 18 of the Cantonment Fund Servants' Rules, 1925, Civilian Executive Officers are not retained after attaining the age of 55 years unless the services of an individual officer are required by the local authorities beyond that age. Government see no reason to alter this rule.

#### REORGANISATION SCHEME OF CANTONMENTS.

25. **Mr. Sham Lal:** (a) Have Government prepared a Reorganisation Scheme of the Cantonments? If so, what are its main features?

(b) At what stage is the scheme, and when is it likely to be introduced?

(c) What will be its effect on Cantonment Administration?

(d) Is it a fact that a new cadre of civilian Executive Officers will be constituted under the scheme? If so, how will these men be recruited, what will be their emoluments; and who will bear the cost of their salary?

(e) What will be the effect of the scheme on the existing civilian Executive Officers? How many are these altogether?

**Mr. G. R. F. Tottenham:** (a) to (e). A scheme for the reorganization of the Cantonments Department has been under consideration for some time but no final decisions have yet been reached. There are 36 Civilian Executive Officers altogether in India and Burma.

#### VIEWS ABOUT DEMOCRACY AND AUTOCRACY ALLEGED TO HAVE BEEN EXPRESSED BY THE EXECUTIVE OFFICER, AMBALA CANTONMENT.

26. **Mr. Sham Lal:** (a) Has the attention of Government been drawn to an article published on pages 17—21 of the *Cantonment Advocate* for the month of September, 1934, under the caption 'Corporation Sole Defended'?

(b) Have Government seen the views expressed about democracy and autocracy expressed by Major G. R. Dowland, Executive Officer, Ambala, in the extracts quoted in the article from his letter to the Editor ?

(c) Do they represent the official view about 'Corporation Sole' in Cantonments ?

(d) Do Government rules permit Government servants like the Executive Officer, Ambala, to express views on political questions ?

(e) If the views expressed be not the official Government views, do Government propose to make it clear by issuing a *communiqué*, or by some other method ?

**Mr. G. R. F. Tottenham:** (a) and (b). The answer is in the affirmative.

(c) The answer is in the negative.

(d) The views of the Executive Officer were not expressed officially but in a private letter to a certain member of the Cantonment Board and were not intended for publication.

(e) Does not arise.

GOVERNMENT LAND TRANSFERRED TO THE SADAR BAZAR MUNICIPAL COMMITTEE, AMBALA.

27. **Mr. Sham Lal:** (a) Will Government be pleased to state on what terms the Government land in the Sadar Bazar, Ambala, has been transferred to the Sadar Bazar Municipal Committee, as a result of the separation of the Bazar from the Cantonment ?

(b) Who is the authority to receive, deal with and ultimately dispose of the application for leasing the plots of this land ?

(c) Has any land in the Sadar Bazar been given on lease after separation? If so, to whom and for what purpose ?

**Mr. G. R. F. Tottenham:** (a) The rights of the Government of India in the land in the Sadar Bazar, Ambala, have been transferred to the Government of the Punjab.

(b) and (c). In view of the answer to part (a), the matter is no longer the concern of the Government of India and they have no information with regard to it.

AMOUNT GIVEN TO THE SADAR BAZAR MUNICIPAL COMMITTEE FROM THE CASH BALANCE IN THE CANTONMENT FUND, AMBALA.

28. **Mr. Sham Lal:** (a) Will Government be pleased to state :

(i) the cash balance in the Cantonment Fund, Ambala, on the 1st October, 1934, when the Sadar Bazar was separated from that Cantonment ;

(ii) the amount which was given to the Sadar Bazar Municipality ; and

(iii) how the ratio of division was arrived at ?

(b) Is it a fact that on population basis, the ratio comes to two for Sadar Bazar and one for Cantonment ?

(c) Did the All-India Cantonments Association represent to Government that the Terminal Tax and the Assets be divided between the Sadar Bazar Municipality and the Cantonment in that ratio? If so, on what grounds was that ratio rejected?

(d) Are Government aware that as a result of the arrangement made the Sadar Bazar Municipal Committee got very little money out of the Cash Balance of the Cantonment Fund?

(e) Do Government propose to alter the ratio to the one suggested by the All-India Cantonments Association and adjust the allotments accordingly?

**Mr. G. R. F. Tottenham:** I have called for information and will lay a reply on the table in due course.

#### RETENTION OF EXECUTIVE OFFICERS IN ONE CANTONMENT FOR A LONG PERIOD.

29. **Mr. Sham Lal:** (a) Has the All-India Cantonments Association addressed Government on the subject of the desirability of not allowing Executive Officers to remain in one Cantonment for more than three continuous years?

(b) Is it a fact that ordinarily a Government servant in the civil department is not allowed to remain at one place for more than three years?

(c) Do Government propose to adopt this practice in the case of Executive Officers in Cantonments?

**Mr. G. R. F. Tottenham:** (a) The answer is in the affirmative.

(b) There is no rule to this effect.

(c) Executive Officers of the Cantonments Department are ordinarily not retained in one cantonment for more than three years. It is not possible to follow this practice in the case of Civilian Executive Officers as they are local fund servants and are not subject to transfer. The question of making them liable to be posted or transferred to any cantonment in India or Burma is under consideration and the All-India Cantonments Association have been informed accordingly.

#### ORDERS ISSUED UNDER SECTION 52 (1) (b) OF THE CANTONMENTS ACT.

30. **Mr. Sham Lal:** (a) Is it a fact that Government of India have issued instructions that orders issued under section 52 (1) (b) of the Cantonments Act, 1924, would be valid if signed by the General Officer Commanding-in-Chief himself or if a copy thereof, duly attested by some staff officer, is sent to the Cantonment Authority concerned?

(b) If so, will Government please state when the above instructions were issued?

(c) Are Government aware that even now the above orders are being signed by the Inspecting Officer, Military Lands and Cantonments, 'for' the General Officer Commanding-in-Chief?

(d) Do Government propose to stop this practice, and if so, what steps do they propose to take in the matter?

**Mr. G. R. F. Tottenham:** (a) and (b). The attention of the Honourable Member is invited to the reply given to part (h) of question No. 119 asked by Khan Bahadur Haji Wajihuddin in the Legislative Assembly on

the 8rd March, 1984. To make the position even clearer, further instructions were issued on November 20th, 1984, to the effect that it would be better if directions by the Officer Commanding-in-Chief, the Command, under the section in question, were made in writing, even though the Act does not explicitly require it.

(c) Government have no reason to believe so.

(d) Does not arise.

**MOTIONS RULED OUT OF ORDER BY THE PRESIDENT OF THE CANTONMENT BOARD, KIRKEE.**

31. **Mr. Sham Lal :** (a) Are Government aware that two elected members of the Cantonment Board, Kirkee, brought forward two motions, one proposing that all letters received during a month from the Government of India and General Officer Commanding-in-Chief be placed in the Board's meeting of that month for the information of the members, and the other proposing that copies of the Government Gazette, received in the Cantonment Authority's Office, be circulated to the members for their perusal ?

(b) Is it a fact that both the above motions were ruled out of order by the President ? If so, why ?

(c) Has the All-India Cantonments Association made a representation to Government that the action of the President in ruling the above *bona fide* motions out of order was not only an abuse of his powers but also a hindrance to the growth of co-operation and good understanding between the President and non-official members ?

(d) Do Government propose to take action to stop such use of his powers by the President ?

**Mr. G. R. F. Tottenham :** (a) and (c). The answer is in the affirmative.

(b) The answer to the first part is in the affirmative. As regards the second part, the President relied upon the provisions of section 242 of the Cantonments Act, 1924.

(d) Government have already issued such instructions as were necessary to the President, Cantonment Board, Kirkee.

**CONSTITUTION OF AN ELECTED BOARD IN THE PACHMARHI CANTONMENT.**

32. **Mr. Sham Lal :** (a) Are Government aware that Pachmarhi Cantonment in the Central Provinces has a permanent civil population of 4,500 in the winter and this population exceeds 5,000 in the summer ?

(b) Is it a fact that in spite of the above population, Pachmarhi Cantonment has not been given the right of having an elected Board ?

(c) Are Government aware that the Pachmarhi Cantonment civil population has a fairly large element of educated and public spirited persons carrying on trade, banking, legal practice and general business ?

(d) What reasons have Government to advance for not constituting an elected Board there ?

(e) Are Government aware that under the altered conditions people of Pachmarhi feel unnecessarily slighted in being deprived of the right of having an elected Board ?

(f) Do Government propose to constitute an elected Board in Pachmarhi ?

**Mr. G. R. F. Tottenham:** (a) and (b). The answer is in the affirmative.

(c) and (e). Government have no precise information. They have received no representation on the subject until quite recently.

(d) and (f). The question of constituting an elected board in the Pachmarhi Cantonment will be examined further in consultation with the local authorities.

#### CONSTITUTION OF AN ELECTED BOARD IN THE AMBALA CANTONMENT.

33. **Mr. Sham Lal:** (a) Is it a fact that the population of the Ambala Cantonment, after the separation of the Sadar Bazar, exceeds eleven thousand and includes leading businessmen, houseowners, bankers and merchants ?

(b) Is it a fact that in spite of the protests of the All-India Cantonments' Association, Government have constituted 'Corporation Sole' in that Cantonment ?

(c) Is it a fact that on the enquiry of the All-India Cantonments' Association, Government informed the Association that the only reason for establishing 'Corporation Sole' in that Cantonment was that that form of Cantonment Authority was considered to be most suitable for re-organising the Cantonment on the new basis ?

(d) Will Government be pleased to state why the reorganisation of Cantonment can best be carried on by Corporation Sole and why this principle was not applied to other Cantonments ?

(e) Is it a fact that Colonel James who was deputed by Government to submit a report about the changes that would be necessary as a result of the separation of the Sadar Bazar from the Cantonment, recommended 'Corporation Sole' for the reduced Cantonment on the ground that there was a danger of the elected members of the Cantonment Board in existence at that time being returned to the new Board if it were constituted ?

(f) Are Government aware that this remark has caused great resentment among the elected members concerned ?

(g) Do Government propose to take some step to make it clear that they do not share the above view and to prevent such wanton attacks on non-official members in the future ?

(h) Will Government be pleased to state how long the 'Corporation Sole' will last in Ambala Cantonment ?

(i) What considerations weigh with Government's policy with regard to the constitution of elected Boards under section 11 of the Cantonments Act ?

(j) Do Government propose to constitute an elected Board in Ambala Cantonment at an early date, and if so, when ?

**Mr. G. R. F. Tottenham:** (a) The population certainly exceeds 11,000

(b) The Honourable Member's information is correct.

(c) and (d). What Government informed the All-India Cantonments' Association was, that it was not improbable that a corporation sole would be set up for the period during which the cantonment was being organised on its new basis, as such an administration would have obvious advantages during the period of adjustment which would follow separation. This is still their view.

(e), (f) and (g). Colonel James' opinion, with which the Government of India agreed, was that the need for separation was largely due to the difficulties of administering the old Ambala Cantonment by means of an elected board and that those difficulties would be likely to persist if the same board were elected to administer the new cantonment. They regret the necessity for stating this opinion, but are unable to alter it.

(h) and (j). Government's further action in the matter must depend upon circumstances.

(i) The attention of the Honourable Member is invited to my reply to starred question No. 130, dated the 11th February, 1935, asked by Mr. Ahmed Ebrahim Haroon Jaffer.

#### ALLEGED IRREGULARITIES IN THE DISPOSAL OF APPEALS IN CANTONMENTS.

34. **Mr. Sham Lal:** (a) Will Government be pleased to state how many appeals were submitted to the General Officer Commanding-in-Chief, Northern Command, during the last year, viz., from the 1st April, 1933, to the 31st March, 1934, under Schedule V of the Cantonments Act and how many of them were accepted and how many were rejected?

(b) Does the practice of giving a hearing to the appellants by the Inspecting Officer, Military Lands and Cantonments, instead of by the General Officer Commanding-in-Chief, still exist in the Northern Command?

(c) Are Government aware that under the Cantonments Act, it is the General Officer Commanding-in-Chief who can hear the appeals? Under what law is hearing, in case of such appeals, given to the appellant by the Inspecting Officer?

(d) Are Government aware that the interests of the appellants are greatly prejudiced by one officer hearing their appeals and another officer giving his decisions thereon?

(e) Do Government propose to stop this practice, and if so, how and when?

**Mr. G. R. F. Tottenham:** (a) Government have no information.

(b) Government have no reason to believe so. They have already explained the correct procedure to the authorities concerned.

(c) The reply to the first part is in the affirmative. The second part does not arise.

(d) and (e). Do not arise.

#### IMPORTED MATERIALS INCLUDED IN THE ITEM "OTHER MATERIALS" IN THE REPORT BY THE RAILWAY BOARD ON INDIAN RAILWAYS.

35. **Pandit Nilakantha Das:** Will Government please state what the imported materials included in the item 'other materials', in the report by the Railway Board on Indian Railways (e.g., Report for 1933-34, page 48, paragraph 60—0.18 crores, and similar figures in other reports) are?

**Mr. P. E. Rau:** Among the articles included under the heading "other materials" are liquid, fuel oil, pumping plant for tube wells, water meters, tiles, copper tubes, packing sheets, asbestos sheets, electric lamps, washable distemper, wire-ropes, petrol, stencils, tracing cloth, and steel cabinets.



## LOCOMOTIVES MANUFACTURED IN INDIA.

36. **Pandit Nilakantha Das:** (a) Are locomotives (not spare parts) manufactured in India? If so, where?

(b) How many locomotives were manufactured each year and in which years?

(c) What is the capacity of the firm or firms concerned and what are their names?

**Mr. P. E. Rau:** (a) Only metre gauge locomotives are built in India, at the Ajmer Workshops of the Bombay, Baroda and Central India Railway.

(b) The programme during recent years has been about 15 locomotives per annum.

(c) There are no private firms in India who are engaged in the industry.

## LOCOMOTIVES PURCHASED FROM DIFFERENT COUNTRIES.

37. **Pandit Nilakantha Das:** (a) Where were locomotives purchased in the current and the two preceding years?

(b) Will Government please state the number and price of locomotives purchased from different countries in each year?

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

## ATTEMPTS MADE TO START LOCOMOTIVE FACTORIES IN INDIA.

38. **Pandit Nilakantha Das:** (a) With reference to the starred question No. 352, asked and answered on the 11th September, 1929, will Government please state what attempts, if any, were made to collect the information suggested therein with a view to start locomotive factories in India?

(b) Will Government please supply the information collected?

**Mr. P. E. Rau:** The information required by the Honourable Member was not collected, but I may add that, as was explained by the Honourable the Railway Member in this House last year, an investigation is being made as regards the possibility of starting broad gauge locomotive manufacture in India.

## CONNECTION OF MESSRS. HENRY WILLIAMS, LTD., WITH THE BENGAL NAGPUR RAILWAY.

39. **Pandit Nilakantha Das:** (a) Did Government enquire about the relations between Henry Williams, Ltd., in India and in England and their connection with the Bengal Nagpur Railway referred to in starred questions Nos. 819 and 820, asked on the 24th September, 1929? If so, what was the result of the enquiry? What were the steps, if any, taken on the result of such enquiry?

(b) Have the Henry Williams, Ltd. (1932) anything to do with the Henry Williams, Ltd., referred to in the abovementioned starred questions? If so, what?

**Mr. P. R. Rau:** (a) A complete reply to the Honourable Member's questions was laid on the table. Government did not consider there was any necessity for further enquiries.

(b) So far as I am aware, Henry Williams, Limited, (1932), was a re-constructed company which took over the business of Henry Williams, Limited, India. I understand the Indian company is now known as Guest Keen and Williams.

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#### ELECTION OF THE STANDING COMMITTEE FOR THE DEPARTMENT OF COMMERCE.

**The Honourable Sir Joseph Bhoré** (Member for Commerce and Railways): Sir, I move:

"That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, three non-official members to serve on the Standing Committee to advise on subjects in the Department of Commerce."

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

"That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, three non-official members to serve on the Standing Committee to advise on subjects in the Department of Commerce."

The motion was adopted.

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#### ELECTION OF THE STANDING ADVISORY COMMITTEE FOR THE INDIAN POSTS AND TELEGRAPHS DEPARTMENT.

**The Honourable Sir Frank Noyce** (Member for Industries and Labour): Sir, I move:

"That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, three non-official members to serve on the Standing Advisory Committee for the Indian Posts and Telegraphs Department."

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

"That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, three non-official members to serve on the Standing Advisory Committee for the Indian Posts and Telegraphs Department."

The motion was adopted.

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**Mr. President** (The Honourable Sir Abdur Rahim): I have to inform Honourable Members that for the purpose of election of Members to the Standing Committee for the Department of Commerce and the Standing Advisory Committee for the Indian Posts and Telegraphs Department, the Notice Office will be open to receive nominations up to 12 Noon on Friday, the 15th February, 1935. The election for the Standing Committee for the Department of Commerce, if necessary, will be held on Monday, the 18th February, while the election for the Standing Advisory Committee for the Indian Posts and Telegraphs Department will take place on

Wednesday, the 20th February, 1935. The elections which will be conducted in accordance with the principle of proportional representation by means of the single transferable vote will, as usual, be held in the Secretary's Room between the hours of 10-30 A.M. and 1 P.M.

### THE PAYMENT OF WAGES BILL.

**The Honourable Sir Frank Noyce** (Member for Industries and Labour): Sir, I move for leave to introduce a Bill to regulate the payment of wages to certain classes of persons employed in industry.

This Bill and the following one which stands in the name of my Honourable colleague, the Home Member, owe much to the Royal Commission on Labour which sat under the chairmanship of the Right Honourable J. H. Whitley. Honourable Members must have seen with keen regret the news of the recent death of Mr. Whitley, and I should like to take this opportunity of acknowledging the great value of the services he rendered to India. His gracious personality and wise judgment impressed all who came in contact with him and the work that he did for this country will leave its mark on Indian labour conditions for many generations to come. Sir, I move.

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

"That leave be granted to introduce a Bill to regulate the payment of wages to certain classes of persons employed in industry."

The motion was adopted.

**The Honourable Sir Frank Noyce**: Sir, I introduce the Bill.

### THE CODE OF CIVIL PROCEDURE (AMENDMENT) BILL.

#### AMENDMENT OF SECTION 51.

**The Honourable Sir Henry Craik** (Home Member): Sir, I move for leave to introduce a Bill further to amend the Code of Civil Procedure, 1908 (Amendment of section 51), for certain purposes.

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

"That leave be granted to introduce a Bill further to amend the Code of Civil Procedure, 1908 (Amendment of section 51), for certain purposes."

The motion was adopted.

**The Honourable Sir Henry Craik**: Sir, I introduce the Bill.

### THE CODE OF CIVIL PROCEDURE (SECOND AMENDMENT) BILL.

#### INSERTION OF NEW SECTION 44-A.

**The Honourable Sir Nripendra Sircar** (Law Member): Sir, I beg to move for leave to introduce a Bill further to amend the Code of Civil Procedure, 1908, (insertion of new section 44-A) for certain purposes.

[Sir Nripendra Sircar.]

The object of this Bill is to allow the decrees of High Courts and of subordinate Courts in India to be executed in the United Kingdom and the reasons are fully stated in the Statement of Objects and Reasons.

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

"That leave be granted to introduce a Bill further to amend the Code of Civil Procedure, 1908 (insertion of new section 44-A) for certain purposes."

The motion was adopted.

**The Honourable Sir Nripendra Sircar**: Sir, I introduce the Bill.

### RESOLUTION RE DRAFT CONVENTION OF THE INTERNATIONAL LABOUR CONFERENCE CONCERNING THE REGULATION OF HOURS OF WORK IN AUTOMATIC SHEET-GLASS WORKS.

**The Honourable Sir Frank Noyce** (Member for Industries and Labour): Sir, I move:

"That this Assembly, having considered the Draft Convention for the regulation of hours of work in Automatic Sheet-glass Works adopted at the Eighteenth Session of the International Labour Conference, recommends to the Governor General in Council that he do not ratify the Draft Convention."

Sir, this Regulation and the following one which stand in my name relate to conclusions adopted by the session of the International Labour Conference which met in June last year. I have had copies of the report of the Government of India delegates to that Conference circulated to all Honourable Members of the House and Honourable Members will find those conclusions in the appendices to that report. Those appendices include four Draft Conventions, but only two of them form the subject of the Resolutions I am placing before the House today. The third, which relates to workmen's compensation for occupational diseases, can be put into force without legislation and we are at present examining the extent to which it is desirable that action should be taken upon it. The fourth Convention relates to the night work of women in industrial employment. We have found it necessary to make a reference to Local Governments before coming to a conclusion on this, and it is our intention to bring that Convention before the Legislature during the Simla Session. Honourable Members will find on pages 26 and 27 of the Report which has been circulated to them the operative articles of the Convention we are now considering. It raises a very simple and straightforward issue. To put it briefly, the object of the Convention is to establish an average working week of not more than forty-two hours in automatic sheet-glass factories. There is only one factory of that kind throughout the whole of India, and it is situated at Bahjoi in the United Provinces. It works on a system which involves an average working week for the workers of fifty-six hours. As far as I know, there is no immediate prospect of any other such factory being started anywhere else in India, and the question which we have to consider today, is, therefore, whether the hours in this one factory should be reduced by legislation from fifty-six hours to forty-two hours per week in order to enable us to ratify this Convention. I should perhaps explain for the information of the House that factories manufacturing sheet-glass by automatic processes come within the category

of what are known as continuous-process factories, that is, factories the main process carried on on which is one which is to be carried on continuously throughout the day and night and from week to week throughout the year. For technical reasons it is not possible to interrupt the process without causing a very appreciable loss. The Factories Act, which was passed last year, gave special recognition to this class of factories in which production has to be continuous for technical reasons and allows them a working week of fifty-six hours as against the fifty-four hours to which ordinary factories are limited. I may add that the Washington Hours Convention, which aims at establishing a forty-eight hour week in manufacture generally, allows a fifty-six hour week for continuous-process factories. But the present Convention singles out one particular continuous process and seeks to apply a forty-two hour week to it. Now, Sir, Honourable Members will naturally want to know exactly why this particular process has been selected for such singular treatment. That is a question which I personally find it very difficult to answer. I have looked up all the literature on the subject, and I cannot find any really satisfactory reply to it. One of the main reasons, in fact, why I am asking the House to support my Resolution is that there is no adequate ground, in India at least, for selecting this particular process for exceptional treatment. Actually the proposal seems to owe its origin partly to historic reasons. Before the war, the trade unions in Western countries had succeeded in securing a Sunday rest in sheet-glass factories. But the introduction of mechanical processes such as that employed in India, while representing a very great advance on the technical side, and reducing enormously the toil involved, operated to deprive the workers of their Sunday rest, and the present Convention owes its origin to an endeavour to restore that weekly rest. In fact, the subject on the agenda of the Conference was not the reduction of hours in sheet-glass factories, but the "methods of providing rest and alteration of shifts in automatic sheet-glass works". And although there is no reference to weekly rest in the final form of the Convention, the arrangements specified in article 2 are designed, among other things, to ensure a weekly rest period.

But this, to my mind, affords no adequate reason for drawing distinctions between this particular class of work and many other types of continuous processes, such as, for example, some of those in steel works. I understand that the work in sheet-glass factories is not particularly arduous and I would quote in this connection an extract from a report by the International Labour Office itself. It runs as follows:

"The employment of drawing machines has profoundly affected the nature of the glass workers' duties. It has eliminated tiring occupations such as those of blowers, gatherers, flatteners and boys. From the moment the batch is placed in the furnace to the moment the finished glass leaves the machine, no human labour is directly employed in the manufacturing process. There remains only a minding staff freed from trying and repetitive work that has persisted for thousands of years, and using their intelligence instead of following one of the hardest trades humanity has ever known."

The inference to be drawn from that quotation is that glass making, instead of being one of the most arduous forms of toil, has now become a comparatively easy one and the quotation, I think, furnishes ample justification for my urging upon the House that there is no sufficient reason for singling out one factory only and that a small and struggling factory for a special and severe legislative restriction upon its hours of work and that therefore India should not ratify the Convention.

Sir, I move.

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

"That this Assembly, having considered the Draft Convention for the regulation of hours of work in Automatic Sheet-glass Works adopted at the Eighteenth Session of the International Labour Conference, recommends to the Governor General in Council that he do not ratify the Draft Convention."

**Mr. N. M. Joshi** (Nominated Non-Official): Sir, I move:

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

'but that the hours of work in automatic sheet-glass works be reduced to forty-eight week'."

**Mr. President**, the Honourable the Member in charge of the Department of Industries and Labour has explained that this Resolution arises out of the Convention passed by the International Labour Conference held last year. Before I deal with the subject-matter of the Convention itself, I would like to remark that recently the attitude of the Government of India towards the decisions of the International Labour Organisation has been, in my humble opinion, an attitude of indifference.

**The Honourable Sir Frank Noyce**: Nothing of the kind.

**Mr. N. M. Joshi**: The Government of India have not ratified any Convention arising out of the decisions of the International Labour Organisation since the year 1929. The last decisions which they ratified were the decisions of the year 1929, and no Convention passed after that date has been ratified. That is one reason why I say that the attitude of the Government of India towards the decisions of the International Labour Organisation has been an attitude of indifference. Secondly, the Government of India do not send an adequate delegation to the International Labour Conference, and that, in my opinion, is another indication of the attitude of indifference which the Government of India have adopted during recent years. There was a time when the Government of India, besides sending the delegates, used to send two or sometimes even three advisers, but, since 1931, they have not sent any advisers to the delegates. This has caused a great deal of inconvenience to the delegates who have been sent there. The Conference works through committees and sometimes four or five committees are appointed, and the delegate who goes there, especially the delegate who represents the Indian workers as well as the delegate who represents the Indian employers, find it very difficult to take adequate part in the work of the Conference. The argument which Government may perhaps give for not sending advisers is the stringency of money, but I feel the stringency of money is only an excuse. The real reason is that the Government of India have become indifferent to the International Labour Organisation. I hope that the Government of India will give up this attitude and will not plead the stringency of money as an excuse for not sending advisers. I hope at least from this year they will begin to send advisers to the delegates who may be appointed for that Conference.

Now, Sir, as regards the Convention itself. The Honourable Member has explained the terms of the Convention. The Honourable Member in explaining the Convention said that he did not understand why this

Convention was especially adopted for the sheet-glass industry. Sir, I am not an expert in the glass industry at all; I know very little about this industry. But from reading the literature that is available and from my talks with the people who are engaged in this industry, I have come to the conclusion that there are two reasons for the passing of this Convention. The first reason is that the work of standing near machines where the sheet-glass is made is arduous: the workers have to stand near the heat. I am not suggesting that there are no other industries where workers have to do this sort of arduous and hard work. But the work in the glass industry is very hard and very difficult, and, therefore, it is necessary to establish shorter hours of work in this industry. The Honourable Member said that the Washington Conference itself had permitted 56 hours of work for continuous processes, while the Convention had recommended 48 hours of work for other industries. Now, Sir, if the work in those industries which are industries of continuous processes is harder and more arduous, then it is quite natural that the hours of work should be reduced. Unfortunately, on account of consideration which many Governments have towards the convenience of the employers, the Washington Conference, very wrongly, in my humble judgment, recommended longer hours of work for work in continuous process industries. That mistake is being corrected now and, moreover, the International Labour Conference, having seen the difficulty of getting no recommendation adopted on account of the opposition of the employers, have, in my humble judgment, selected a method by which they will secure their object with the least resistance. Therefore, they select one industry after another for reducing the hours of work. That may be the second reason why this special Convention has been adopted for the glass industry. I am aware that there is only one factory in India which makes sheet-glass at present but there used to be two or three factories before. That is my information. At present there is only one factory left which makes sheet-glasses. It is quite true that the number of people affected by this convention is very small, but still, Sir, we should try to help even the small number. I am not suggesting that this convention should be ratified immediately. I feel that efforts should be made to gradually reduce the hours so that the convention may be ratified within a short time. I am, therefore, suggesting in my amendment, that the hours of work should be reduced from 56 to 48 so that after a few years we may be able to ratify the convention passed at Geneva. I hope the House will accept my amendment.

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

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

"but that the hours of work in automatic sheet-glass works be reduced to forty-eight a week."

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

"That for the words 'that he do not ratify the Draft Convention' the words 'that the matter be brought up before the Assembly for reconsideration after the publication of the Report of the Tariff Board on glass industries in India' be substituted."

Sir, I was glad to hear the views of my Honourable friend, Mr. Joshi, the leader of workers in India, that he was not in a hurry to see the Convention adopted by this House immediately.

**Mr. N. M. Joshi:** I am in a hurry.

**Mr. B. Das:** If I remember aright, the Honourable Member said he would wait for a few years.

**Mr. N. M. Joshi:** I said not immediately.

**Mr. B. Das:** My Honourable friend also said that he would like to see the working hours reduced to 48 hours and then the Convention could be adopted by this House. But my Honourable friend, Sir Frank Noyce, the Member for Labour, — I particularly mention that he is the Member for Labour and not for Industries, because I have found him since the Whitley Commission Report was published, and here I take this opportunity to express my sincere sorrow at the death of *ex-Speaker* Whitley who has rendered signal services to the working classes in India and for the social welfare of the workers in India, I say I have found my Honourable friend, Sir Frank Noyce, has been more interested in problems of labour than in the problems of industry and he always transfers the problems that affect industry to his colleague on his left . . .

**The Honourable Sir Frank Noyce:** I cannot allow that assertion to pass unchallenged. I endeavour, as I said on an historic occasion, to hold the scales even between the claims of industry and labour, but it does happen that my work on problems of labour, owing to the fact that it is embodied in the legislative measures, comes more into the lime-light rather than the work I endeavour to do for industry.

**Mr. B. Das:** I know my Honourable friend tries to balance his sympathy, but it may be mentioned that on the side of labour he has introduced two Bills this morning and he will introduce two more Resolutions this afternoon—all affecting labour problems.

**Mr. N. M. Joshi:** What about tariff Bills?

**Mr. B. Das:** Anything about the protection of industries, he transfers his responsibility to his colleague, the Commerce Member.

**Mr. N. M. Joshi:** That is good.

**Mr. M. S. Aney** (Berar Representative): That is division of labour.

**Mr. B. Das:** My Honourable friend has not yet functioned properly as a Member for Industries in giving protection to this glass industry which was a matter of enquiry by the Government of India three years ago, and so I beg to move this amendment for the postponement of the consideration of the draft convention, so that when Government publish the report of the Tariff Board on glass industry, they can bring forward their Resolution and then this House will consider whether we should accept the Resolution moved by the Government or the amendment moved by my Honourable friend, Mr. Joshi.

Before I discuss in detail the problem of sheet-glass in India, I should like to make a few general observations about the conduct of the League of Nations and the associated branch, the International Labour



Office, for this is one of those rare opportunities that this House gets to pass a few observations on the conduct of the International Labour Office where this Convention was discussed and to which Mr. Joshi wants to send a few more advisers besides the delegates. Sir, although I am glad to find in the report which the Government have circulated this year that Indians are adequately represented in the governing body, there is a Member of the Government on the governing body, there is an Indian Member representing employers on the governing body and there is my Honourable friend, Mr. Joshi, representing the working classes in India, yet I find that Indians do not find representation properly on the International Labour Office or the League of Nations. Sir, although India is now occupying the seventh place in the matter of payment, yet the Government of India have been rather weak in their pleading, rather in their demand as to why Indians are not given high offices in the offices of the International Labour Office or the League of Nations. Only the other day, America signified her intention to join the International Labour Office and the International Labour Office went out of its way and told America that it will take so many Americans into its office, not only in the International Labour Office, but also in that of the League of Nations. The other day, we read in the papers that Japan threatened and that Japan had already walked out of the League of Nations, but Japan is still a Member of the International Labour Office. What do we find? The League of Nations was so frightened that it sent out a Commission to Japan to enquire into the labour conditions in Japan and that Commission gave a white-washing certificate to Japan to the effect that Japanese labour has got all the social welfare work and social amenities of life provided for them and that the complaints which the British employers and the Indian employers have made very often that the Japanese workers do not work under proper conditions were baseless, and the League of Nations Commission has absolved Japan from all the complaints and white-washed the whole thing and yet the Japanese are admitted to occupy high offices in the International Labour Office . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member seems to be travelling rather wide of the mark in discussing the personnel of the International Labour Office.

**Mr. B. Das**: Sir, I refer to this in detail, because this is the only occasion when I can draw the attention of the Honourable Member for Industries and Labour to press the point on the Director of International Labour Office that more Indians should be taken to these high offices.

Now, Sir, coming to my amendment, everybody knows, it has been already mentioned by two previous speakers, that there is only one glass work—that is, the U. P. Glass Works, Limited,—which manufactures sheet-glasses. In 1927, the sheet-glass price in India was Rs. 8-8-0 per 100 square feet, and, since then, things have so happened that, owing to Japanese dumping, in January, 1935, the price of sheet-glass is now Rs. 5-4-0 per 100 sq. ft., and the cost of the Indian sheet-glass at the factory is something like Rs. 8-8-0. When the Government of India brought out their Safeguarding of Industries Act, we thought they would protect the sheet-glass industry, but because they had this Tariff Board Report before them, they did not protect this particular glass article,

[Mr. B. Das.]

but they protected chimneys and other articles of glass manufacture. But since then, during the last year, the condition of the sheet-glass factory has gone worse. I find that Japan which exported, in 1930-31, 19,80,350 square feet, has increased her exports to India in 1933-34 to 1,02,49,200 square feet. And that is the reason why the Japanese article,—apart, of course, from State subsidy and shipping subsidy and also exchange effects,—is today selling at Rs. 5-4-0. I do not know if the Government of India at one time thought that the British sheet-glass industries will gain in the Indian market, but I find that while it was exporting nearly nine lakhs sq. ft. in 1930-31 to India, in 1933-34 it is only eight lakhs sq. ft. So I do not find that British sheet-glass or the continental sheet-glass is gaining on the Indian market while Japan has captured more than 60 per cent. of the imports of India. Therefore I submit that we have no materials before us to discuss one way or the other; and when Government publish the Tariff Board Report and bring forward their recommendations one way or the other, we will be able to consider whether we will reject this Convention or even accept Mr. Joshi's amendment. In this connection, I wish to point out that there are European countries which put high tariff on glass to protect their sheet-glass industries. I find that the United States has got an import duty of Rs. 9-18-0 per case of 100 sq. ft. Belgium has Rs. 12 for one hundred square feet; Germany has got Rs. 10; France has 240 francs per square metre; which comes to Rs. 200/-per 100 sq. ft.; Czecho-Slovakia has 176·208 croner per 100 kilos, and so on. Therefore, it is not a new thing. So I urge on the Honourable Member for Industries to ask his colleague, the Member for Commerce, to publish the Report on the glass industry which was submitted in 1932 and which is lying on the shelves of the Commerce Department. Thereafter, the Government may bring forward any amendment to any Convention, and the House will consider it.

Sir, I have only one observation to make about Mr. Joshi's remark that the working hours should be reduced to 48 hours per week. Last Session, when my Honourable friend, Sir Frank Noyce, brought up his Bill and the Act was passed, Mr. Joshi pleaded for 48 hours. I expressed my sympathy with Mr. Joshi, but I could not give him my vote at the time nor can I give him my support today, because, if we reduce the working hours in one industry to 48, there will be a demand of labour in other industries to reduce the working hours to 48. I do not mind if it is reduced to 48 hours, provided the industry can stand those wages. Sir, I have already said, subject to the correction of my Honourable friend, Mr. Abdul Matin Chaudhury, that if the index prices of food-stuffs and commodities have gone down in India, the workers in India should be prepared to accept lower wages, because, in 1925, 1928 and 1930, they secured in certain industries the wages that were demanded by their labour leaders because high prices were prevalent. So, if the leaders of labour can prove that the standard of wages can be reduced in particular industries on the present prices of commodities, and, if Mr. Joshi is prepared to reduce the wages in certain industries like the steel or the textile industry (*Mr. N. M. Joshi*: "No, no"), then I am prepared to support his claim for a forty-eight hour week.

With these observations, I commend my amendment to the House.

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

"That for the words 'that he do not ratify the Draft Convention' the words 'that the matter be brought up before the Assembly for reconsideration after the publication of the Report of the Tariff Board on glass industries in India' be substituted."

The discussion will now proceed on the motion as well as the amendments.

**Dr. Ziauddin Ahmad** (United Provinces Southern Divisions: Muhammadan Rural): Sir, I rise to support the motion and I will give entirely different arguments in support of this motion. We all know that India is an agricultural country and here our problem is primarily the problem of agricultural labour. I drew the attention of the House to this question on the 6th February, 1934, and, during the last election, I had occasions to visit the villages in the United Provinces and I found the condition of village labourers much worse than that of labourers in factories. Last year, I pressed that some kind of statistics should be collected to find out the number of village labourers in this country, but no statistics are available and we can only rely on our personal experience . . . . .

**The Honourable Sir Frank Noyce**: Sir, I am sorry to interrupt the Honourable Member, but I should like to know to which of the two Resolutions, I am moving today, he is now speaking upon, *i.e.*, whether the one on glass works or the one on unemployment.

**Dr. Ziauddin Ahmad**: I am speaking on the Resolution on glass works and I am criticising no recommendation of the International Labour Conference, because I do not recognise it. So I said I am supporting the Resolution on different grounds as I do not recognise the principle on which the two Resolutions are based.

In the absence of these statistics, we have to rely on our own experience. As I was saying, I found the condition of village labourers much worse than the condition of labourers in factories; and I regret that this International Labour Conference recognises only the question of labour that is employed in factories.

**Mr. N. M. Joshi**: May I interrupt the Honourable Member and inform him that the International Labour Organisation has passed several conventions protecting the interests of agricultural labourers also?

**Dr. Ziauddin Ahmad**: But I am sorry that none of these things has come up for discussion in this House. We should primarily lay great stress on the labour that is engaged in agriculture. That is really the most important problem and this question of labour employed in the factories is not so important as the other from the Indian point of view. I am afraid that all our representatives and spokesmen of labour in this House concentrate their attention on factory labour: I have not seen Mr. Joshi shedding his tears for one moment on the poor condition of agricultural labour, though he has engaged this House for hours and hours in talking about conditions of labour in factories . . . . .

**Mr. N. M. Joshi:** What have you done?

**Dr. Ziauddin Ahmad:** I have come here to criticise the action of Mr. Joshi in this House. My first point is that the International Labour Office is engaged too much in considering the conditions of labour in factories, and they do not pay sufficient attention to our problem which is really a problem of agricultural labour, and, therefore, we should not pay any serious attention to their recommendations. My second point, also important, is that in all these discussions there has been a talk of war between labour and capital. What they very badly need are persons who do not represent either labour or capital, so that they may take a dispassionate view of the whole thing. To my mind the labour representatives are tackling this problem from the wrong end of the stick. Why? In the first place they are now saying that the hours of work should be so many per week, or so many per day. If this process continues much longer and they continue lowering the hours of work per week, as they are attempting in this particular problem before us, the situation will entirely change: capitalists and owners of factories will not in future engage persons on monthly labour: they will not engage persons even on weekly labour, but will say: "We will pay you so much per hour—one anna or half an anna: work as many hours as you like per day: we do not care, we will pay you so much per hour." If that happens, a large number of these workmen will come forward and will be willing to work longer hours in order to draw more wages. They will not listen to my friend, Mr. Joshi: they will not listen to the International Labour Office; they will not listen to any kind of advice given even by my Honourable friend, Sir Frank Noyce, so long as they are paid more money for doing more work. They would rather object to being paid the same amount for more work. If we begin to organise labour by paying so much per hour, I am positive and certain that every labourer will try to double the amount of work in order to double the wages, so that he can make both ends meet. This question of lowering the hours of work will also have this effect that it will make our labourers lazy: after all we must produce everything cheaply.

I insisted some time ago, and I insist even today, that the real problem which labour ought to tackle is this: the profit which they help to earn should not entirely go to the capitalists and to the factory owners. A portion of it must go to the labourers, to the workmen who help to produce this profit: it must be proportionate to their share. If the workmen demand that the whole of the profit should not go to the persons who supply the money or the persons at the top but that it must also go proportionately to those who help to make the profits, that is the right way of looking at the matter. The workmen should realise that it is to their interest that they should make the factory a paying concern and a profitable concern so that they can get a portion of the profit; but if they have no other interest than merely getting a certain amount of money as wages, never mind whether the factory is run at a profit or loss, then naturally they will have no interest, and all kinds of organisations like the International Labour Office and others for which Mr. Joshi is spokesman will come into existence . . . . .

**Mr. B. Dás:** That is becoming a Socialist?

**Dr. Ziauddin Ahmad:** No. I think we ought to organise this thing properly so that everybody gets a proportionate profit: whatever extra profit comes after paying the bank rate of interest must be distributed according to some convention between the shareholders, the managers and the labour. That is really the right kind of policy to be followed. I do not agree, not only in this convention, but also the other recommendations of the International Labour Office.

**Mr. N. M. Joshi:** Even for agricultural labourers? (Laughter.)

**Dr. Ziauddin Ahmad:** As I said, I have not seen my friend, Mr. Joshi, saying a word about agricultural labour in this House.

The next point to be considered is whether a particular industry can afford to pay these high wages. It has been pointed out, by the Honourable the Mover of this Resolution, that there is only one factory and it is in Aligarh: I have seen this factory, I know its condition: it is not able to meet the demand and it is really in a bad condition; and if we impose an additional burden by reducing the hours of work, and demand at the same time that the wages should not be cut, I am afraid that the only factory which exists now in India will have to be closed down. Though we have not got machinery, we wish to compete with the rest of the world by means of our cheap labour: but if we make labour expensive in this country and at the same time have no machinery, we will not be in a position to compete with other countries in manufactured articles. Therefore the very brilliant and very illuminating recommendations of the International Labour Office do not satisfy Indian conditions and the less we talk in this House of them the better. With these words I resume my seat.

**Prof. N. G. Ranga** (Guntur cum Nellore: Non-Muhammadian Rural): Mr. President, Dr. Ziauddin Ahmad, who has just sat down, said that the International Labour Office and the International Labour Conferences have not paid sufficient attention to the needs of agricultural labourers. I am here to assure the House that the International Labour Office has certainly been trying to pay as much attention as possible to the needs of agricultural labourers; but, unfortunately, most of those governments, who have to co-operate with it in order to make its conventions a success if they are to be a boon and a benefit to the workers, agricultural as well as industrial, have not been willing to co-operate with it, but object to the ratification of its Conventions, for the simple reason that neither this Government nor any other Government have been willing to protect the agricultural labourers. It is indeed very strange to say that because our Government are not willing to help the agricultural workers or the International Labour Office is not willing to help the agricultural workers, therefore, that ought to be any reason why we should allow victimisation of industrial workers in this country. My friend, Dr. Ziauddin, said, that in this country we must depend upon cheap labour for the progress of our industries. Sir, if we are to depend for the progress and prosperity of our industries and for the industrial development of this country entirely on cheap labour alone, I would rather not have this sort of industrial progress at all at the cost of labour.

**Dr. Ziauddin Ahmad:** On a point of personal explanation, Sir. The word 'alone' is not my word. My friend has added it.

**Prof. N. G. Ranga:** Secondly, my friend said, that so far there has been none here who was prepared to espouse the cause of agricultural labour, and he accused my friend, Mr. Joshi, of not having paid as much attention as he should have to the needs and difficulties of agricultural labour, but I can assure my Honourable friend, Dr. Ziauddin, that I myself, my friend, Mr. Giri, and several others here have come here to this House from the country-side to represent specially the interests of the agriculturists, the interests of agricultural workers, and also the interests of ordinary workers all over the country, and especially of the workers in rural parts. I stand here on behalf of the agricultural workers and maintain that this Convention ought to be ratified by the Government of India, not because the agricultural workers are themselves much interested in it only, but they are interested in the progress and prosperity and in the satisfaction of the desires and needs of the industrial workers also.

Now, what is the position in regard to these workers who are employed in the glass sheet industry? We are told by the Honourable the Mover of the Resolution, that there is only one factory in this country, and this factory, according to him and also according to my friend, Dr. Ziauddin Ahmad, has not been able to pay any fat dividends. If this factory is not able to declare any dividends, then it is a case for the grant of either a bounty or protection; it is certainly a case for the consideration of our Honourable friend, the Commerce Member. If, on the other hand, this industry does not need any protection at all, and, if it at the same time wishes to carry on its exploitation of its workers by making them work for 56 hours, as has been the case till now, then it should not be allowed to receive its pound of flesh from the flesh and bones of the poor workers who are employed there; it should be closed down. Sir, these workers are helpless. They are only 200 or 300 in number. They are not organised, and if they are not to be protected even here on the floor of the House by Honourable Members, then I do not know who is to look after them. Lower wages there are, and lower wages are bound to remain in this country as long as the House is not prepared to protect them by the ratification of the recommendations of the International Labour Conference. My friend, Mr. Joshi, has rightly complained that our Government have not been providing our delegates to the International Labour Office with proper advisers. |

**An Honourable Member:** What do you mean by our Government?  
(Laughter.)

**Prof. N. G. Ranga:** Sir, I am so extremely impatient to have our own really Indian Government, that I sometimes mistake for it, this Government, the agency of the British Government. I mean the Government of India have not been playing their part properly. Now, here is a Convention which was passed on the advice of a majority of the civilized nations, as all those who were represented there were supposed to be civilized, and this Government has the hardihood to come forward and say that this Convention and the recommendation of the International Labour Office should not be ratified at all! Here is another instance in which the Government comes forward with a recommendation like this, and a scholar and a great experienced Parliamentarian like my friend, Dr. Ziauddin, says that he has really been struck with the plight and sufferings of the agricultural workers and yet he wants to support the Government when it wants the non-recognition or non-acceptance of the recommendation as well as the convention of the International Labour Office. Therefore, I stand here,

on behalf of the agricultural workers and say that they are willing to stand by the industrial workers and even to wait, if need be, till their needs are satisfied, in order that the industrial progress should be helped. There is another Resolution which stands in the name of the Honourable the Member for Industries, and, if I have a chance, I shall express my views on it. But in this connection, I can say at least this much that the agricultural workers feel that they have been let down very badly by this Government by not ratifying the recommendations concerning their interests of the International Labour Office, and yet these workers feel that even if they have been let down, at least their brethren the industrial workers should not also be let down. Merely because agricultural workers have been let down by the Government of India, it is not fair that these workers should stand in the way of any beneficial legislation that may have to be passed in the interests of industrial workers.

There is one more point, Sir. At present these workers who are employed in this glass-sheet factory are working for 56 hours. The International Labour Office has proposed that the number of hours should be lowered to 42. What is the amendment that stands in the name of my friend, Mr. Joshi? It does not want the Government of India to accept that lower limit, but it would be satisfied with 48. Is that not reasonable? The limit has been insisted upon by the International Labour Office at all its sessions, and this limit has to be fixed in the case of which workers? Workers who are employed in a very dangerous industry, in an industry the working of which is inimical to the health and physical development of the workers; and, if we are not prepared to accept this limit of 48 hours, I really do not know whether the Honourable the Member for Industries would be willing at all to agree to our proposal of 48 hours for workers in mines and other industries. My friend, Mr. B. Das, has come forward to represent the case of industrialists. I would have no quarrel with him for representing their grievances, but certainly it will not be fair on his part to say that these industries should be carried on at the expense of the poor workers.

**Mr. B. Das:** I did not say that

**Prof. N. G. Ranga:** If he did not say that, I am glad; and I take it that he did not make that statement, but it is not fair for any Member of this House to maintain that industries should be carried on at the cost and expense of industrial and agricultural workers.

**Dr. T. S. S. Rajan** (Tanjore *cum* Trichinopoly: Non-Muhammadan Rural): Mr. President, we have now to see whether the Trade Convention that has been recommended by the International Labour Office at Geneva is one that we could adopt in this country with advantage. The time limit proposed by Geneva is 42 hours, and the amendment of my friend, Mr. Joshi, suggests that it should be 48 hours. It is conceded even by the Honourable the Industries Member that sheet-glass industry is an industry which throws a greater strain on the workers.

**The Honourable Sir Frank Noyce:** No, Sir; I did not say that. I said exactly the opposite, that owing to the great improvements effected of late years and the fact that the processes are now carried by automatic machinery, the strain has been very greatly mitigated and conditions are now completely different from what they were before automatic machines were introduced.

1 P.M.

**Dr. T. S. S. Rajan:** Perhaps, I did not hear my friend properly, but I still have my own doubts whether the glass industry could be put on a par with other industries in so far as the strain that is put on the workers is concerned. My statement is a comparative statement. I compare the glass industry with other industries, and I am led to think that the glass industry does throw a heavier strain on the workers than do other industries like textile mills, mines, and so on. I also learn that it is an industry which could never be stopped, there could be no recess, but that it has got to be kept continuously running from year's end to year's end. These are the facts that are placed before us, and, after having read those facts, we are asked to ignore the recommendations of the International Convention. Speaking as a professional man, as a medical man, I can tell this House that in all cases where muscular exercise of any sort is required, the muscular system cannot stand a strain of more than eight hours at the utmost, and the acid that is emitted as a result of the muscular exertion acts as a poison on the human system and that continuously for eight hours a day, I cannot comprehend how with any sense of humanity in us we could say that anybody should be worked longer. If the argument is added that in this country people are working for longer hours, I say that is just the reason why we must prevent longer hours of work. Here is a specific legislation recommended by an international body and after deliberation and thorough investigation into the matter we are told that 42 hours a week shall be enough. But my Honourable friend, Mr. Joshi, has arrived at a compromise and has suggested 48 hours a week. As one who has seen something of workers in factories I can assure the House that eight hours labour is more than a man can stand. For muscular exertion of the sort which requires the careful attention of the workers, eight hours in a factory is the maximum that one could expect, and therefore, I contend that this amendment of Mr. Joshi is but fair and quite logical. But as regards the other reason that there is only one glass factory in this country and if a restriction is put upon the hours of work the result will be disastrous, I can tell you this. You may work the worker for 56 hours or even 68 hours if you please, but I may assure you that the worker, in spite of the longer hours of work, cannot produce in quantity the same amount of work that he could when he is not tired. Eight hours work perhaps will give the maximum result that one could expect. If you make an exhausted man work for 12 hours per day for instance, the sum total of his work will be almost equal, if not less, because a tired man produces much less work than a man who is not tired. Therefore, if you agree with me that eight hours strain is about the maximum that the muscle can stand, I fail to understand how longer hours of work can give better results. It is in the interests of both the workers and the employer to see that the workers are strong and do not get fatigued at the end of the work. If a man does not get fatigued at the end of the work, certainly he is much better fitted, from an economic point of view, than the one who is exhausted. I contend that a strong man who works for eight hours, with periods of rest in between, will turn out much better result than if he is worked continuously for ten or twelve hours under the impression that longer hours of work produce better results. This is absolutely a scientific fact which cannot be ignored. Therefore, if the employer is afraid that, because the worker is working now 56 hours, he is asked to reduce the period to 48 hours, it does not necessarily follow that the turn-out and production also should be less. The point of my Honourable friend, Mr. B. Das, is this, that the Tariff Board's report



on the glass industry, for some mysterious reason, has not been made available to the Members of this House, and he believes that it contains some very specific proposals which will help the glass industry to be placed on a secure basis. The fact that out of three factories two have been closed down and one is struggling for its existence is certainly proof to show that an enquiry into this industry is necessary, and if the Tariff Board's report contains the results of their labours, I really do not see why it should not be made available to Members of this House or to the industrialists who are engaged in that industry. While supporting Mr. Das's amendment that a copy of the information contained in the Tariff Board's report should be placed on the table of this House, I endorse the amendment of Mr. Joshi for a reduction of the working hours to 48 hours a week.

**Mr. D. K. Lahiri Chaudhury** (Bengal Landholders): There is a dictum that knowledge is power, and there is also a dictum that labour goes with it. Here we are discussing the question of reducing the hours of work to 48 a week, and I can say with the utmost confidence that at least on this side of the House there will not be a single Member who will oppose this. As one who has got the interests of the agriculturists at heart, I may say that we feel strongly that labour must be reduced in this country.

**An Honourable Member:** What labour?

**Mr. D. K. Lahiri Chaudhury:** I beg your pardon, hours of labour. It is admitted on all hands that the workers in the glass industry cannot stand more than 48 hours a week, it is not possible for them.

**An Honourable Member:** It has been possible for so long.

**Mr. D. K. Lahiri Chaudhury:** Yes, if you tie me down and then spit on me, I cannot help it; I must bear it. The pity is that even now, in this twentieth century, under the British rule, the labour representative is nominated and he is not elected. And still in this House we talk of Dominion Status, Federation, and so on! We get so many allowances, are given so many parties and entertainments, and cannot we show some little sympathy for these poor labourers? It will be my duty to support the amendment of my Honourable friend, Mr. Joshi, most earnestly, and I hope that every elected Member will feel strongly for the workers and give his unstinted support to the amendment of my Honourable friend.

**Srijut N. C. Bardaloi** (Assam Valley Non-Muhammadan): Sir, I am neither a labourer nor a capitalist. So, in the words of the Honourable Dr. Ziauddin Ahmad, I can take a "dispassionate view of the whole affair". I find that there is a tug of war between the capitalist and the labourer in this matter. My Honourable friend, Mr. Das, was speaking on behalf of the capitalist, and Mr. Joshi has been espousing the cause of the labourers as he always does. Now, the question at issue is, whether in this sheet-glass industry the hours of work should be forty-eight or fifty-six. I find that in the glass factories of Europe, where the climate is cooler, the people are stronger, well-fed and well-housed, the working hours have been fixed at 42 hours a week, whereas, in India, because the glass factory which is in existence, now does not make much profit, therefore, it is considered proper that the ill-fed, ill-nourished, ill-paid workers

[Srijut N. C. Bardaloi.]

of this country should work 56 hours a week. I think this is a position which is not proper. As a matter of fact, from the report of the Labour Commission we find that the glass factory, although there are improved machineries now, works in great heat. The molten glass is to be supplied to the machinery from hour to hour, from day to day and from week to week and it is continuous work under great heat in the factory. Certainly, that work tells on the health of the people, and, although I would have very gladly supported the working hour that had been proposed by the Labour Conference, namely, 42 hours, I would rather support 48 hours because that is the amendment before the House. Of course the question arises also that the only glass factory in this country may fail. If that is so, the Government should come at this juncture to the help of the glass factory by protecting this industry and in order to give a chance to the Government to allow a discussion in this House and also to look at the report of the Tariff Board and, in order that we may discuss later on about the working hours, I would support the amendment of Mr. Das. Failing that, I shall have to support the amendment of the Honourable Mr. Joshi.

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

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

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**Mr. A. G. Olow** (Government of India: Nominated Official): Sir, before I endeavour to deal with the actual wording of the amendments, I should like to offer one or two observations on some of the matters of wider policy which were raised by my Honourable friend, Mr. Joshi, and some of the speakers who followed him, and, in particular, to say a word about the charge that he levelled, that Government are becoming indifferent to what happens at Geneva. I think, he found two proofs of that, one in the fact that our ratifications were not sufficiently numerous, and the other in respect of the sending of advisers; and at least one Honourable Member who followed him seemed to be rather shocked that we did not ratify every Convention. Well, there are a great many Conventions passed at Geneva and no leading country is able to ratify all of them. I have a chart which I could show any Honourable Member opposite showing ratifications which have been registered by each country in the world, and if they care to examine that chart, they will find that India on the whole occupies a good position.

**Mr. B. Das:** Will you show it tomorrow or only at this hour? (Laughter.)

**Mr. A. G. Olow:** I have it here with me, if the Honourable Member cares . . . . .

**Mr. B. Das:** I would like to see it tomorrow.

**Mr. A. G. Olow:** I have here with me a few figures up to January of this year. Great Britain has ratified 18 of the Conventions and France 17, as against 13 ratified by India and I think 12 by Japan. Now you have

to remember that at Geneva, partly because Europe is so strongly represented and partly because it has taken a lead in matters of this kind, attention is naturally paid more to those problems which are regarded as pressing in Europe than to those problems with which we are more directly concerned. We have been pursuing here, as the House is aware, a very solid programme of labour legislation and it is our misfortune that it has not coincided on very many points with the programme that Geneva has been following. And while it is right and proper that we should pay due weight to the fact that an International Conference has approved certain principles, I suggest that, after that, you have to examine how far the conclusions reached are suitable to the special conditions in which we find ourselves. I can remember the day when we were attacked in this House not for ratifying too few Conventions, but for ratifying too many Conventions. What we do is to examine each Convention, to pay due weight, as I said, to the international considerations, and to consider carefully also the national considerations and the interests of this country.

On the subject of advisers, I can only assure Mr. Joshi that the failure to send advisers, in the last year or two, has been due entirely to financial stringency. Government are now considering whether, in the slightly altered circumstances in which we find ourselves, they could suitably send an adviser with the employers' and the labour delegates this year.

Coming to the specific amendments, these are two in number. There is first my Honourable friend, Mr. Das's amendment, which proposes to reach no conclusion at all, and then there is my Honourable friend, Mr. Joshi's amendment, which is an effort at a compromise. I could ask the House to reject Mr. Das's amendment on the ground that the report which he is so anxious to see would convey no assistance whatever in the matter. But I do not expect the House to accept my assurance on that point and I would put it rather on a point of principle, and that is this, that, between fiscal protection for an industry and protection for labour, there is really no relevant connection. What my Honourable friend, Mr. Das, is saying is virtually "when an industry comes up for protection, just see if you cannot fit in a few special labour conditions and impose them on that particular industry". You grant protection where it is needed, and, I maintain, that you should apply the same principle to labour, that you should give protection to it in those industries in which labour itself stands most in need of protection, and not to those industries in which, for reasons quite unconnected with labour, you find it necessary to give protection. If, when a capitalist comes to you for protection, you find that it is necessary to tax the tax-payer in order to enable him to meet foreign competition, the tax should clearly be no more than is necessary for that purpose. If, at the same time, you are going to impose on him special restrictions in respect of wages or hours or other matters relating to labour, he will naturally come and say, "well, I must have a higher rate of protection for that purpose". In other words, you will be taxing the consumer, not to keep the industry in health, but in order that a particular group of labourers may enjoy special privileges which will be denied to other labourers in other unprotected industries. Sir, I earnestly hope the House will agree that that is a principle which is fundamentally unsound.

Now I come to Mr. Joshi's amendment, and I recognize that it has certain merits on the surface. It recognizes, as we do, that the Convention cannot be ratified and it represents an endeavour at a compromise and, as such, has been tentatively accepted by several Members opposite.

[Mr. A. G. Clow.]

But, I am afraid, that on this particular issue no compromise is possible. That is not because I am particularly obstinate or because any Honourable Member is obstinate. It is really a matter of arithmetic as I hope to convince the House. It depends somewhat enigmatically on the fact that 168 is divisible by 56 and by 42 but not by 48. I would like to illustrate that as clearly as I can. The point is best appreciated by selecting any particular job on a continuous process. That job has got to go on night after day and throughout the week; it has got to be carried on every week for the full number of hours in the week, and that is 168. If you carry it on with three men, each relieving the other in turn, the average hours for those three men are 168 divided by 3, that is, 56. If you want to reduce the average hours ever so little below 56 . . . . .

**Mr. N. M. Joshi:** What about the weekly holiday?

**Mr. A. G. Clow:** That is secured by entirely different methods, by changing the shifts—actually the men get a fortnightly holiday I think—

**Dr. Ziauddin Ahmad:** The work has no holiday.

**Mr. A. G. Clow:** Precisely: the work has no holiday. As I was saying, if you are going below fifty-six hours, you must employ another man and that is why the Convention, a little unnecessarily but quite logically, says, in article 2, that there must be at least four shifts. Now, suppose for this particular job which was formerly worked by three men, you employ the fourth man necessary to reduce the hours, the average hours for these four men must be 42—that is 168 divided by 4. In other words, as soon as you employ that fourth man, your average hours come down to 42 and you have a choice between either employing three men for longer hours than 42 and one man for less than 42, or employing them all for 42. There were some factories in England which worked—I do not know if they do still—on a 48 hours a week in this particular industry. What they did was that three sets of men worked for 48 hours and the remaining set worked for the hours that are left, that is, 24. Now, I put it to the House that you cannot possibly ask the Indian labourer to scratch a living by working three or four hours a day. In other words, if you are going to reduce the hours at all below 56, there is no real stopping place until you come to 42, and that is why the Convention has made such a big jump. If a 48 hours a week had been possible, the Washington Hours Convention, which was designed expressly to establish this principle of 48 hours a week would certainly not have made an exception of 56 hours in favour of these continuous process factories.

I would just like to say one word more in conclusion and that applies to both the amendments. My Honourable friend, Mr. Lahiri Chaudhury, talked of "reducing labour" and there has been, I think, a tendency on the part of some Members in this House, to assume that, if you reduce the hours to 42, you must be conferring a benefit on labour. I, for one, would certainly contest that conclusion. I do not think that with the rates of wages prevailing and in the absence of a special subsidy which is really not admissible in this case, you can ask a labourer to cut his hours down to 48, which would mean the cutting down of his wages whatever my friend, Mr. Joshi, may say.

**An Honourable Member:** Establish a minimum wage.

**Mr. A. G. Olow:** One member says "Establish a minimum wage". In other words, give a subsidy to this particular industry and give it more protection to cover it.

**Mr. N. M. Joshi:** No harm.

**Mr. A. G. Olow:** No, Mr. Joshi. I suggest that this particular industry does not deserve and does not need a subsidy of that kind. The principle of giving a subsidy to a particular factory in order to reduce the hours of work to 42 would be, I submit, unjust and unsound. The real fact is that the Indian labourer does not offer the same scope for reduction as my Honourable friend, Mr. Lahiri Chaudhary. If you are going to reduce him to 42 hours, the danger is that you will reduce him to something like a skeleton. I ask the House to recognise that we are trying here to act in, what we believe to be, the best interests, not merely of the capitalist who is concerned in this particular case, but of the labour employed, and that this Convention, however, suitable it may be for conditions elsewhere, is not suited to the conditions as we know them.

**Pandit Govind Ballabh Pant** (Rohilkund and Kumaon Divisions: Non-Muhammadan Rural): Sir, Bahjoi, where this solitary factory for the manufacture of plate-glass is situated in this country, is part of my constituency and that is my apology for standing before the House. I had also notified certain questions relating to the United Provinces Glass Works, which has its headquarters at Bahjoi, but no replies have yet been received. I must, however, warn the Honourable Members, at the outset, that I do not pretend to speak on behalf of the Company, the Shareholders, the Management or the Labourers. Whatever views I might express here are solely and exclusively my own.

Sir, before dealing with this question on its merits, I would like to give expression to certain feelings which are uppermost in my mind. India is an equal member and an original member of the League of Nations and India is one of the principal States that are represented in the International Labour Conference. Now, Sir, what does the membership of these International organisations connote? What is its import and what is its significance? I do not know what India means there, but I know that so far as we Indians are concerned, we are not better than helots in this Empire and serfs in our own country. Is it not a sham, a farce, that while we are described as members of the International body, India's "representatives" have, in fact, to serve no other purpose except singing hallelujahs to their Masters and reflecting their Master's voice? When I saw this Resolution on paper, I was reminded of a film which has been recently produced in America. Hollywood has put forward "India speaks" and no picture more outrageous and untrue, so far as India is concerned, than "India speaks", has ever been presented. And the voice that is audible in other countries in the name of India through the Government of India is no better than the speech of the characters in "India speaks". I will not say more in this connection. The tragedy and the irony of the situation are both obvious. I only hope that the Honourable Member for Labour and Industries has nothing malicious, vulgar or petty up his sleeve which he would blurt out in the course of his concluding remarks after close of the debate. If any Government Member has the hardihood to say anything that is derogatory to anybody or any section of

[Pandit Govind Ballabh Pant.]

this House, he should muster courage to make those remarks in his opening speech and not keep them back for the last minute when nobody can make any reply, specially when the imputations are so very remote, irrelevant and wide of the mark that nobody could have suspected or anticipated them. However, these points are not very closely connected with the questions with which I am directly concerned at present.

Sir, I personally feel that this Convention, which was framed by the International Labour Conference, is only one of the attempts to mitigate the hardships of the Washington Convention of 56 hours, to which the Conference subscribed in one of its weak moments. Sir, the question has to be considered, as all such questions are, from two aspects. The requirements of the industry and the demands of humanity have to be adjusted and I do not notice any inevitable clash between the two. After all, social welfare, reasonable rest, regulated life of labourers, all react on their efficiency. All these things enable them to do more and better work. They lead to better results both in the matter of quantity as well as of quality of output. So, the question should not be looked at from any prejudiced or partial point of view, and I do not very much like the idea of people here being dubbed as capitalists or socialists. We are here like old Romans, though as serfs, to hold the balance and to do justice between all claims, and we cannot afford to identify ourselves with any one party or the other. Moreover, it is merely a question of the angle from which you look at a thing, otherwise whatever is for the real benefit of one class or community is necessarily for the ultimate benefit of all. It is only how you look at the question: whether you have the capacity of, if I may say so, looking beyond the nose. Sir, so far as this particular factory is concerned, it has been in a very difficult condition for several years. In fact, the first experiment was made by the U. P. Glass Works in the direction of the manufacture of plate or window glass sometime in 1923. The Company got a loan of about a lakh from the U. P. Government, but the Company failed and the money was wasted. Again, undaunted by this failure, it made another effort, and, about 1929, it started its operations which happily are still going on and the daily output has steadily increased since. But like so many other industries, it has to face the menace of Japanese competition. The imports from Japan during the last three years have gone up by about 500 per cent. in value as well as in quantity. I will not embarrass the House with figures which lead to this result. At present Japan holds 52 per cent. of the import market, that is, the quantity of plate glass imported from abroad from all other countries is less than what Japan sends to this country. Sir, Japan has been dumping this country with cheap goods and the plate glass that Japan sends to this country is available in Calcutta and Bombay at about Rs. 5 per 100 cubic feet. Till three years ago, the corresponding price was Rs. 8 or Rs. 9 per 100 cubic feet. Consequently, the difficulties have been enormously increased and the U. P. Glass Works cannot possibly maintain its business unless the State helps them as it ought to. The Government of India, whom I cannot possibly call my or our Government, the Government of the foreigners known as the Government of India, referred this matter to the Tariff Board in 1931. They received the report from the Tariff Board in 1932. We are in 1935, but still they are cogitating over it. I do not know what they intend to do. The Honourable the Commerce Member is not here, I do not in any way complain of any lack of courtesy . . .

**Mr. President** (The Honourable Sir Abdur Rahim): He had to leave the House for an urgent engagement and he will, the Chair believes, be back soon.

**Pandit Govind Ballabh Pant:** It is unfortunate that other urgent engagements should have stood in the way of his being present here. But the fact remains that the Commerce Department has not yet been able to extend any assistance to this industry.

Now, Sir, I ask the Government, what are their plans? It is no use saying that this industry should not adopt the Convention. Well, Sir, about this Convention too I would like to know what is the exact constitutional position. We have just seen the sickening farce of prolonged and utterly fruitless debates over Government motions for the consideration of the Indo-British Agreement, and the Joint Parliamentary Committee Report. The House threw out the Indo-British Agreement. The Government on their own initiative sought the decision of the House, and when the House recorded an adverse decision at variance with their preconceived notions, they completely disregarded it. Then, again, the Government put before us the motion for the consideration of the Joint Parliamentary Committee Report. The House framed and formulated its opinion in unmistakable terms in precise form. The Government do not seem to care a tuppence for that as the progress of the Bill in the House of Commons indicates. I do not know, Sir, what the Government intend to do in respect of this Resolution relating to this Convention. I should like the Honourable the Member for Industries and Labour to tell us whether the views of this House are to be treated with the same amount of courtesy which they have shown in the matter of the Indo-British Agreement or the Joint Parliamentary Committee Report. It involves not only utter lack of courtesy, but lack of decency even. It is a deliberate slap on the face with the knowledge, if not the intention, of insulting and injuring the man slapped. What is the use of bringing these motions before the House if our opinion is not to be reckoned with? If no notice is to be taken of our opinion, why waste the time of the House? I ask the Honourable Member for Industries and Labour and other Members of Government with great humility and respect, I ask the Leader of the House as to what he thinks about it: as to whether our decision is to be acted upon or whether it is to be again thrown overboard, if it does not tally with the views of the Government themselves.

Sir, coming to the Resolution itself, my position is simple. I have given you an outline as to the genesis, the growth, the difficulties and the embarrassments of the U. P. Glass Works. I cannot conceive of the labourer working for 56 hours in this continuous process of labour. My Honourable friend, Mr. Clow, considers it only a question of arithmetic, as one capable of being treated in a spirit of scientific detachment, indifference and unconcern and perhaps contempt as arithmetic is . . . .

**Mr. A. G. Clow:** May I make a personal explanation, Sir? I think that is an extremely unfair attack. What I said was that the 48 hours question is one of arithmetic, that you have to choose between 56 and 42 and you cannot stop at 48. I did not suggest that the whole thing was a matter of arithmetic, nor did I treat it with contempt or anything of the kind.

**Pandit Govind Ballabh Pant:** In a way, what we are concerned with is the number of hours of labour and numbers are certainly a question of arithmetic. He has just repeated that he said no more than that 42, 48 and 52 are questions of arithmetic, I can only say that he has ignored what lies behind these arithmetical notations and figures. (Hear, hear.) It is a question of humanity, it is a question of fair dealing, it is a question of protecting the weak against the strong, it is a question of preventing the exploitation and the victimisation of labour. Sir, the question has to be looked at from that point of view. The fact that certain figures are involved in the process does not reduce it to a dry conundrum on arithmetic or mathematics. Sir, what I would like this House to understand is this. This continuous process of glass blowing in the neighbourhood of a furnace which is seldom below 200 degrees Centigrade involves questions affecting health . . . . .

**The Honourable Sir Frank Noyce:** The Honourable Member is confusing the two processes. We are dealing with the automatic manufacture of sheet-glass. Glass blowing is an entirely different process.

**Pandit Govind Ballabh Pant:** I am not unaware of that. What I was saying was that this process of manufacture of glass plates in the case of this particular factory, with which I am dealing at present, is carried on in the same premises along with other varieties of glass as this Company does not concentrate on plate glass alone, but manufactures hollow glass wares also. So it does not make any difference. If the Honourable Member for Labour and Industries has any information which goes against my statement, I would welcome it and give way to him to correct me.

**The Honourable Sir Frank Noyce:** The position is that even if the facts  
3 P.M. are as stated by my Honourable friend,—and I do not doubt that for a moment,—the Convention with which we are dealing only applies to the sheet-glass part of the industry. And even if we were to ratify this Convention, there would be nothing to compel us to apply it to the other manufactures carried on in the factory. The position is that the 42 hour week would be applied to what I understand is the least arduous part of the factory working,—automatic sheet-glass,—and the 56 hour week would be applied to the glass blowing and other manufactures.

**Pandit Govind Ballabh Pant:** I will have no quarrel with the Honourable Member if he brings forward a proposal for the extension of this principle also to other departments of glass manufacture, and I invite him to do so. So, on that point, there is no issue between him and me. If he accepts the proposition in respect of this particular branch which is before us now we will not quarrel about others hereafter. That much of understanding I am prepared to come to with him even at this stage when he seems to be a bit excited—I hope he is not so now.

Then, Sir, I was telling you that in this case the protection of the labourer is a vital question and I have placed before you facts which should convince you that unless some sort of restraint is imposed on the employers, the exigencies of the situation and the inexorable logic of facts will compel them to get as much out of these labourers as is possible. To me the way out seems to be clear enough, and it is this, that Government should take action under the Safeguarding Act or otherwise; but they must extend proper assistance to this factory, otherwise it is bound to go to the wall. There was one proposition which was put forward by the Secretary



for industries and Labour,—I presume that is Mr. Clow's designation—in which he said that it would be obnoxious to all notions of fiscal economy if the ideas of protection of labour were mixed up with those of protection of industry. I do not know how he thinks so. My own idea is that it must be the primary duty of the State, whenever it extends any sort of assistance to any industry, to see that no sweating goes on inside that industry and that humane principles are enforced in full. The State cannot extend its assistance at the cost of the consumer for purposes of profiteering and, if I may say so, for prostitution of human energy. That is not the purpose for which the State is meant. It must serve a moral purpose, and, while protecting the industry, it must protect the morals, the health and the welfare as well as the safety of the labourer. So I submit that the solution of this case should lie in the extension of adequate assistance to the industry, and, along with that, the imposition of a condition on the management and the Company that they will not get out of the labourers work for more than 48 hours in the week. Sir, I think it is possible to solve the arithmetical conundrum. If there is a will, there is a way, and it is not an insoluble position. Sir, I will not say more; I hope Government will extend adequate assistance to this Company and also take necessary measures for the protection of the labourers employed therein.

**Mr. Ram Narayan Singh** (Chota Nagpur Division: Non-Muhammadan): Sir, I rise to support the amendment of my Honourable friend, Mr. Joshi. This Convention is a decision of the International Labour Conference. The International Labour Conference represents the whole civilised world and thus the decision is a decision of the civilised world. Nobody in the House should expect that this Government is going to accept this decision, because this Government is not civilised. Sir, like my Honourable friend, Mr. Rauga, I also hail from the interior of the country and claim to know the condition of the agricultural labourers there. When I think of the condition of the agricultural labourers, I fail to understand the very utility of this so-called devilish Government. Sir, I know what the officials in the mufassil do. They run from village to village and organise Aman Sabhas for the purpose of getting support for the Joint Parliamentary Committee's Report. I have never heard any officials inquiring about the welfare of the people and the labourers there. Sir, the nature of the Government is despotic. All the Government officials, the landlords and other allies of the Government, behave in a despotic manner in their own spheres of activity. Their employers and the landlords behave with agricultural labourers as if they are so many cattle. They treat these labourers in any manner they like. They can make them work for hours together; they may require their attendance even at night. This is the condition there. May I ask this so-called devilish Government what they are doing for the people in the mufassil?

**Mr. President** (The Honourable Sir Abdur Rahim): Order, order. The Honourable Member must withdraw that expression; it is not parliamentary.

**Mr. Ram Narayan Singh**: With your permission, Sir, I withdraw that expression, though very unwillingly.

Sir, if this Government were worth the name, they should have some organisation to care for the welfare of the people in the mufassil. They should ask their subordinate officials in the mufassil to do something by way of protecting the labourers there. The officials may be asked to

[Mr. Ram Narayan Singh.]

report as to how many hours the labourers are asked to work, what are their wages and what treatment they get from their employers. I think at least this suggestion will be accepted by the people on the other side of the House. With these words, I again support the amendment.

**The Honourable Sir Frank Noyce:** Sir, I must apologise to my Honourable friend, Pandit Govind Ballabh Pant, if even for the fraction of a moment I imported into this debate the temperature of a glass-blowing factory. As those who know me better than he does know, it is not my way to do that, but I happen to be in the House today in defiance of the doctor's orders and that must be my excuse.

I do not think there is really very much I have to add to what I said at the outset or to the exposition of the case against the ratification of this Convention which was amplified by my Honourable friend Mr. Clow. There are, however, just one or two points which have been made in the course of the discussion on which I should like to comment. One is Mr. Joshi's statement that since 1929 our attitude towards the International Labour Office and its Conventions and recommendations has changed. I am quite certain that there is not the slightest ground for that contention. All that has happened is that the broad principles which were apparent in the days when the International Labour Office attacked the great field of labour problems have all been settled more or less, and that the Labour Office is now examining refinements, if I may call them so—refinements in various fields which are more appropriate to western nations than they are to the conditions of India. My Honourable friend, Pandit Govind Ballabh Pant, if I heard him correctly, talked of our being helots in the International Labour Office, or was it in the League of Nations? . . . . .

**Pandit Govind Ballabh Pant:** Not you: we Indians are the helots.

**The Honourable Sir Frank Noyce:** I would point out to him that India meets the other nations of the world and the other component parts of the British Commonwealth of Nations on absolutely equal terms so far as the International Labour Office is concerned, and I would give him as an illustration of my contention the fact . . . . .

**Pandit Govind Ballabh Pant:** I did not suggest anything to the contrary so far as the Government of India's representatives are concerned. My point was different.

**The Honourable Sir Frank Noyce:** I am very glad indeed he admits that, and that there is no question of any echoing of 'His Master's Voice' in this connection: I was about to give an illustration of our absolute independence in the fact that as regards this very Convention the British delegates voted for it whereas the delegates for India voted against it. I would also mention, in contravention of what Mr. Joshi said about our changed attitude, a charge which I maintain does not exist—that Mr. Clow himself was one of our delegates to the last session of the Conference in order that we might keep in close touch with what is happening at Geneva. My Honourable friend, Pandit Govind Ballabh Pant, asked me for information as regards the constitutional position in respect of these Conventions. I do not profess to have studied it carefully, because the question so far, I am glad to say, has never arisen. The Conventions have to be placed before this House for their recommendation in regard to ratification or non-ratification as the case may be, and

so far as I know, no difficulty has ever arisen owing to the House disagreeing with the recommendation which has been placed before them. I would remind the Members of the House that there are two Houses of this Legislature and that the recommendation has also to be considered in another place. In the event of the views of the two Houses being different on a particular recommendation, we should naturally have very carefully to re-examine the position; but, as I said, that question has never yet arisen, and I hope that it will not arise.

Coming to the merits of the case, I have very little more to say; but what I would do is to appeal to the House in the name of the logic of the position. We passed a Factories Act last year allowing for a 56-hour week in all continuous process factories. Continuous process factories include amongst others steel factories, and, in my view, the conditions in some processes in steel factories are very much more arduous than they are in this particular glass factory. It may be that if the House last year had been of a different composition, if it had been of its present composition, it might not have agreed to a 56-hour week for continuous process factories: it might have wanted something else. It might have been prepared then and there to make a big leap. But the fact remains that it did not do so and that we have a 56-hour week in all continuous process factories. The argument on which I lay most stress is that there is no reason for singling out one particular factory in which conditions of work are not more arduous, in fact are less arduous, than they are in many other factories, for special treatment. Let us wait until we can take the next step in regard to all continuous process factories. My Honourable friend, Pandit Govind Ballabh Pant, knows this industry from personal experience: he has been to the factory: I cannot claim to have done so: and he reinforced my contention that it is struggling for existence, and he wants Government to do something for it. I can only ask him to wait and see . . . . .

**Pandit Govind Ballabh Pant:** Wait till this factory is wiped out and then see its ashes?

**The Honourable Sir Frank Noyce:** That may be: I cannot comment on that aspect of the case, for I entirely agree with Mr. Clow that we must deal with the question of protection entirely apart from the general question of hours of work. We have not enforced any special conditions in regard to hours and wages on other protected industries: why should we now single out this particular industry for special treatment in that respect and say, "We will not give you protection unless you reduce your hours of work", or "We will give you protection if you reduce your hours of work"? Where is the equity there? My Honourable friend, Pandit Govind Ballabh Pant, has appealed to Government to do something for this industry. I would ask him on his side also to do something for this industry and not inflict what I am convinced would be a fatal blow to it by compelling it to reduce its hours of work from 56 to 42.

**Mr. President** (The Honourable Sir Abdur Rahim): The Chair will first put to the House the amendment of Mr. B. Das as it asks for the postponement of the consideration of this question until the Tariff Board has reported on the glass industries in India.

Mr. B. Das's amendment, when read in conjunction with the Resolution will read thus:

"This Assembly, having considered the Draft Convention for the regulation of hours of work in Automatic Sheet-glass Works adopted at the Eighteenth Session of the

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International Labour Conference, recommends to the Governor General in Council that the matter be brought up before the Assembly for reconsideration after the publication of the Report of the Tariff Board on glass industries in India."

The question is:

"That for the words 'that he do not ratify the Draft Convention', the words 'that the matter be brought up before the Assembly for reconsideration after the publication of the Report of the Tariff Board on glass industries in India' be substituted."

The Assembly divided:

AYES—51.

Aaron, Mr. Samuel.  
Aney, Mr. M. S.  
Asaf Ali, Mr. M.  
Ayyangar, Mr. M. Ananthasayanam.  
Azhar Ali, Mr. Muhammad.  
Ba Si, U  
Banerjee, Dr. P. N.  
Baqui, Mr. M. A.  
Barda'oi, Srijut N. C.  
Bhagavan Das, Dr.  
Chattopadhyaya, Mr. Amarendra Nath  
Chettiar, Mr. T. S. Avinashilingam.  
Das, Mr. B.  
Das, Mr. Basanta Kumar.  
Datta, Mr. Akhil Chandra.  
Desai, Mr. Bhulabhai J.  
Fakir Chand, Mr.  
Gadgil, Mr. N. V.  
Giri, Mr. V. V.  
Hosmani, Mr. S. K.  
Iswar Saran, Muushi.  
Jedhe Mr. K. M.  
Jogendra Singh, Sirdar.  
Khan Sahib, Dr.  
Khare, Dr. N. B.  
Lahiri Chaudhury, Mr. D. K.

Lindsay, Sir Darcy.  
Mangal Singh, Sardar.  
Mudaliar, Mr. C. N. Muthuranga.  
Muhammad Ahmad Kazmi, Qazi.  
Murtuza Sahib Bahadur, Maulvi  
Syed.  
Paliwal, Pandit Sri Krishna Dutta.  
Pant, Pandit Govind Ballabh.  
Rajan, Dr. T. S. S.  
Raju, Mr. P. S. Kumaraswami.  
Ranga, Prof. N. G.  
Saksena, Mr. Mohan Lal.  
Sant Singh, Sardar.  
Satyamurti, Mr. S.  
Scott, Mr. J. Ramsay.  
Sham Lal, Mr.  
Singh, Mr. Ram Narayan.  
Sinha, Mr. Anugrah Narayan.  
Sinha, Mr. Satya Narayan.  
Sinha, Mr. Shri Krishna.  
Som, Mr. Suryya Kumar.  
Sri Prakasa, Mr.  
Thein Maung, Dr.  
Thein Maung, U  
Umar Aly Shah, Mr.  
Varma, Mr. B. B.

NOES—42.

Abdul Aziz, Khan Bahadur Mian.  
Abdullah, Mr. H. M.  
Ahmad Nawaz Khan, Major Nawab.  
Ayyar, Rao Bahadur A. A.  
Venkatarama.  
Bajpai, Mr. G. S.  
Bhore, The Honourable Sir Joseph.  
Chatarji, Mr. J. M.  
Clow, Mr. A. G.  
Craik, The Honourable Sir Henry.  
Dalal, Dr. R. D.  
DeSouza, Dr. F. X.  
Dow, Mr. H.  
Drake, Mr. D. H. C.  
Gauba, Mr. K. L.  
Ghulam Bhik Nairang, Syed.  
Graham, Sir Lancelot.  
Grigg, The Honourable Sir James.  
Jawahar Singh, Sardar Bahadur  
Sardar Sir.  
Kirpalani, Mr. Hiranand Khushiram.  
Lal Chand, Captain Rao Bahadur  
Chaudhri.  
Metcalf, Mr. H. A. F.  
Monteath, Mr. J.

Muhammad Nauman, Mr.  
Mukharji, Mr. N. E.  
Mukherjee, Rai Bahadur Sir Satya  
Charan.  
Nayar, Mr. C. Govindan.  
Noyce, The Honourable Sir Frank.  
Owen, Mr. L.  
Raisman, Mr. A. J.  
Rajab, Rao Bahadur M. C.  
Rau, Mr. P. R.  
Sarma, Mr. R. S.  
Scott, Mr. W. L.  
Shafi Daudi, Maulvi Muhammad.  
Sher Muhammad Khan, Captain  
Sardar.  
Siddique Ali Khan, Khan Sahib  
Nawab.  
Singh, Mr. Pradyumna Prashad.  
Sircar, The Honourable Sir  
Nripendra.  
Sloan, Mr. T.  
Swithinbank, Mr. B. W.  
Tottenham, Mr. G. R. F.  
Ziauddin Ahmad, Dr.

The motion was adopted.

**Mr. President** (The Honourable Sir Abdur Rahim): The question is that the Resolution as now amended be accepted.

The motion was adopted.

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**RESOLUTION RE DRAFT CONVENTION OF THE INTERNATIONAL  
LABOUR CONFERENCE CONCERNING UNEMPLOYMENT  
INSURANCE AND OTHER FORMS OF RELIEF.**

**The Honourable Sir Frank Noyce** (Member for Industries and Labour):  
Sir, I move:

"That this Assembly, having considered the Draft Convention ensuring benefit or allowances to the involuntarily unemployed, and the Recommendation concerning unemployment insurance and various forms of relief for the unemployed, adopted by the International Labour Conference at its Eighteenth Session, recommends to the Governor General in Council that he do not ratify the Draft Convention, nor accept the Recommendation."

It was just over a year ago, on the 30th January and the 6th February, 1934, to be exact, that this House debated for two full days the important question of unemployment on a motion moved by my Honourable friend, Mr. Joshi, and without a dissentient, adopted a motion in the following form:

"That this Assembly recommends to the Governor General in Council to pursue such measures as may be practicable to protect the workers in the country against unemployment and reduction of wages."

I readily accepted that Resolution on behalf of the Government, for I hold that it merely embodied the policy they have adopted and will continue to adopt. That being so, this House will, I am sure, need no assurance from me that it is with very great regret that I have had to place before it a recommendation against the ratification of a Convention which is intended to ensure benefit or allowances to the involuntarily unemployed. The reason why I do so is because the Government are convinced that this is not a measure which falls within the category of such measures as may be practicable to protect workers in this country against unemployment. I hope, Sir, to be able, in spite of the division on my last motion, to convince the House of the soundness of that contention.

I have no doubt that those Members of the House who are interested in the subject—and that, I am sure, includes all those Members who are present here today—have read the provisions of the Convention we are discussing, but in order to focus our discussion, it is, I think, desirable to draw their very special attention to the provisions of Article 1 on which the rest of the Convention hinges. That Article runs as follows:

"Each Member of the International Labour Organisation which ratifies this Convention undertakes to maintain a scheme ensuring to persons who are involuntarily unemployed and to whom this Convention applies:

(a) benefit, by which is meant a payment related to contributions paid in respect of the beneficiary's employment whether under a compulsory or a voluntary scheme; or

(b) an allowance, by which is meant provision being neither benefit nor a grant under the ordinary arrangements for the relief of destitution, but which may be remuneration for employment on relief works organised in accordance with the conditions laid down in Article 9; or

(c) a combination of benefit and an allowance."

[Sir Frank Noyce.]

It will be seen from this that a ratification of the Convention involves a ratifying country in one of three courses. It must either institute an insurance scheme, or it must have a scheme for relief works organised in accordance with the conditions laid down in Article 9, under which "the right to receive benefit or an allowance may be made conditional upon the acceptance, under conditions prescribed by national laws or regulations, of employment on relief works organised by a public authority," or it must have a combination of both. Now, Sir, important as the subject is, I do not think that it is necessary for me to discuss at any great length the practicability of the first of these three courses, that is, the establishment of an insurance scheme. There is but little I can usefully add to what the Whitley Commission said on the subject, which was:

"So far as the relief of the unemployed is concerned, we received some suggestions for the establishment of a statutory system of unemployment insurance, but we cannot regard any national system of insurance with which we are familiar as feasible at present in India. With the existing turnover and in the absence of an industrial population which is both permanent and regular, the risk is not a calculable one. Therefore, even if the workers were able and willing to contribute, there is no basis on which a scheme could be built."

That, Sir, was the verdict of the experts of whom my Honourable friend, Mr. Joshi, was one, and we laymen have perforce to accept it. It is true that my Honourable friend, Mr. Joshi, said last year, and he doubtless will say again this afternoon, that, if the Whitley Commission were reporting today, they would take a different view. That, Sir, is a matter of opinion, and I am quite sure that the opinion of another member of the Whitley Commission present in this House today, my Honourable friend, Mr. Clow, does not coincide with that of Mr. Joshi. But how has the problem changed since the Whitley Commission reported? Is the existing turnover of labour any less than it was then? Is the industrial labour any more permanent or regular than it was five years ago, and therefore, is the risk any more calculable? Is the worker any more able or willing to contribute to an insurance scheme than he was five years ago? For an essential part of any insurance scheme is the workers' contribution. Now, Sir, my Honourable friends opposite, who claim to represent the agricultural community and speak with such confidence as to what that community is prepared to do for the industrial community, may say the fact, the important fact that this scheme does not apply to agricultural labour—I think that is a fact to which it is desirable to draw the attention of the House—does not make any difference. They may say that the agricultural labourer is quite willing to see the industrial labourer with an insurance scheme to which he will have to contribute, for usually there are three contributors to an insurance scheme, the workers, the employers and the Government. It is perfectly true that you can do without the Government contribution, but so far as I know, that is an essential part of the insurance scheme of the most advanced nations. I am sure the House will agree with me that a voluntary scheme is out of the question, and I have no doubt that a compulsory scheme involving a deduction from wages,—as it inevitably must, unless the employer is to contribute twice over, for I hardly think that a scheme based on workers' contribution alone could be seriously contemplated,—would be keenly resented by workmen in this country who feel that they can, when unemployment overtakes them, always return to their villages until times look up again. But,

Sir, as will be seen from the Whitley Commission's Report, the Commission did not base their objections on the cost of the scheme to the worker, to the employer or to Government,—that is, as I have already pointed out, to the general tax-payer,—all of which would add to the cost of production in this country and certainly for the time being and for a long time to come, I think, would place our industries in a less favourable position to compete against those in other countries or in Indian States. Those elements, cost to the worker, cost to the employer and cost to Government are strong arguments, stronger doubtless in the view of some sections of this House than in some others but they are mere subsidiary arguments. The main argument is that there are no data on which to base a scheme and it is on that that I take my stand. Whether and when that data will be forthcoming I hesitate to prophesy. As I pointed out in the course of last year's discussion— and I would repeat it to-day for the benefit of the Members of the House who were not here then,—in England which Mr. Joshi so often holds up to us as an example in matters of this kind, unemployment insurance started with the trades unions and they paid out of work benefit for years before any official organisation existed. There was thus a solid foundation for a Government scheme of unemployment insurance. Has anything of that kind yet been attempted in India? That, Sir, concludes all I need say at this stage about unemployment insurance, but I shall doubtless be asked why if it is not possible to accept an unemployment insurance scheme, it is also not possible to accept the second course open, namely, schemes for relief work which after all, it may be said, is very much what the Whitley Commission went on to recommend in the section of its report from which I have read the opening sentences. It is most important to bear in mind exactly what the Whitley Commission said on this point. Referring to the system of famine relief they said that that system was devised before organised industry had developed and has been evolved with reference solely to the rural population. It has been of great value to them at times and might prove capable of adaptation to the towns. The principles and methods of the system seem to us to be more likely to be successful in dealing with urban unemployment under present conditions than those of any Western scheme of insurance. The essence of the system, as we understand it, is the preparation beforehand of schemes of work for the workless, and the putting of these into operation when the flow of labour to test works has demonstrated the need of relief. The wage paid is a bare subsistence rate, and it is coupled with subsidiary measures of relief for those who are not able-bodied and for dependants. The works selected for the purpose are capable of being carried out by unskilled labour and are usually designed to be of lasting benefit to the community. There should certainly be no difficulty in providing such work in urban areas. The industrial areas in particular offer great scope for improvements in the way of slum clearance and the construction of roads and drainage. In some areas work of this kind, if undertaken on the lines followed by Improvement Trusts, should involve less financial loss than those available in rural areas and might even prove remunerative. The cost of test works would be small and, at times like the present, these would show whether there was acute need of more extensive measures. Care would have to be taken to avoid attracting labour from the country to the towns, but we believe that this danger could be obviated.

Now, Sir, there are various schools of thought in regard to the value of expenditure on public works in times of economic depression. There

[Sir Frank Noyce.]

is one school of thought which holds that lavish spending in that direction is calculated to be of great and speedy benefit in lifting depression. I gather from an interruption by my Honourable friend, Mr. Joshi, the other day that he belongs to that school of thought. There is another school of thought which holds that the idea that expenditure on public works helps in times of depression is an economic fallacy and that sooner or later a nation which indulges in it will have cause to regret it, because, obviously, if you spend money on projects, whether productive or non-productive, you have sooner or later to foot the bill for them, in the form of interest on the loans that you have raised. There is a third school which believes in judicious expenditure to the extent you can really afford on things which can be of permanent use and it is to that school that we, the Government of India, belong, as Sir George Schuster explained last year. But the point is that to whichever school we belong in regard to this matter, our projects for expenditure in times of depression do not meet the criterion laid down in this Convention. That is a point I wish to urge on the House with all the emphasis at my command that temporary works undertaken in times of depression do not satisfy that criterion. Let me remind the House again of the terms of the Convention. What the Convention seeks to give is the right to receive benefit or allowance by an unemployed person at all times, not only in times of economic depression. Schemes of relief works must, therefore, be permanent ones and that is the point to which I would direct the attention of the House. How are you going to get satisfactory permanent schemes to which you can divert labour in times of unemployment? Here, again, as in regard to the first Convention we discussed today, I have not been able to ascertain the history of the way in which the Convention emerged in its final form as satisfactorily as I could have wished. It seems to me—in fact I have no doubt whatever on the point—that in the minds of the framers of the Convention it was the insurance scheme that took first place and that they merely offered the allowance as an alternative and a less satisfactory one, without thinking out its full implications or at any rate its full implications as far as a country like India is concerned. Moreover, the Whitley Commission's proposals merely suggest schemes of relief for unemployment in urban areas in times of depression. What the Convention asks for is schemes for the relief of unemployment of industrial labour in all areas at all times and I maintain that it is impossible in India to provide schemes of that character. On what sort of work are you going to employ people temporarily unemployed in one part of a big province industry in which happens to be languishing? Are you going to send them to the other end of the province, and, if so, would it not require a very elaborate organization to test their bona fides, to transport them and to see that the works on which they are employed are of some practical use? The second point on which I wish to lay stress is this. It is very easy for us to make a gesture here towards labour, but who is going to foot the bill?

**An Honourable Member:** We.

**The Honourable Sir Frank Noyce:** I rather think an Honourable Member said "we".

**An Honourable Member:** Yes.



**The Honourable Sir Frank Noyce:** But who are we?

**Mr. S. Satyamurti** (Madras City: Non-Muhammadan Urban): The people of this country.

**The Honourable Sir Frank Noyce:** I am very glad to hear that, but I am not quite sure whether the Legislature of the Province from which my Honourable friend comes would agree with him.

4 P.M.

As I said, it is very easy for us here to pass a measure imposing a very heavy burden, for whatever we do, whether we have an insurance scheme or a benefit scheme, the burden is going to be a very heavy one indeed. It is very easy for us to pass a measure establishing such a scheme, but it is not we, that is, the Central Government, who are going to pay. I would remind the House that under the present Constitution labour is a provincial reserved subject, but under the coming Constitution when we get Provincial Autonomy, unemployment will be a wholly provincial subject. It will, therefore, be for the Provinces to foot the bill. Therefore, Sir, I do maintain, with all respect, that it is not for us here to impose what would be an intolerable burden on the Provinces even if, as I have said, it were practicable. I trust, Sir, I have said sufficient to show the difficulties in the way of ratification. Many of my Honourable friends opposite will not admit that they are insuperable, but I trust I have at any rate given them cause to think of the difficulties that stand in the way of our ratifying this Convention. Before I close, I should like to say a word about the extent of unemployment in this country. It is very usual to talk about the menace of increasing unemployment in India. I hardly think, Sir, that the figures bear that out. I have figures here for the last six years—such figures as we have got. Honourable Members know that our employment figures are not as complete as we should like them to be, but we have figures which cover quite a considerable range of industry. We have figures for factories, mines and railways—excluding railway workshops which are included under factories. In 1929—the peak so far reached of unemployment—the total number of persons employed was 2,505,039; during the last year, for which we have figures available, that is 1933, they were 2,205,229, so that all through these years of depression they have only fallen by just under 300,000—a percentage of just under 12 per cent. I maintain, Sir, that there is no country in the world with the exception of Japan which can show as good figures as that; and I am absolutely certain that if we had the figures for 1934 available, they would show a very greatly improved position. I have statements here issued by the Employers' Federation of India which show that, in November last, in the cotton textile industry which when I spoke last year on this subject was in a very depressed condition, the consumption of Indian cotton in the mills in India was 15 per cent. above that in November, 1933, and higher than in any month throughout the whole of 1934 except October. There are figures here showing also that our steel production is working to capacity. Coal has been another depressed industry and is still, I am afraid, but even here the raisings and despatches last year were considerably higher than they were the year before and the figures are still improving. Our railway earnings are also improving, and that I hope is bringing with it some increase of employment. I have mentioned these facts with a view to urging the House to look at this matter in its proper perspective, which is that, although we may have an industrial unemployment problem, it

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is not a very serious one. It is certainly not so serious as, in fact it is very much less serious than, the middle-class unemployment problem. My friends opposite who represent the agricultural classes are better able than I could speak on the point, but I should say that possibly owing to the pressure of increasing population it is less serious than agricultural unemployment. I trust, Sir, I have convinced the House that our industrial unemployment problem is not, after all, a really serious one. We shall shortly be placing in the Library—I shall be very happy to supply a copy of it to all Honourable Members who ask for it—copies of our report on the action taken by the Central and the Provincial Governments on the recommendations made by the Royal Commission on Labour and they will see from that that the view I have advanced is based not only on my own information but on that supplied by Local Governments

**Pandit Govind Ballabh Pant:** May I just know what proportion does the industrial population in this country bear to the entire population?

**The Honourable Sir Frank Noyce:** My Honourable friend can obtain a rough idea from the figures I gave him. It is extraordinarily difficult to say. Mr. Clayton gave us some interesting figures in the course of the discussion last year based on the census figures. I will not detain the House by looking up those figures, but I think my Honourable friend knows that about 70 per cent of the population of this country is agricultural.

**Mr. S. Satyamurti:** 80 per cent.

**The Honourable Sir Frank Noyce:** I put it at between 70 and 80 per cent. The reason why I have dwelt at some length on this question of the industrial unemployment position is that I wish to make it clear that the mere fact that we are not ratifying the Convention does not mean that we are doing nothing to deal with such problems as may exist. I would point to the improved position of our industries, and I would also point out what we are doing in the way of development of roads and the development of civil aviation. (Ironical Laughter from the Opposition Benches.) My Honourable friends may laugh, but we are spending a crore a year on the development of roads and we are about to spend a crore on developing Civil Aviation.

**Mr. S. Satyamurti:** How many labourers do you employ?

**The Honourable Sir Frank Noyce:** The money will be spent in this country and it will provide employment.

**Mr. S. Satyamurti:** But how many people do you employ?

**The Honourable Sir Frank Noyce:** It takes a good deal of labour to consume a crore of rupees.

**Mr. Bhulabhai J. Desai** (Bombay City: Non-Muhammadan Urban): What about the price of the machines?

**The Honourable Sir Frank Moyce:** The expenditure has nothing to do with the machines; it is purely for the provision of aerodromes, buildings and landing grounds and the like; it is not being spent on machines. Then, again, there is our tariff policy behind which a multitude of small industries are springing up in this country, to which we hope before long to be able to offer the assistance of the Bureau of Industry, Intelligence and Research which has recently been established. In the course of my tours I am frequently asked either to open or be present at the opening ceremony of a number of Exhibitions, and it is, to my mind, astonishing to find the extent to which India is growing more and more self-sufficient in the matter of her requirements.

I would once more emphasise that the mere fact that we recommend to this House that it should in turn make a recommendation to the Governor General that this Convention should not be ratified does not in any way imply that we are indifferent to the problem of expanding industrial employment in this country.

Sir, I move.

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

"That this Assembly, having considered the Draft Convention ensuring benefit or allowances to the involuntarily unemployed, and the Recommendation concerning unemployment insurance and various forms of relief for the unemployed, adopted by the International Labour Conference at its Eighteenth Session, recommends to the Governor General in Council that he do not ratify the Draft Convention, nor accept the Recommendation."

To this Resolution notice has been given of two amendments, one by Mr. Joshi and the other by Prof. Ranga and Mr. Giri. Both the amendments appear to be substantially the same. Therefore, the Chair will take Mr. Joshi's amendment.

**Mr. V. V. Giri** (Ganjam cum Vizagapatam Non-Muhammadan Rural): Sir, I beg to withdraw my amendment in favour of Mr. Joshi's amendment.

**Mr. N. M. Joshi** (Nominated Non-Official): Sir, I beg to move:

"That for the words 'that he do not ratify the Draft Convention, nor accept the Recommendation' the following be substituted:

'that such steps, legislative or otherwise, may be taken for the relief of unemployment as would lead to the ratification of the Draft Convention and the acceptance of the Recommendation as soon as practicable.'"

May I, Sir, with your permission, amend the wording of my amendment only by substituting the word "and" in place of the word "or" which expresses my original intention when I gave notice of my amendment.

**Mr. President** (The Honourable Sir Abdur Rahim): There is perhaps no objection to that.

(No objection was taken.)

**Mr. N. M. Joshi:** May I also, with your permission, join the Honourable Member in charge of the Department of Industries and Labour in expressing my deep regret at the sad death of the Right Honourable J. H. Whitley, who was the Chairman of the Royal Commission on Labour,

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on which I had the honour to serve. I know, Sir, how hard Mr. Whitley worked on that Commission, and also know very well how sympathetic he was towards the welfare of labour. The Indian labour owes to him a deep debt of gratitude for the work which he did in their cause.

As regards the Resolution and the amendment, may I also, with your permission, say a word or two as to what has been said by some speakers about the International Labour Organisation. My Honourable friend, Dr. Ziauddin Ahmad, said that the International Labour Organisation devotes more attention to industrial workers than to agricultural workers. I would like to point out to him that the International Labour Organisation has passed several Conventions for the protection of the agricultural workers also. It was also said that the International Labour Organisation has not done much good for the Indian workers. Sir, I have been associated with the work of this Organisation for a very long time, and I can say very truthfully that the Organisation has done to India, especially to Indian workers, a great amount of good, and, it is for that reason, that I was anxious to impress upon the Government of India the necessity of their co-operating with that Organisation with a greater sympathy than I thought they showed in recent times.

**Dr. Ziauddin Ahmad** (United Provinces Southern Divisions: Muhammadan Rural): Will the Honourable Member be able to tell us the year in which they passed Conventions for the protection of agricultural labour?

**Mr. N. M. Joshi:** I think it was in 1921 or 1922. I am quite sure about that, because I had the honour and pleasure of attending that Conference also. Perhaps the Honourable Member was not interested in that Organisation in that year.

**Pandit Govind Ballabh Pant:** In fact, there is the ninth Resolution in this very Report referring to unemployment among agricultural labourers.

**Mr. N. M. Joshi:** Mr. President, now as regards the Resolution and my amendment. The Honourable Member in charge of the Department of Industries and Labour has already pointed out that it was only last year that the House passed a Resolution recommending to the Government of India to take steps for the relief of unemployment. The Honourable Member mentioned a few things which, he said, the Government of India were doing for the relief of unemployment. Sir, I am not satisfied with his reply at all. The Honourable Member also gave some figures to show the extent of the unemployment. His figures themselves showed that in the organised factories 300,000 people are unemployed. He makes very light of that figure.

**The Honourable Sir Frank Noyce:** My Honourable friend has misinterpreted those figures. It may be that there were 300,000 people less employed in the year 1933, than they were in 1928, but it is important to remember that there was the ordinary wastage in the interval. It does not follow that there were 300,000 men out of work in 1933 who were at work in 1928, because we must take into account the ordinary wastage through death and retirements which is fairly heavy.

**Mr. N. M. Joshi:** Even supposing that the figure is 200,000. I feel that it is a very large number of people for whom we should have sympathy and we should do something. The figures which he gave were only confined to factories. But, let us take other industries. Take mining . . . . .

**The Honourable Sir Frank Noyce:** I am extremely sorry to interrupt my Honourable friend, but if he will not quote me correctly, I have to do so. I did endeavour to explain, and I hope my Honourable friends opposite heard me, if Mr. Joshi did not, that the figures I was quoting covered a fairly large field. I said very definitely that they covered factories, mines, and railways.

**Mr. N. M. Joshi:** The figures which he gave covered factories, mines and railways. I can point out to him that there are some other organised industries which are not covered. There is unemployment in the docks: the Royal Commission mentions that in the docks, the workmen do not get more than ten to twelve days work in a month. There is great unemployment amongst seamen which are not covered by the Honourable Member's figures and the Royal Commission does recognise the existence of unemployment amongst seamen. Moreover, the figures which the Honourable Member has given are figures for, what I may call, organised industries. My Honourable friend, Dr. Ziauddin Ahmad, referred to agriculture. So far as agriculture is concerned, there is unemployment from four to six months in the year for all agricultural workers. But what we have to remember is this: that on account of the world depression and the lowering of the purchasing power of the agricultural community in this country, the industrial workers have also suffered. The Honourable Member said that there is more unemployment in agriculture and for the middle classes. But I would like to suggest to the House that it will be very wrong on our part to try to solve the problem of unemployment among agricultural workers, industrial workers and the middle classes separately. The unemployment of all these classes is inter-dependent. (Hear, hear.) If there is unemployment in agriculture, there is bound to be unemployment in a country like India in industry and if the middle class people want some relief from unemployment, let them remember that unless agriculture improves and unless industry in this country also improves, there is not going to be much more employment for them. The only other kind of employment left is Government service, and, I am quite sure, that the Government are not going to extend the field of employment for them beyond a very small extent. I, therefore, feel that it will be wrong to try to tackle this problem separately. Now, the Honourable Member himself has suggested certain remedies and he gave his views on some of the suggestions for remedies against unemployment. The first remedy, which I myself suggested last year, was that the Government of India should undertake some measure of unemployment insurance. He quoted the Royal Commission on Indian Labour and he said that the risk of unemployment is not calculable. Well, Sir, it was last year that I complained that the Government of India do not even care to collect statistics regarding unemployment. Last year, they said that they had brought two Professors from England to collect statistics. Unfortunately, I do not yet know what the Government of India have done to give effect to the recommendations of these two Professors. If the Government of India had established some kind of organisation to collect statistics, perhaps those statistics would have helped us in calculating the risk. Secondly, the Honourable Member said that in,

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England the beginning was made by voluntary organisations of the working classes, called Trade Unions. I want to ask the Government of India whether it is right for a Government which collects taxes from the people to wait for voluntary organisations doing the work which they themselves should do. If the Government of a country refuse to do anything to save human life, certainly there will be some voluntary organisations to do some work in that direction, but it is wrong for the Government of a country, which collects taxes and which is responsible for the life and safety of the people, to wait for some voluntary organisations coming into the field and showing them the way. I feel, Sir, that the Government of India should immediately take some steps to make a beginning of unemployment insurance. It is quite true that the risk is incalculable, but we have to make a beginning and that beginning should not be left to be made by voluntary organisations. That beginning should be made by the Government of India. I would like the Government of India at least to make a beginning on a small scale. I quite realise that if you start a system of unemployment insurance for everybody in this country, it will be difficult. But the Government of India could certainly make a small beginning. It is not necessary that all people in the country should be covered immediately. Let the Government of India make a beginning with their own employees on the railways, the Government Printing Presses, the Government factories, Ordnance factories and several other factories which the Government of India themselves own. Let the Government of India also include in the list certain factories owned by municipalities and other public bodies. Besides these, the Government of India can very well take a few other organised industries, like the textile, the mining and the plantation industries. If the Government of India first restrict their scheme for unemployment insurance to these organised industries, I am quite sure that there will not be much difficulty in calculating the risk and if they do that, a beginning will be made with which at least I shall be satisfied.

Then, Sir, the second remedy, suggested in this Convention as well as by the Royal Commission, is that the Government should start public works. Sir, the Honourable Member gave certain of his objections for that. He said that it would cost money and somebody will have to foot the bill. For everything that the Government does, somebody has to foot the bill and there is absolutely no doubt that if the House passes this Resolution and accepts my amendment the House will vote the money. I am quite sure that if the Honourable Member should bring forward a measure and if he should ask the House to support the demand for money, the House will do it. But the Government of India have never tried or tested the spirit of the Legislature at all. There was no measure for the protection of Indian labour which the Government of India brought forward before the Legislature and the Legislature did not accept. Let the Government of India bring forward some measure for the protection of labour, let them throw the responsibility of not passing that measure upon the Legislature. Let them do that at least once. But they have not done that. I would, therefore, suggest to them that they should not plead the excuse of the money not being found by the people of this country.

Then, Sir, he said that what is necessary is to have permanent relief works and not temporary relief works. The unemployment, especially the unemployment for industrial workers with which we are dealing, is generally

found in cities and towns and the Royal Commission itself says that you can always have not temporary, but a sort of permanent, schemes for the improvement of the towns, the clearance of slum areas, the making and improving of roads, the improving of the drainage system and several other schemes. In India our towns are in such a bad condition that if we begin to improve them by means of unemployment relief work as well as by general work for improving the cities, it will take a number of years and these works need not be considered to be temporary, but will be of a practically permanent character. What I would like the Government of India to do is to make a beginning somewhere and, as I suggest, they should make a beginning with the organised industries owned by themselves as well as by some other organised industry.

**The Honourable Sir Frank Noyce:** I should like a little more explanation from my Honourable friend. In the organised industries owned by Government there is already security. What is the use of unemployment insurance for people who have already got security in their employment? Even temporary hands in Government service have security. There are temporary hands in some of the Government Presses, but they are, to all intents and purposes, in permanent employment. They are not day labourers dismissed at a moment's notice.

**Mr. N. M. Joshi:** Well, Sir, I have yet to know that there is a great deal of security for railway men who are Government employees; I have yet to know that there is enough security for the people employed by Government in their printing presses; I have yet to know that there is sufficient security for people employed by Government in their Ordnance and Ammunition Factories. At least I do not know of that security at all. I am prepared to admit that their condition is slightly better than that of workers employed in private industries. Sir, I should like the Government of India to pass some legislation by which some kind of benefit will be given to the unemployed. Let them make a scheme for, what I may call, the discharge allowances. If any factory discharges its employees they should be entitled to get some allowances for the number of years which they have put in. As a matter of fact, the Royal Commission itself had made a recommendation that where workers were unemployed on account of schemes of rationalisation, which the employers may undertake and have undertaken, there should be some schemes for providing for benefits. The Government of India now can certainly legislate and compel the employers to do that. I do not know why some beginning cannot be made at all. I can understand that no national scheme can be established immediately. I, therefore, hope that this House will accept the amendment which I have placed before them.

Sir, before I close, I should like this House to realise the importance of this problem. The number of people who are unemployed in organised industries may be small, from one point of view considering the whole population, but it is large, if we place sufficient value upon human life. I have yet to find a standard by which we can measure the value of human life in terms of money. I would, therefore, suggest to the House that although the number of people who may be unemployed in organised industries may appear small to us, it will be wrong for us to try to measure their value in terms of money or in terms of any other standard. The human life is of great value to the country and specially the skill of the

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workers is a very important kind of capital. Industries require capital in the form of money but they also require as capital the skill and willingness of the workers themselves. I would, therefore, suggest to the House that if we allow unemployment to exist and remain in this country the workers who are unemployed will lose their skill. And not only will they lose their skill but gradually their whole moral spirit will be sapped and the country will lose a very valuable asset. I would, therefore, like the House to accept my amendment.

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

"That for the words 'that he do not ratify the Draft Convention, nor accept the Recommendation' the following be substituted:

'that such steps, legislative and otherwise, may be taken for the relief of unemployment as would lead to the ratification of the Draft Convention and the acceptance of the Recommendation as soon as practicable.'

**Mr. V. V. Giri:** Sir, I rise to support the amendment moved by my Honourable friend, Mr. Joshi. The original Convention on unemployment was the outcome of the Treaty of Versailles which initiated the proposition that unless humane conditions of labour existed in every country there would be no peace, harmony or contentment in the world. Therefore, that Convention recognised the necessity for prevention of unemployment. As a member of the League of Nations the Government of India ought to have followed and ought to follow the guiding principles set up by that Convention. It may be noted that the original Washington Convention of the year 1919, was ratified by the Government of India as a member of the League. That Convention required the High Contracting Parties that were parties to that Convention to keep information, statistical or otherwise, with respect to the figures of unemployment; and, further, that Convention required the Governments to report, from time to time, what they have done to combat unemployment, what they have done to give relief to the unemployed. On the other hand, it further required the Governments that were parties to that Convention to set up free employment agencies by the central authorities, having committees of employers and workers, to report from time to time how those agencies are working. Sir, I beg to submit that if the Government of India had implemented the spirit of that Convention to which they were parties, we would have been today in a position to have figures relating to unemployment, and today this Government would have been in a position to implement the present Convention with respect to unemployment insurance. However, I hope, Government will consider that it is not too late to mend and will immediately follow up the unemployment Convention originally agreed upon, in the year 1919, at Washington. The present Convention before the House is that it is the primary duty of any civilised State to see that every able-bodied worker who can be employed is employed. But, unfortunately, in this country, the right to live has not been conceded. It is curious that when the right, if I may say so, to commit suicide is punishable by the law of the land, the Government of this country does not concede to every one the right to live by conceding the right to work. I submit the right to live is the fundamental right which is inherent in any constitution worth the name and a constitution is not worth the paper on which it is written if this right is not guaranteed.



Sir, the House deliberated on this Resolution in the year 1926, on the floor of this House, when a Resolution was brought on the question of unemployment. In the year 1919, this Government ratified the Convention on unemployment. In the year 1934, a Resolution brought forward by my Honourable friend, Mr. Joshi, was discussed at great length. The Department of Industries and Labour, of which my Honourable friend, Sir Frank Noyce, is the Member in charge, has conceived thrice and brought forth nothing. The fourth time they come to this House to place before this House a Resolution that Government are not prepared to ratify a Convention of this very modest character. We, on this side, support Mr. Joshi's amendment, which is of a very moderate character, for this reason that we do not want the Government of India immediately to ratify the Convention, but we request the Government to take immediate and genuine steps here and now and continue to take such steps till the unemployment problem is solved. That is the position; and if the Government are not prepared even to accept that position, we do not know really where we are. If there is determination, if there is the human touch on the part of the Government of India, certainly this Convention can be ratified at an early date. The object of this Convention may be achieved by the following steps, and I, in my own humble way, with the little knowledge and experience that I have with reference to some of the labour problems in this country, would put before the House some suggestions.

So far as the Convention is concerned, it does not relate to agricultural workers and so there is no use of talking a great deal about that, and I would like to assure my Honourable friend, Dr. Ziauddin Ahmad, here, that we on this side of the House are not only as much interested in agricultural workers, but far more interested in agricultural workers than even in industrial workers, because agricultural workers form the bulk of the population of this country, and, therefore, unless the condition of the agricultural workers improves, there is no hope of salvation for this country.

This Resolution will not allow us to discuss as to how the unemployment or under-employment problem of the agricultural workers can be solved, otherwise, I can assure you that I am in a position to give a detailed programme as to how agricultural workers also can be provided and relieved of unemployment. I would, therefore, submit in the first instance that the State as the guardian of the workers must create, not merely temporary works to relieve unemployment, but it must be in a position to have permanent works so that day in and day out anybody who is unemployed can have a place in such works. I would like to quote with your permission a passage from the Convocation Address, delivered by a Member of the Executive Council of Madras, under the presidency of His Excellency the Governor of Madras, at Waltair, a month or two ago. He has stated:

"The extent of British India excluding Indian States is 669,345,000 acres. Of this we find that 146,810,000 acres or 22 per cent. cannot be cultivated. An extent of 87,962,000 or 13.2 per cent. of the total is occupied by forests. The remaining 434,573,000 acres or 65 per cent. is the area available for cultivation. Of this 49,618,000 acres are left fallow and 154,017,000 acres or 23 per cent. are capable of being cultivated but are not taken up or are being abandoned. The actual area under cultivation is 228,164,000 acres, i.e. 34 per cent. of the total. Even if 53 million acres, out of this, is left out as fallow and pasture land for cattle and is not economically productive, there will still be 150 million acres for raising crop. This would represent an area of 229,000 sq. miles capable of supporting a population of 55,721,750. If these lands are brought under cultivation, not only would the problem of food supply be solved but also to a large extent, the problem of unemployment."

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Of course this cannot all be relevant for this reason, that we are not discussing the unemployment question of all the workers in this country. But when my Honourable friends on the other side say that it is impossible to lay out a programme, I can say that not only 40 millions of unemployed or under-employed people in India can be relieved, but 55 million people can be relieved of unemployment or under-employment, if only Government take the necessary measures.

Sir M. Visweswarayya, you may remember, has recently written a book called "Planned Economy", in which he gave a ten-year plan and he showed how the unemployment problem can be solved if only the Central Government take courage in their hands and lay down at least two crores of rupees a year for the next ten years; and he showed by facts and figures how the whole of the unemployment problem can be solved. I wonder why the Government of India could not think in those terms. Unless, as I said, there is the human touch and there is a feeling that we sitting in bungalows cannot understand the difficulties of the poor people who walk in the streets and starve for want of food, unless there is that real and genuine desire to relieve the sufferings of the poor people, we really cannot do much to relieve unemployment.

Mr. Lloyd George recently has been writing a good deal on this question of unemployment, and you will remember, that he has stated that instead of paying unemployment doles, if money can be invested in land and settlement of the land is made, it would be more productive and would provide a permanent remedy and solve the unemployment problem in his country. Just at the present time in the United States the greatest efforts are being made to relieve workers of unemployment. During the last two or three years you may know that the government were able to take into employment at least five to six million people and they have been adopting measures of a permanent character by which the whole unemployment problem will be solved for all time to come. I may be permitted here to read one or two passages from the *Monthly Labour Review* of the United States Bureau of Labour Statistics (February, 1934) —pages 245, 246 and 251: it says:

#### RECENT DEVELOPMENTS IN SUBSISTENCE-HOMESTEADS MOVEMENT.

A long-range program under which groups of industrial workers and farmers are to be relieved of complete dependence upon either factory work or agriculture is being worked out by the Subsistence Homesteads Division of the United States Department of the Interior through a series of demonstration projects. One phase of the program is to assist in the redistribution of surplus populations, groups left stranded by the shutdown or permanent closing of the industries in which they earned their livelihood, and populations dependent on part-time work. A second phase includes the transfer of farmers marooned on eroded and worn-out lands to good land.

To do this it is forming new communities of garden homes which will afford a source of food supply as well as shelter. For the older worker who has small chance of industrial rehabilitation such homesteads offer an opportunity to become self-sustaining. For the younger worker, a garden home, acquired during his active years in industry, offers the prospect of a place of retirement, when the period of maximum earning power has passed.

The shorter workday with the resultant increase in leisure hours, the increase of technological unemployment, cyclical unemployment, seasonally of employment, the move towards decentralization of industry, are all factors which it is believed make desirable some such movements as that toward subsistence gardening.

In setting up the demonstration projects, "problem areas" are selected, on the basis of local need, suitability and value for demonstration purposes, and presence of various factors essential to the success of the plan.

The projects are to be, in general, of five major types :

- (1) Workers' garden homesteads near small industrial centres in which small industries are located.
- (2) Workers' garden homesteads near large industrial centres usually of heavy industries not likely to decentralize.
- (3) Projects for rehabilitations of 'stranded' industrial population groups, particularly coal miners.
- (4) Projects for reorganization of disorganized rural communities, and for elimination of rural slums on lands submarginal for agriculture.
- (5) Movement of farm population from submarginal reclamation projects.

In all cases it is expected that part of the family's subsistence will be obtained from the crops, poultry, etc., raised on the homestead plot. All of these products will be for use only, and none will be sold. There will therefore be no increase in commercial farm products and no competition with local farmers producing for the market."

Why I read these two quotations—one from the speech of the Member of the Executive Council of the Madras Government and the other from the United States Department papers—is to show that where there is a will there is certainly a way, and if the Government desire to put up propositions of a practical character, they can do so.

I quite agree with my friend, Mr. Joshi, that we need not take up the whole question at one time, we need not take up the whole question of solving the unemployment problem of the 40 millions on a single day. We can first take up the problem of solving unemployment of the industrial workers. At the present moment, it is estimated that the industrial workers in this country are five millions. I quote from the Lothian Committee's Report which says:

"While the non-agricultural wage-earning population of India has been estimated at as large a figure as 25,000,000, the number of persons engaged in organized industrial labour alone appears on the best opinion, we can form, to approach five millions."

I should like to submit, Sir, that it is the duty of the Government, in the first instance, to provide for unemployment, but I can assure the House this much that if you educate the workers, if you take steps to combat unemployment, the economic position of the workers will be improved. Even if you take only these five million workers in industrial areas and start a *Pisa Fund*, to be subscribed every month equally by the Government, by the employers and by the workers, it will itself bring in at least two million rupees a year, and certainly you can start with it as a basis for unemployment relief. Sir, I can assure this Honourable House that the workers are not so ignorant. If they understand that they will be able to solve the unemployment problem of the country, they will surely make a beginning, but for that there must be the active support of the Government of the country as well as of the employers. I would like to give an example. Another way in which you can solve the unemployment problem with respect to some of the industries with which I am intimately connected is by short time employment or by a system of leave by rotation. If only Government had adopted,

[Mr. V. V. Giri.]

in a reasonable manner. after discussing with organizations of employers and employees, some of these methods, much of the retrenchment on our Railways which now exists,—I believe, there are about 47,000 workers unemployed on the Railways alone,—could have been avoided, and if supposing there was a plan for relieving unemployment, this problem could have been solved. Government did not take prompt steps to organize relief, but if they had taken steps from the year when they had ratified the unemployment Convention of 1919, . . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

**Mr. V. V. Giri**: Can I have two minutes more?

**Mr. President** (The Honourable Sir Abdur Rahim): The Chair would like to adjourn the House at a quarter to five. The Honourable Member may have two minutes more.

**Mr. V. V. Giri**: I would only like to quote a passage, before concluding my observations, containing the views of Pandit Jawaharlal Nehru, who is one of the most honoured patriots in this country, who has suffered and is still suffering for the cause of the poor and oppressed people (Cheers from the Congress Party Benches), and that passage is quite relevant to this question. In his article in the book entitled "Whither India", he writes thus:

"But whether socialism or communism is the right answer or some other one, one thing is certain—that the answer must be in terms of economics and not merely politics. For India and the world are oppressed by economic problems and there is no escaping them; so long as the fullest economic freedom does not come, there can be no freedom, whatever the political structure may be. Economic freedom must of course include political freedom. That is the reality today; all else is myth and delusion."

I submit, Sir, that if the Government is prepared to co-operate with those who represent the workers, with those who represent the people of the country and begin to discuss with them practical problems, they will certainly be able to come to proper and satisfactory conclusions, and, I am sure, that if only the Government have the will, they can solve not only the unemployment problem to which this Convention relates, but also the unemployment problem as a whole in this country. (Cheers from the Congress Party Benches.)

The Assembly then adjourned till Eleven of the Clock on Thursday, the 14th February, 1935.