

3rd September 1935

**THE**  
**LEGISLATIVE ASSEMBLY DEBATES**  
**(Official Report)**

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**Volume V, 1935**

*(2nd September to 16th September, 1935)*

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**SECOND SESSION**  
**OF THE**  
**FIFTH LEGISLATIVE ASSEMBLY,**  
**1935**



NEW DELHI  
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1936

# Legislative Assembly.

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## *Deputy President :*

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

## *Panel of Chairmen :*

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**MR. G. MORGAN, C.I.E., M.L.A.**

**MR. M. S. ANEY, M.L.A.**

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## *Assistant of the Secretary :*

**RAI BAHADUR D. DUTT.**

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

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**SYED GHULAM BHIK NAIRANG, M.L.A.**

**DR. F. X. DESOUZA, M.L.A.**

**MR. LALCHAND NAVALRAI, M.L.A.**

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# LEGISLATIVE ASSEMBLY.

*Tuesday, 3rd September, 1935.*

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

## MEMBER SWORN.

Mr. Nirmal Chandra Chunder, M.L.A. (Calcutta : Non-Muhammadan Urban).

## QUESTIONS AND ANSWERS.

### PURCHASE OF ARTICLES REQUIRED BY THE MILITARY DEPARTMENT.

31. **\*Sardar Sant Singh** : What was the total amount spent by the Military Department in the year 1933-34 in making purchases of articles required by that department ? What portion was spent through the Indian Stores Department, and what portion was spent through the Stores Department, London ?

**Mr. G. R. F. Tottenham** : The total amount spent by the Defence Departments (including Military Engineer Services, Royal Air Force, Royal Indian Navy and manufacturing concerns) on stores purchased in India and England during the year 1933-34 was Rs. 5.64 crores in round figures. The value of purchases made by the Indian and London Stores Departments, respectively, is contained in the annual reports of the two Departments, copies of which are available in the Library of the House.

**Mr. Lalchand Navalrai** : May I know if only those things are purchased in London which cannot be obtained in India ?

**Mr. G. R. F. Tottenham** : Yes, Sir ; those things which cannot be purchased in India are alone purchased in London, that is to say, motor cars, aeroplanes, and in this particular case a new ship for the Royal Indian Navy.

**Mr. M. Ananthasayanam Ayyangar** : Are any articles required for the army purchased in foreign countries or only in England ?

**Mr. G. R. F. Tottenham** : There may be a few : I have not got details.

**Mr. M. Ananthasayanam Ayyangar** : Through what agency are those articles, bought in countries other than England, purchased ? Who makes the inspection ? Who negotiates for their purchase ?

**Mr. G. R. F. Tottenham** : Some of them are purchased through the Indian Stores Department and some through the London Stores Department ?

**Prof. N. G. Ranga** : Do you purchase any things directly in London without the mediation of the London Stores Department ?

**Mr. G. R. F. Tottenham :** I think there are a few things that are bought direct through the War Office.

**PURCHASE OF ARTICLES REQUIRED BY THE RAILWAY BOARD.**

**32. \*Sardar Sant Singh :** What was the total amount spent by the Railway Board in the year 1933-34 in making purchases of articles required by that Department? What portion was spent through the Indian Stores Department, and what portion was spent through the Stores Department, London?

**Mr. P. R. Rau :** The total value of all stores (both indigenous and foreign) purchased for the State-managed Railways during 1933-34 was Rs. 7,52 lakhs. Out of this, the value of stores purchased by the Indian Stores Department and the India Store Department, London, on behalf of those railways during the same year was approximately Rs. 171 lakhs and six lakhs, respectively.

**Mr. Lalchand Navalrai :** May I know if the same rule as in the military is being followed and only those articles are purchased in London which cannot be purchased in India?

**Mr. P. R. Rau :** Yes, Sir.

**VALUE OF IMPORTS FROM, AND EXPORTS TO, THE UNITED KINGDOM.**

**33. \*Sardar Sant Singh :** Since the Ottawa Agreement became operative, what has been the total value of imports from the United Kingdom into India and what is the total value of exports from India to the United Kingdom?

**The Honourable Sir Muhammad Zafrullah Khan :** I lay on the table a statement containing the information asked for as far as it is available.

*Statement showing imports from and exports to the United Kingdom from January, 1933 to July, 1935.*

						Imports. (In lakhs of Rs.)
January, 1933	..				3,99	
February, 1933	..				3,87	
March, 1933	..				4,48	
						12,34
April, 1933—March, 1934	..	..	..	..	..	47,59
April, 1934—March, 1935	..	..	..	..	..	53,73
April, 1935	..	..	..	..	4,53	
May, 1935	..	..	..	..	4,44	
June, 1935	..	..	..	..	3,60	
July, 1935	..	..	..	..	4,09	
						16,66
					Total ..	1,30,32

						Exports. (In lakhs of Rs.)
January, 1933	..	..	..	..	..	2,95
February, 1933	..	..	..	..	..	2,67
March, 1933	..	..	..	..	..	2,93
						8,55
April, 1933—March, 1934	..	..	..	..	..	47,21
April, 1934—March, 1935	..	..	..	..	..	47,81
April, 1935	..	..	..	..	..	2,24
May, 1935	..	..	..	..	..	3,49
June, 1935	..	..	..	..	..	3,36
July, 1935	..	..	..	..	..	3,76
						12,85
Total						1,16,42

**Prof. N. G. Ranga :** Is it not the fact that the imports from the United Kingdom have increased to a greater extent than our exports to the United Kingdom in the same period ever since the Ottawa Pact was concluded ?

**The Honourable Sir Muhammad Zafrullah Khan :** It is a question of figures : I have supplied the figures.

ALLEGED DISCRIMINATION AGAINST INDIAN PRODUCTS BY BRITISH CONCERNS IN INDIA.

34. **\*Sardar Sant Singh :** (a) Has the attention of Government been drawn to the following published in the *London Times* ?

" A branch of the Tata Iron and Steel Company is obtaining an increasingly large share of the trade in hoes, axes, chisels, billhooks, pickaxes, hammer heads, except for those required by the British-managed concerns.... "

If so, are Government aware that there is a discrimination against Indian products at the hands of British-managed concerns in India ? If so, do Government propose to do anything about it ?

(b) Is it a fact that the Railways in India were making such a discrimination against the local products ?

**The Honourable Sir Muhammad Zafrullah Khan :** (a) Government have no information on the point.

(b) No.

**Mr. S. Satyamurti :** May I know why Government could not make inquiries after receipt of the question, part (a), especially considering this is a vital matter ?

**The Honourable Sir Muhammad Zafrullah Khan :** The question is whether British firms make discrimination against Indian manufactures : if I made inquiries from the British firms, is it reasonable to expect them to tell me whether they do or do not discriminate ?

**Mr. S. Satyamurti :** May I know if any inquiry was made of these concerns, and they declined to furnish any information ?

**The Honourable Sir Muhammad Zafrullah Khan :** I did not make any enquiry, because the firms would at once say : " This is no business of yours, and we will not give you any information ". I did not wish to place the Government in that position.

**Prof. N. G. Ranga :** Has any attempt been made to ascertain from the High Commissioner in London with respect to the discrimination of some European firms ?

**The Honourable Sir Muhammad Zafrullah Khan :** There is no question of European firms in England : the question does not relate to them.

**Mr. S. Satyamurti :** Why was no inquiry made of the Tata Iron and Steel Company ?

**The Honourable Sir Muhammad Zafrullah Khan :** How could Tatas give me information whether this discrimination was being practised against them by any British firm or not ?

**Mr. S. Satyamurti :** Did the Honourable Member make any attempt to get the information ?

**The Honourable Sir Muhammad Zafrullah Khan :** I did not, because I knew no useful information could be supplied by them on this point.

#### OVERHAULING OF THE INCOME-TAX SYSTEM OF INDIA.

35. **\*Sardar Sant Singh :** (a) Have Government taken any steps towards the fulfilment of their promise to undertake the overhauling of the Income-tax system of India ? If so, what steps have been taken so far ?

(b) Do Government propose to associate some Indian businessmen with this enquiry ?

**Mr. A. H. Lloyd :** May I answer this question on behalf of the Honourable the Finance Member who is unfortunately prevented by indisposition from attending today ?

I would refer the Honourable Member to the remarks of the Honourable the Finance Member on this subject in the Report of the Proceedings of the Assembly for the 4th of April last (pages 3650-51 and page 3667). Definite arrangements have now been made for the expert review there mentioned to begin during the coming cold weather.

**Mr. F. E. James :** I understand that memoranda may be sent by commercial associations in respect of this committee's work : is the initiative left to the associations or will Government send the usual circular inviting such memoranda ?

**Mr. A. H. Lloyd :** The position is that the procedure to be followed by the experts will not be determined until they have arrived, but I have personally no doubt that in due course these representative bodies will be invited to submit memoranda to Government.

**Mr. T. S. Avinashilingam Chettiar :** May I know the answer to clause (b) ?

**Mr. A. H. Lloyd :** The answer to that is contained in what I have already said, if the Honourable Member will refer to the proceedings of the Assembly which I have quoted.

**Mr. T. S. Avinashilingam Chettiar :** May we know that ?

**Mr. A. H. Lloyd :** I have quoted the reference—pages 3650-51 and page 3667.

**Mr. T. S. Avinashilingam Chettiar :** But the Honourable Member may be pleased to give that reply : it is a matter of "yes" or "no".

(No answer was given.)

**APPOINTMENTS OF SUCCESSFUL EX-APPRENTICES OF THE EAST INDIAN RAILWAY WORKSHOP, LILLOOAH, IN OTHER WORKSHOPS.**

36. **\*Mr. Amarendra Nath Chattopadhyaya :** (a) Will Government please state whether they took action in accordance with the procedure cited in answers to starred question No. 918 (d) of the 7th November, 1932, and unstarred question No. 23 (b) of the 5th September, 1932, regarding the appointments of successful ex-apprentices of the East Indian Railway Workshop, Lillooah, in other workshops, such as Tatanagar, Charbagh and Alambagh, which are under the Chief Mechanical Engineer ? If so, will Government please state the number of vacancies which occurred in these workshops since 1934 and the names of the ex-apprentices, if any, who have been taken in ? If not, why not ?

(b) Are Government aware that illiterate workmen, mistries, clerks, etc., who never received any technical education at all are promoted to the grade of journeymen, mechanics, chargemen and even to the grade of Assistant Foremen in those workshops, although many successful technically trained ex-apprentices of Jamalpore Technical School were available ? If so, why ?

(c) Are Government aware that a considerable amount of money is spent on the theoretical and practical training of the first grade Mechanical Bound Apprentices of East Indian Railway Technical School, Jamalpore ?

(d) Are Government aware that some outsiders are also appointed as journeymen, chargemen, etc., in those workshops in preference to the ex-apprentices who were trained under them ? If so, why ?

(e) If the answers to parts (b) and (d) above be in the negative, will Government please state whether they are prepared to make an enquiry into the matter and lay on the table of this House a statement showing the names of the supervising staff such as Assistant Foremen, chargemen, journeymen, etc., of those workshops with the following :

- (i) particulars of practical training,
- (ii) particulars of service,
- (iii) particulars of technical education,
- (iv) division in which passed from the technical school,
- (v) designations and grades of the posts,
- (vi) present salary, and
- (vii) the university examination passed ?

If not, why not ?

(f) Will Government please state whether they are prepared to put a stop to promoting to such posts, persons who received no technical education at all, in all future cases and appoint time-expired apprentices of Jamalpore Technical School, who were trained under them, and issue necessary orders to the Agent, East Indian Railway to this effect ? If not, why not ?

(g) If the answer to part (f) above be in the affirmative, will Government please lay a copy of the orders on the table ? If not, why not ?

(h) Will Government please state the amount spent on the practical and theoretical training of each apprentice of Jamalpore Technical School, East Indian Railway, during the five years of training ?

**Mr. P. R. Rau :** (a) The information has been called for and will be placed on the table of the House in due course.

(b) Government understand that on the Oudh and Rohilkund Railway the supervising grades were filled by promoting mechanics and mistries deserving of such promotion. Since the amalgamation of that railway with the East Indian Railway posts in the supervising grades are reserved for *ex*-apprentice mechanics. If these are not available, mistries are eligible for promotion to certain lower grade of chargemen.

(c) and (h). Government understand that approximately Rs. 3,600 is spent on each apprentice in five years.

(d) The Agent, East Indian Railway, reports that it has been necessary on occasion to appoint outsiders when *ex*-apprentices with the required training have not been available.

(e) Does not arise.

(f) Government understand that the present practice is to appoint other persons to supervisory posts only if *ex*-apprentices with the requisite training are not available. They do not, therefore, consider the issue of further orders necessary.

(g) Does not arise.

**Mr. V. V. Giri :** With reference to part (d) of this question, will the Honourable Member find out from the Agent of the East Indian Railway as to how many outsiders have been taken ?

**Mr. P. R. Rau :** My Honourable friend is at liberty to put a question on the paper.

#### DIFFERENT GRADES OF PAY FOR THE SUPERVISING STAFF IN THE EAST INDIAN RAILWAY WORKSHOPS.

37. **\*Mr. Amarendra Nath Chattopadhyaya :** Are Government aware that there are different grades of pay for the supervising staff in different workshops on the East Indian Railway, although they are under one and the same head, i.e., the Chief Mechanical Engineer ? If so, will Government please state the reasons for the differences ? Are Government prepared to bring them on to one standard ?

**Mr. P. R. Rau :** Yes. The difference in the scales of pay is due to the difference in the degree of responsibility attaching to the respective posts. The Government do not see any necessity for bringing them on to one standard.

APPOINTMENT OF APPRENTICES ON THE EAST INDIAN RAILWAY.

38. \*Mr. Amarendra Nath Chattopadhyaya : (a) Are Government aware that in spite of repeated assurances, given in answer to starred questions No. 424 (d) of the 16th September, 1931, and 1528 (c) of the 5th December, 1932, one junior *ex*-apprentice, who passed in a lower division has been appointed this year in the Alambagh workshop under the Chief Mechanical Engineer, East Indian Railway ? If so, will Government please state the reasons for appointing him in preference to many seniors of 1931, who passed in the first division ? Are Government prepared to take immediate action against this act of the railway administration ? If so, in what way ?

(b) If the answer to part (a) above be in the negative, are Government prepared to enquire into the matter ?

(c) Will Government please state how the selection for the post referred to in part (a) above was made, who made the selection and what were their qualifications ?

(d) Will Government please lay on the table a statement showing the name of the *ex*-apprentice referred to in part (a) above, the date of his completion of apprenticeship training, the division in which he passed from the Technical School, and starting salary ?

(e) With reference to the starred questions Nos. 1014 and 1015 of the 26th March, 1935, and starred questions Nos. 1324 to 1326 of the 2nd April, 1935, regarding the appointments of the time-expired apprentices of Lillooah Workshops under the Chief Mechanical Engineer, East Indian Railway, will Government please state :

(i) whether they have received the required information from the Agent, East Indian Railway, and

(ii) whether they are now prepared to lay the statement asked for in the question referred to on the table ?

Mr. P. R. Rau : (a) to (d). The Agent, East Indian Railway, reports that it is not clear which *ex*-apprentice is referred to but two *ex*-apprentices were engaged in the Alambagh Workshops, Lucknow, this year, one in the capacity of a chargehand on Rs. 85 per mensem and the other as a fitter on Rs. 2-6-0 a day. Both these men passed in the First Division. Government do not consider any action necessary.

(e) The statement has been laid on the table.

APPOINTMENT OF APPRENTICES ON THE EAST INDIAN RAILWAY.

39. \*Mr. Amarendra Nath Chattopadhyaya : (a) Are Government aware that in spite of the assurance given, the *ex*-apprentices of the East Indian Railway Workshop, Lillooah, are not appointed from the waiting list according to seniority, and that the result of the Technical School is not considered at the time of appointments under the Chief Mechanical Engineer ?

(b) If the answer to part (a) above be in the negative, will Government please state whether they are prepared to make an enquiry into the matter, and lay on the floor of this House a statement showing the names of those who have been provided with posts under the Chief Mechanical



Engineer, East Indian Railway, since 1933, together with the following information about them :

- (i) dates of completion of apprenticeship training ;
- (ii) division in which passed in technical school ;
- (iii) workshop in which appointed ;
- (iv) designations ;
- (v) starting pay ; and
- (vi) dates of appointments ?

**Mr. P. B. Rau :** (a) I would invite the Honourable Member's attention to the information laid on the table in connection with Mr. D. K. Lahiri Chaudhry's starred question No. 1325 asked on the 2nd April, 1935.

(b) Government do not consider an enquiry necessary.

#### DEMOTION OF ELECTRICAL LINESMEN AND WIREMEN ON THE EAST INDIAN RAILWAY.

40. **\*Mr. Amarendra Nath Chattopadhyaya :** (a) Will Government be pleased to state the actual number of the linesmen and wiremen in the Electrical Department on the East Indian Railway in each Division ?

(b) What was their grade of pay before the retrenchment took place in 1931, and what is their present grade ?

(c) Is it not a fact that certain electrical linesmen and wiremen have been demoted, on the plea of retrenchment, from the grade of Rs. 84 to Rs. 51 ?

(d) What is the number of such demoted persons in each Division ?

(e) Is it a fact that the persons who were demoted, were given an assurance that their grades will be restored after six months ?

(f) Will Government be pleased to state whether their grades have been restored, or not ? If not, why not ?

(g) Will Government also be pleased to state what action has been taken on the representations made by the demoted persons every now and then ? If none, will Government be pleased to state the reasons why no action was taken ?

**Mr. P. B. Rau :** (a) and (b). I lay on the table a statement giving the required information.

(c) Yes. The reduction in grade was accepted by them as an alternative to discharge.

(d) Three wiremen and two linesmen in the Lucknow Division.

(e) No.

(f) No vacancies have arisen in the higher grade for which these demoted men are suitable. Orders have been issued by the East Indian Railway Administration that when vacancies occur in the higher grade for which these demoted men are suitable they are to be restored to their original grade.

(g) A petition was received in May, 1932, from the men concerned and they were informed in reply that as they had accepted the reduced grade, they must abide by the decision.

**EAST INDIAN RAILWAY.**  
**Statement showing scales of pay of Linemen and Wiremen in the Electrical Department.**

Stations.	Up to 31st August 1931.			From 1st September 1931.			Revised grades for new entrants appointed on or after 16th July 1931, introduced from 1st September 1934.			Remarks.
	Grade I.	Grade II.	Grade III.	Grade I.	Grade II.	Grade III.	Grade I.	Grade II.	Grade III.	
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
JAMALPUR— Linemen and Wiremen.	54-5-84	39-3-51	15-3-36	54-5-84	42-3-54	18/22-2-38	44-2-60	30-1-40	22-1-28	Daily rates have been eliminated except for those employees at Lucknow who were appointed before the 16th July 1931, and were daily rated.
LALOGAN— Linemen and Wiremen.	54-5-84	39-3-51	15-3-36	54-5-84	40-2-55	22-2-26 2-41	44-2-60	30-1-40	22-1-28	
LUCKNOW— (Monthly rated)— Linemen and Wiremen.	54-5-84	39-3-51	15-3-36	54-5-84	42-3-54	18/22-2-38	44-2-60	30-1-40	22-1-28	
LUCKNOW— (Daily rated) (G.M. O. and R. Section)	As.	As.	As.	As.	As.	As.	As.	As.	As.	
Linemen and Wiremen.	39-3-54	26-2-36	16-2-36	39-3-54	30-2-38	19-2-29	..	..	..	

Stations.	Up to 31st August 1931.			From 1st September 1931.			Revised grades for new entrants appointed on or after 16th July 1931 introduced from 1st September 1934.	Remarks.
	Grade I.	Grade II.	Grade III.	Grade I.	Grade II.	Grade III.		
Lucknow District.— O. and S. Section. (Daily rated).—								
Linemen and Wiremen.	As. 39-3-54	As. 26-2-36	As. 16-2-28	As. 39-3-54	As. 30-2-38	As. 19-2-29	As.	Daily rates have been eliminated except for those employees at Lucknow who were appointed before the 16th July 1931, and were daily rated.
Lucknow District.— (Monthly rated).—								
Linemen and Wiremen.	Rs. 54-5-84	Rs. 39-3-51	Rs. 15-3-36	Rs. 54-5-84	Rs. 39-3-51	Rs. 15-3-36	Rs. 44-2-60	Rs. 30-1-40
Lillooah District.—								
Linemen and Wiremen	54-6-84	39-3-51	15-3-36	54-5-84	39-3-51	15-3-36	44-2-60	30-1-40
Dharam District.—								
Linemen and Wiremen	54-5-84	39-3-51	15-3-36	54-5-84	39-3-51	15-3-36	44-2-60	30-1-40
Colliery District.—								
Linemen and Wiremen	54-5-84	39-3-51	15-3-36	54-5-84	39-3-51	15-3-36	44-2-60	30-1-40
								Staff transferred to the Colliery Department with effect from the 1st July 1933.

**AMOUNT SANCTIONED TO CONDUCT THE CASE OF MR. DORAN, LATE STAFF SUPERINTENDENT OF THE DINAPUR DIVISION.**

41. \***Mr. Amarendra Nath Chattopadhyaya :** (a) Is it a fact that Government have sanctioned a sum of Rs. 10,000 to conduct the case of Mr. Doran, late Staff Superintendent of the Dinapur Division, who filed a complaint against the *Mazdur*, an official organ of the East Indian Railway Union, Dinapur, under sections 500, 504 and 506, Indian Penal Code, and the accused claimed a privilege under Chapter 33, section 443, Criminal Procedure Code for jury trial consisting of the majority of Indian jurymen ?

(b) Is it a fact that the learned Session Judge of Patna accepted the application for a jury trial and gave a privilege to the accused persons under Chapter 33, section 443, of the Criminal Procedure Code and observed in his judgment on the 2nd January, 1935, that the complaint was not filed by Mr. Doran in his official capacity and the accused were entitled to trial by a jury of his countrymen, if he desired it ?

(c) Will Government be pleased to state the reasons and the grounds under which a sum of Rs. 10,000 of the public money was sanctioned to conduct the case of Mr. Doran ?

(d) Will Government also be pleased to state whether similar privileges of financing the cases of subordinates were allowed when they defended the case while they were on duty ? If not, will Government be pleased to state why this favour has been shown to Mr. Doran in this case ?

**Mr. P. R. Rau :** (a) Government have so far sanctioned an expenditure of Rs. 5,376-12-0 in connection with this case.

(b) The learned Sessions Judge of Patna allowed the application for a jury trial under section 443 of the Criminal Procedure Code. He observed that in lodging the complaint Mr. Doran acted not only with the approval but under the express orders of his official superiors ; but he did not consider it to be any part of Mr. Doran's normal duties to prosecute the editors of newspapers who may publish articles defamatory of him.

(c) Mr. Doran was attacked in the *Mazdur* on the subject of acts performed by him in his official capacity. The Railway Administration accordingly instructed him to prosecute the editor and printer of the *Mazdur* and undertook to pay expenses as it was considered necessary to protect its officers against such attacks.

(d) As Mr. Doran instituted the prosecution under the orders of the Railway Administration, the expenses were borne by the latter. I have not been able to trace readily any similar case of a subordinate being instructed by the Administration to institute prosecution.

**Mr. V. V. Giri :** Were the accused acquitted in that case ?

**The Honourable Sir Muhammad Zafrullah Khan :** Yes.

**Pandit Krishna Kant Malaviya :** With regard to the answer to part (a) of this question, may I know if the opinion of the Legal Remembrancer or of any legal adviser of the Crown was obtained before instituting this case ?

**The Honourable Sir Muhammad Zafrullah Khan :** I believe the East Indian Railway authorities did obtain advice.

**Mr. Lalchand Navalrai :** May I know from the Honourable Member what is the practice adopted in giving assistance to a railway employé for conducting a case ? Does the Railway Board first of all decide the matter, or what is the procedure ?

**The Honourable Sir Muhammad Zafrullah Khan :** If a railway servant, as was the case in this case, is instructed to institute a prosecution, the expenses are paid by the railway administration.

**Mr. Sami Venkatachalam Chetty :** Did Government approve of the act of the Railway Administration in this case ?

**The Honourable Sir Muhammad Zafrullah Khan :** What distinction is the Honourable Member making between the Railway Administration and the Government ?

**Mr. Sami Venkatachalam Chetty :** I thought that the Government were an appellate authority. May I know if the Railway Administration has got any power to institute cases like this without the approval of the Railway Board ?

**Mr. T. S. Avinashilingam Chettiar :** Are there any rules under which orders are given for instituting such prosecutions ?

**The Honourable Sir Muhammad Zafrullah Khan :** Each question is decided on its merits.

**Mr. S. Satyamurti :** With reference to part (c), may I know whether the Government obtained any independent legal opinion as to the soundness of this prosecution, before they sanctioned this sum of public money ?

**The Honourable Sir Muhammad Zafrullah Khan :** As I said before, the prosecution was instituted by the East Indian Railway Administration, and they did obtain legal advice before instituting this prosecution. I do not know what is meant by independent legal advice.

**Mr. S. Satyamurti :** I want to know whether the Government of India, before they sanctioned this sum of public money, obtained any other legal advice ?

**The Honourable Sir Muhammad Zafrullah Khan :** Does the Honourable Member mean any other advice than that which the East Indian Railway had already obtained ?

**Mr. S. Satyamurti :** Yes.

**The Honourable Sir Muhammad Zafrullah Khan :** No.

**Pandit Krishna Kant Malaviya :** Are Government aware of the judgment in this case ?

**The Honourable Sir Muhammad Zafrullah Khan :** Government are aware of the judgment in this case.

**Mr. Lalchand Navalrai :** May I know if the prosecution was initiated by the Railway Department or by the railway employé, Mr. Doran ?

**The Honourable Sir Muhammad Zafrullah Khan :** As the answer says, the East Indian Railway Administration directed Mr. Doran to institute this prosecution.

**Prof. N. G. Ranga :** Is it not the duty of the Railway Board to see that the prosecutions that are ordered by the various companies under them are properly conducted and taken up ? Has the Railway Board consulted its own legal adviser as to the rightness of this prosecution ?

(No reply.)

**ENHANCEMENT OF THE BEAT OF THE KEYMEN ON THE EAST INDIAN RAILWAY.**

**42. \*Mr. Amarendra Nath Chattopadhyaya :** (a) Will Government be pleased to state what action they have taken in connection with the speech of Mr. N. V. Gadgil, delivered in this House on the 26th February, 1935, in connection with the cut motion on Railway Budget, regarding the enhancement of the beat of the keymen on the East Indian Railway ?

(b) Is it a fact that the Chief Engineer, East Indian Railway, Calcutta, had issued a circular letter, No. 1174, dated *nil*, to all the S. S. W.'s on the East Indian Railway and asked for their suggestions to increase the beat of the keymen on the East Indian Railway from three to six miles on double line and four miles to twelve on single lines per day ?

(c) Will Government be pleased to lay on the table the suggestions made by the P. W. I.'s, A. S. W.'s and S. W.'s of six Divisions on the East Indian Railway regarding the increase of the beat of the keymen on the East Indian Railway ?

(d) Is it also a fact that the beat of the keymen has been increased from three to six miles on double lines and from four to twelve miles on single lines per day with effect from the 15th March, 1935 ?

(e) Will Government be pleased to state the distance between two keys ?

(f) How many keys does each mile contain ?

(g) What is the average time to set one key ?

(h) Is it a fact that when the wage-cut was imposed on the railway employees, the Honourable the Railway Member gave an assurance that in future no retrenchment will be made ? If so, what is the reason for the enhancement of the beat of the keymen ?

**Mr. P. B. Rau :** (a) No action was considered necessary on the speech of Mr. Gadgil, referred to.

(b) It was decided in January, 1935, to extend the length of keymen's beats. This change was adopted after consideration of the proposals put forward by the Deputy Agent (Organisation) with a view to securing economy by a more intensive employment of permanent way staff. The increased limits represented the maximum beat prescribed for keymen under the most favourable conditions.

(c) Reports on the working of the revised orders have been received and are under consideration together with suggestions for their modification. These are administrative documents not intended for publication and Government are not prepared to lay them on the table.

(d) The beat was increased from the 15th February, 1935.

(e) The distance between two sleepers is generally between two and three feet.

(f) About four thousand.

(g) A few seconds. In any one day only a very small percentage of keys require attention.

(h) I have not been able to trace any such statement. My Honourable friend will, no doubt, realise that in the course of investigations by railways into fresh avenues of economy, it is inevitable that some staff will be found surplus to requirements from time to time.

#### PAY OF CERTAIN RAILWAY STAFF.

43. \***Mr. Amarendra Nath Chattopadhyaya** : Will the Honourable Member in charge of Railways be pleased to state the pay of (i) Pointsmen, (ii) Clock-winders, (iii) Relieving Ticket Collectors, (iv) Relieving Assistant Station Masters, (v) Engine Assistants, i.e., firemen and state if they are paid any monthly allowance ?

**Mr. P. R. Rau** : I lay on the table a statement giving the information.

*Statement showing the pay and monthly allowances of Pointsmen, Clock Winders, Relieving Ticket Collectors, Relieving Assistant Station Masters and Firemen on the East Indian Railway.*

#### Scales of pay 1934.

#### Monthly allowance.

#### (i) Pointsmen—

In running sheds	..	Rs. 12—1—17	} (a)	(a) Local and bad climate allowances are given in certain localities in accordance with the scale shown, at page XIII of the pamphlet containing the revised scales of pay 1934 a copy of which is in the library of the House.
At stations	..	.. Rs. 14—1—19		

(ii) Clock Winders .. .. Rs. 22—1—28 (b) (b) Nil.

(iii) Relieving Ticket Collectors Rs. 30—3—45 (c) .. (c) No monthly allowance other than ordinary travelling allowance when relieving away from their headquarters.

(iv) Relieving Assistant Station Masters. Rs. 30—2—45/5—60 (c).

#### (v) Firemen—

Grade I	..	..	Rs. 30—3—50 (d) ..	(d) Running allowances under the rules applicable to locomotive running staff.
Grade II	..	..	Rs. 17—18 (d).	
Grade III	..	..	Rs. 15—16 (d).	

**MONTHLY ALLOWANCE PAID TO THE TRAVELLING TICKET INSPECTORS ON THE EAST INDIAN RAILWAY.**

44. **\*Mr. Amarendra Nath Chattopadhyaya :** Will the Honourable Member in charge of the Railways be pleased to state if the travelling inspectors of A and B grades under Mody-Ward system on the East Indian Railway, are paid any monthly allowance ? If so, will he be pleased to state the amount ? If not, why not ?

**Mr. P. R. Rau :** I would refer the Honourable Member to the information laid on the table of the House in reply to part (c) of question No. 307 asked by Dr. N. B. Khare on the 9th April, 1935.

**PURCHASE OF SCALES BY THE RAILWAYS.**

45. **\*Mr. Amarendra Nath Chattopadhyaya :** (a) Will Government be pleased to state whether weigh-bridge scales are purchased by the Railways or by the State ?

(b) Is it a fact that T. Avery's scales are generally preferred by State Railways to B. W. Company and that the latter are cheaper than the former by not less than Rs. 500 ?

(c) If the answer to part (b) be in the affirmative, will Government be pleased to state the reason for the preference ?

(d) Will Government be pleased to state the number of Avery's scales purchased during the last five years and the rate at which they were purchased ?

(e) Will Government be pleased to state if the weigh-bridge scales are purchased by calling regular tenders from suppliers, and if so, whose tenders were lowest during all these years ?

(f) Are Government aware of the fact that B. W. Company's weigh-bridge scales are purchased by almost all the factories in India for their cheapness and durability ?

(g) Do Government propose to stop the purchase of Avery's scales in future, and start purchasing B. W. Company's scales ?

**Mr. P. R. Rau :** (a) Prior to the 29th January, 1935, State-managed Railways purchased their requirements of weigh-bridges and weighing machines directly. From that date such purchases are being made through the Indian Stores Department.

(b) and (c). Avery's scales have been in use on Indian Railways for many years past and have, I understand, proved generally satisfactory. There is no question, however, of giving a preference to this Company over others since the purchase is decided on quality and price. I understand the B. W. Scales Company, which has apparently started operations quite recently, have not yet tendered for railway requirements. If they do, I am sure, the Indian Stores Department will give them the same consideration as other tenderers.

(d) The information is not readily available.

(e) Weigh-bridges and scales have in the past been chiefly purchased by calling for tenders. In certain instances when a special type of machine of a proprietary nature has been required the single



tender system of purchase has been adopted. Tenders will in future be called for by the Indian Stores Department. Government have no information regarding the lowest tenders during the last five years.

(f) No.

(g) Government propose to purchase from the most suitable tenderer.

**Prof. N. G. Ranga :** Have Government ever tried to ascertain whether the B. W. Company's scales are cheaper than the Avery's scales ?

**Mr. P. B. Rau :** That will be easily found out when the tenders are received.

**Pandit Lakshmi Kanta Maitra :** Do I understand the Honourable Member to say that the Avery's scales are the very best ?

**Mr. P. B. Rau :** No.

**Pandit Lakshmi Kanta Maitra :** Has the Honourable Member ever tried to ascertain whether equally good weigh-bridges can be had at lower prices ?

**Mr. P. B. Rau :** I have never said that the Avery's scales are the very best. I have said that they have been in use on Indian Railways for many years past and they have proved generally satisfactory. I have also said that there is no question of giving preference to this Company over others since the purchase is decided on quality and price.

**Pandit Lakshmi Kanta Maitra :** Why did not the Government think it desirable to call for tenders to see if equally good scales can be had elsewhere at a lesser price ?

**Mr. P. B. Rau :** Open tenders will be called for by the Indian Stores Department in future.

**Prof. N. G. Ranga :** Have Government tried to make experiments with B. W. Company's scales and find out whether they are just as good as Avery's scales ?

**Mr. P. B. Rau :** I must leave that to the Indian Stores Department.

**Prof. N. G. Ranga :** Is it not the duty of the Indian Stores Department simply to sell the scales to the Indian Railways ?

**Mr President** (The Honourable Sir Abdur Rahim) : The Honourable Member has given an answer.

#### DIFFERENTIAL TREATMENT IN RE-EMPLOYING THE DISCHARGED TICKET CHECKING STAFF ON THE EASTERN BENGAL RAILWAY.

46. **\*Mr. Amarendra Nath Chattopadhyaya :** (a) Will Government be pleased to state if it is a fact that in the year 1928 when transferring the Ticket Checking Staff from the control of the Audit Department to that of the Traffic Department on the Eastern Bengal Railway, all the staff of the Ticket Checking Department were medically examined as to their fitness in Class "A" ?

(b) If so, will Government be pleased to state how many of them were passed in Class "A" and how many in Class "B" ?

(c) Will Government be pleased to state if it is a fact that some of the Travelling Ticket Collectors failed to pass in Class "A" but passed in Class "B" ?

(d) If so, will Government be pleased to state if it is a fact that some of them who passed in Class "B" were discharged and subsequently absorbed as Ticket Collectors in the Traffic Department, and some were taken back to the Ticket Checking Department without break of service ?

(e) If so, will Government be pleased to state why differential treatment was meted out to the few who were discharged and subsequently taken back as new recruits ?

(f) Will Government be pleased to state if it is a fact that for the sake of economy, the representation like that of the other fortunate men, was rejected ?

**Mr. P. B. Rau :** (a) Yes.

(b) They were examined only in Class 'A' as that was the minimum standard laid down at the time for ticket checking staff. 158 passed.

(c) Those who failed to pass in Class 'A' were not at that time tested in Class 'B'.

(d) and (e). If my Honourable friend means that while some of those who failed to pass in Class 'A' and were subsequently re-appointed were treated as re-appointed after a break in service, the rest were taken back without a break, the reply is in the negative. All were treated as re-appointed after a break in service.

(f) Does not arise.

#### DETACHMENT OF BRITISH TROOPS STATIONED IN CERTAIN BIKRAMPUR VILLAGES IN DACCA.

47. **\*Mr. Amarendra Nath Chattopadhyaya :** (a) Are Government aware of the facts that two detachments of British troops have been stationed in parts of Bikrampur (Munshiganj area) in the district of Dacca ?

(b) Are Government aware of the fact that a detachment of the Bedfordshire and Hertfordshire Regiment was stationed in Bikrampur in September last and that they remained there till the end of February, 1935 ?

(c) Are Government aware of the fact that the above detachments were divided into seven batches, and as many as seven military camps were set up at the following villages, namely, Taltala, Arial, Bhagyakul, Abdullapur, Baherak, Bahar and Hashara ?

(d) Are Government aware that the soldiers placed in the above places were advised to move about freely in the villages at all hours of the day and even late at night and that they thereby caused difficulty and inconvenience to the women of the villages in going about for drawing water and buying food in the market and attending *Pujahs* in the temples ?

(e) Is it not a fact that the soldiers used to enter the houses of the local people without asking for permission of the owners ?

(f) Is it not a fact that the soldiers used to cut down trees for fuel without waiting for the consent of the owners of the trees ?

(g) Is it not a fact that these detachments were stationed in the villages where the population is predominantly Hindus and that cows were daily slaughtered in the slaughter house to supply them with beef ?

(h) If the answer to part (g) be in the affirmative, will Government be pleased to state if they are aware that this affected the susceptibilities of the Hindu population of the locality ?

(i) Is it not a fact that troops visit the houses of the young men under restraint order (sunset and curfew order) and rouse them up from sleep more than once the same night and create a row thereby by knocking at the doors and beating the corrugated-sheet roofs and disturb the peace of the household and the locality ?

(j) Are Government aware that the soldiers killed a large number of watch-dogs in the villages to the great inconvenience of the people ?

(k) Is it a fact that in spite of the prohibitory orders of Government on the young men regarding the movement in the streets between sunset and sunrise, the soldiers forced them to accompany them to be left at some distant out-of-the-way place in the darkness and shift for themselves as best as they could ?

(l) Is it a fact that detachments are placed in the interior of the villages to put down terrorism ? If so, will Government be pleased to state if there were any acts of terrorism in Bikrampur during the last five years, and when the last act of terrorism took place there ?

(m) Will Government be pleased to state if they have considered whether any further stationing of troops is required under the present peaceful situation there ? If so, are Government prepared to withdraw the regiments from these places and restore normal conditions there without delay ?

**The Honourable Sir Henry Craik :** (a), (b) and (c). Detachments of the 1st Battalion of the Bedfordshire and Hertfordshire Regiment were in Camp in the Munshiganj Sub-Division from the 7th December, 1934, to the 9th March, 1935. There were at no one time more than eight separate camps, situated at Fursail, Abdullapur, Beltali, Hasara, Telirbag, Baharak, Arial, Munshiganj and Bhagyakul ; the last camp was occupied only for a very short time.

(d) No. Troops were permitted to use the open country but resort to populated areas, tanks and places used by women for bathing was expressly prohibited, and no soldier was permitted to leave camp between sunset and sunrise, except on duty. Orders to ensure respect for the convenience and susceptibilities of the inhabitants were made in consultation with Union Boards and no complaints of the molestation of women have been received.

(e) and (f). The allegations made are untrue. Government have received no such complaints and are satisfied that none were ever made.

(g) and (h). Shelters for the slaughter of cattle were constructed in consultation with Criele Officers and Presidents of Union Boards. No such shelter was built on land belonging to a Hindu and every shelter was constructed so as not to give offence. No complaint regard-

ing the slaughter of cattle or the position of these shelters was received.

(i) It was necessary on occasions for combined patrols of police and military to visit persons living under orders of restriction.

(j) No dogs were killed in any village. In one or two camps a few stray dogs were killed but only after the wishes of the local inhabitants had been ascertained. The action called forth the gratitude of the villagers in the neighbourhood.

(k) The allegation is entirely unfounded. On the contrary, some young men under restriction volunteered to guide patrols at night. In some instances their help was invited.

(l) No less than 17 terrorist crimes including three murders and three attempted murders were committed between 29th August, 1930 and 8th May, 1934, either in Munshiganj Sub-division, or by persons belonging to that sub-division.

(m) Troops will be withdrawn as soon as the necessity for their presence disappears.

**Pandit Lakshmi Kanta Maitra :** I could not hear the answer to part (k) of the question.

**The Honourable Sir Henry Craik :** The allegation is entirely unfounded. On the contrary, some young men under restriction volunteered to guide patrols at night. In some instances their help was invited.

**Mr. S. Satyamurti :** May I know if, after the receipt of these questions, Government made any enquiries, and, if so, of whom and in what manner ?

**The Honourable Sir Henry Craik :** We enquired of the Government of Bengal.

**Mr. Mohan Lal Saksena :** With reference to the Honourable Member's answer to part (l) of the question, may I know when the last terrorist outrage was committed ?

**The Honourable Sir Henry Craik :** In the Munshiganj sub-division, the last terrorist outrage was committed on the 14th September, 1932, and by the inhabitants of the Munshiganj sub-division the last terrorist outrage was committed on the 8th May, 1934.

**Mr. T. S. Avinashilingam Chettiar :** Knowing the character of soldiers as the Honourable Member does, does he believe the statement of the Government of Bengal that the posting of this regiment there has not caused any inconvenience to the people of the locality ?

**The Honourable Sir Henry Craik :** Knowing the character of the soldiers and having referred to the Government of Bengal, I am of opinion that, so far from causing any inconvenience to the inhabitants of the locality, the presence of the troops was of great material benefit to, and was welcomed by, the inhabitants. (*Cries of "Oh, oh!" from Congress Party Benches and "Hear, hear" from Government Benches.*)

**Mr. Sri Prakasa :** The Honourable Member has said that he has received no complaints. But would he kindly inform the House if there are any avenues open for making complaints in the face of the existing

law ? Are not papers prohibited from publishing any complaints ? Are not people terrorised if they make any complaints ?

**The Honourable Sir Henry Craik :** The Honourable Member seems to be indulging in a speech. My information is entirely different from his.

**Mr. T. S. Avinashilingam Chettiar :** What are the grounds for saying that the troops were welcomed ?

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

**Mr. S. Satyamurti :** Are not newspapers in Bengal being advised by a special officer not to publish any such accounts ?

**Mr. Mohan Lal Saksena :** Did the Honourable Member make any enquiries of the Member of the Assembly representing that district ?

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

**Mr. Mohan Lal Saksena :** Will he make an enquiry of him now ?

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

**Seth Govind Das :** As the Honourable Member has just stated that no offence has been committed since 1934, does he consider that the regiment should remain there even now in spite of the fact that no offence has been committed for a year ?

**The Honourable Sir Henry Craik :** That is primarily a matter for the Government of Bengal.

**Pandit Lakshmi Kanta Maitra :** Is the Honourable Member aware that there is a press officer in Bengal and rigid censorship is applied there and complaints against the lawlessness of the military cannot find a place in the papers ?

**The Honourable Sir Henry Craik :** I am not aware of that. In any case, there are other avenues of making complaints besides the press.

**Pandit Lakshmi Kanta Maitra :** Do I understand from the Honourable Member that he is not aware that there is a press officer in the Government of Bengal who censors all news about the activities and lawlessness committed by the military people in the village areas ?

**The Honourable Sir Henry Craik :** There is certainly a press officer in Bengal.

**Pandit Lakshmi Kanta Maitra :** Is it not a fact that this press officer immediately censors all news concerning these military people ?

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

**Pandit Lakshmi Kanta Maitra :** And is it not a fact that all information about detenus and military people is rigidly banned by the press officer in Bengal ?

**Mr. President (The Honourable Sir Abdur Rahim) :** The Honourable Member has answered that question.

**Mr. Mohan Lal Saksena :** Is the Honourable Member aware that complaints were received by the convener of the committee appointed by the Congress Party and they were taken away by the police in Bengal ?

**The Honourable Sir Henry Craik :** Why should I be aware of that ?

**Mr. Mohan Lal Saksena :** Is the Honourable Member aware that complaints were received from this very district by the convener of the Committee appointed by the Congress Party in this Assembly, that his papers were left in Calcutta for being verified and that these papers were taken from the person with whom they were left and he was arrested ?

**The Honourable Sir Henry Craik :** The Honourable Member was himself, I understand, the convener. So, he can answer the first part of that question himself. As regards the second part, all I know is this, that the person with whom these documents were left was arrested for connection with a terrorist conspiracy of some kind, and, in the search of his house, certain papers were found and the police took possession of them.

**Mr. Mohan Lal Saksena :** Will they be returned to me ?

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

**STAFF OF THE OFFICES OF THE DIRECTOR OF WAGONS INTERCHANGE AND INDIAN RAILWAYS CONFERENCE ASSOCIATION TRANSFERRED TO DELHI.**

48. **\*Mr. Amarendra Nath Chattopadhyaya :** (a) Will Government be pleased to state whether the original office of the Director of Wagons Interchange was located in Allahabad ?

(b) If so, will Government be pleased to state if they are aware that the removal of the said office to Delhi has proved to be convenient for the working hands in the office ?

(c) Will Government be pleased to state if the office of the Indian Railway Conference has been removed from Agra to Delhi, and if they are aware that this has caused inconvenience to numerous working hands ?

(d) Is it a fact that the offices of the Director, Wagons Interchange and the Indian Railway Conference, have been amalgamated and re-named " Office of the General Secretary, Indian Railways Conference Association " ?

(e) Will Government be pleased to state if the proposal of the removal of the office to Delhi was made by Mr. C. V. Bliss, General Secretary of the Indian Railways Conference Association, in 1930 and was given effect to against the vote of the majority of members present, and against vehement protests from various Railway companies ?

(f) Is it a fact that the majority of the staff were locally appointed men, having their dwelling houses in the station of their appointment ?

(g) Will Government be pleased to state if any extra allowance has been granted to the staff on their removal to Delhi, where they have to pay house-rent and other extra expenses ?

(h) Will Government be pleased to state if any sort of allowance in the shape of house allowance, increment in pay and other necessary expenses for removal, has been granted to this staff as is customary with other offices ?

(i) Is it a fact that the staff is given a meagre salary—Rs. 60 being the maximum ?

(j) Is it a fact that living at Delhi is more costly than at Allahabad, and will Government be pleased to state if they are aware that in consequence of this shifting and of there being no increase in their pay or no grant of any allowance in any shape, these poor people in the department are hit hard ?

(k) Will Government be pleased to state how many representations were made by the aggrieved staff to the General Secretary for the redress of their grievances and why they have not received any consideration ?

(l) Is it a fact that the officers getting fat salaries get house allowance also, while clerks drawing small salaries get no such allowance ?

(m) Is it a fact that most of the clerks who have been shifted from Allahabad and Agra are suffering from malaria and other epidemics in Delhi, and are Government aware that this has added to their expenses on account of extra medical help ?

(n) Are Government aware that these clerks have to suffer from pay-cuts which, along with their poor income, do not enable them to make both ends meet ?

**Mr. P. R. Rau :** (a), (b) and (c). Both the offices mentioned were transferred to Delhi in 1930. Some complaints that this transfer has caused inconvenience to the staff have been received.

(d) Yes.

(e) No. The Association decided on the transfer of headquarters in 1927.

(f) The staff have been recruited from railways and locally at the headquarters of the Association.

(g) Government have been informed that prior to and in view of the proposed transfer of the headquarters of the Association from Allahabad to Delhi the scales of pay of the staff were revised and a considerable increase was made in the maximum rates of pay, particularly in the lower grades.

(h) At the time of the transfer, an advance (recoverable in instalments) of two months pay (which was extended to four months' pay in special cases) was granted to the staff in addition to the travelling concessions usually admissible.

(i) Rs. 60 is only the maximum of the lowest grade of the subordinate staff

(j) I am unable to verify these statements.

(k) I understand that since the transfer to Delhi, eleven complaints have been received from the staff from time to time and have received the consideration of the Association.

(l) Two of the junior officers of the Association were granted a fixed personal allowance.

(m) Government have no information.

(n) The emergency cut in pay was imposed on the staff of the Association in the same way as on railway employees generally and has been withdrawn similarly.

**NON-OBSERVANCE OF CERTAIN HOLIDAYS IN THE OFFICE OF THE INDIAN RAILWAYS CONFERENCE ASSOCIATION, DELHI.**

49. \***Mr. Amarendra Nath Chattopadhyaya** : Is it a fact that the office of the Indian Railways Conference Association, Delhi, is kept open even on *Holi* and *Dewali* festival days of Hindus, and their religious susceptibilities are not respected by the authorities concerned ?

**Mr. P. R. Rau** : With your permission, Sir, I propose to deal with questions Nos. 49 and 50 together. The Indian Railways Conference Association is an autonomous body, not under the control of Government in these matters, and the Fundamental Rules and other similar orders relating to Government servants do not apply to them.

**Pandit Lakshmi Kanta Maitra** : What are the rules which govern these railway associations in the matter of leave, and so on.

**Mr. P. R. Rau** : They have their own rules.

**Mr. N. M. Joshi** : Who finances these railway conference associations ?

**Mr. P. R. Rau** : It is financed by contributions from the members of the Association.

**Mr. N. M. Joshi** : May I ask whether the members pay from their personal salaries or from the different railways.

**Mr. P. R. Rau** : The members are the railways concerned.

**Mr. N. M. Joshi** : May I ask whether Government cannot have any control over this conference in this matter ?

**Mr. P. R. Rau** : Government do not propose to have any control over the minor domestic affairs of this association.

**Mr. N. M. Joshi** : May I ask, when the Government of India spend the whole amount of money for this purpose, why they should not control the association in the matter of securing fair conditions for the employees ?

**Mr. P. R. Rau** : The Honourable Member seems to be under a misapprehension. This is not a branch of the Government. There are a number of railways that are members of the association who have nothing to do with Government.

**NON-OBSERVANCE OF FUNDAMENTAL RULES IN THE OFFICE OF THE INDIAN RAILWAYS CONFERENCE ASSOCIATION, DELHI.**

†50. \***Mr. Amarendra Nath Chattopadhyaya** : (a) Is it a fact that Fundamental Rules are not strictly observed in the office of the Indian Railways Conference Association, Delhi ?

(b) Is it a fact that the clerks do not get facilities for leave also ?

**REMOVAL OF THE OFFICE OF THE INDIAN RAILWAYS CONFERENCE ASSOCIATION TO ALLAHABAD.**

51. \***Mr. Amarendra Nath Chattopadhyaya** : (a) Will Government be pleased to state if the Railway Board propose to purchase the Secre-

†For answer to this question, see answer to question No. 49.



tariat building at Allahabad, which will fall vacant on the removal of the secretariat to Lucknow ?

(b) If so, will Government be pleased to state if the office of the Railways Conference Association will be removed from Delhi to Allahabad again ?

**Mr. P. R. Rau :** (a) No.

(b) Does not arise.

#### RECRUITMENT OF TEMPORARY ASSISTANT EXECUTIVE ENGINEERS ON THE EASTERN BENGAL RAILWAY.

52. \***Mr. Amarendra Nath Chattopadhyaya :** (a) Will Government be pleased to state if it is a fact that two temporary Assistant Executive Engineers are going to be appointed on the Eastern Bengal Railway during the year 1935-36 ?

(b) If so, will Government be pleased to state if it is a fact that there are a large number of Sub-Engineers on the Eastern Bengal Railway, who have been acting for a long time as Sub-Divisional Officers ?

(c) If so, will Government be pleased to state if the Eastern Bengal Railway Administration is going to promote them to the newly created posts of Assistant Executive Engineers, or to recruit direct from outsiders ?

**Mr. P. R. Rau :** (a) The Government are not aware of such a proposal.

(b) Three Sub-Engineers have officiated from time to time as Sub-Divisional Officers.

(c) In filling any vacancies that may occur in the Lower Gazetted Service of the Eastern Bengal Railway, I have no doubt the Administration will consider the claims of Sub-Engineers along with those of others.

#### FILLING UP OF THE POSTS OF SUB-DIVISIONAL OFFICERS ON THE EASTERN BENGAL RAILWAY.

53. \***Mr. Amarendra Nath Chattopadhyaya :** Will Government be pleased to state if it is a fact that the cases of Sub-Engineers were not considered in filling up the posts of Sub-Divisional Officers in the Engineering Department of the Eastern Bengal Railway ? If so, why ?

**Mr. P. R. Rau :** With your permission, Sir, I propose to reply to questions Nos. 53 and 54 together.

Government have no information, but are making enquiries and will lay a reply on the table in due course.

#### FILLING UP OF THE POSTS OF SUB-DIVISIONAL OFFICERS ON THE EASTERN BENGAL RAILWAY.

†54. \***Mr. Amarendra Nath Chattopadhyaya :** Are Government aware that on the Eastern Bengal Railway, men from the rank of Permanent Way Inspectors have been promoted to the posts of Sub-Divisional

\*For answer to this question, see answer to question No. 53.

Officer? Had they any practical knowledge in roads and building construction or had they received any education from an Engineering College? If not, why were they so promoted?

**NON-FILLING UP OF VACANCIES IN THE ENGINEERING DEPARTMENT OF THE EASTERN BENGAL RAILWAY.**

55. **\*Mr. Amarendra Nath Chattopadhyaya :** (a) Will Government be pleased to state if it is a fact that the ministerial staff of the Engineering Department on the Eastern Bengal Railway submitted a representation to the Chief Engineer, Eastern Bengal Railway, complaining that the existing vacancies in the Department were not filled up for a long time?

(b) If so, will Government be pleased to state what action has been taken on the representation?

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

(b) The vacancies have been filled.

**VENDING CONTRACTS ON THE EAST INDIAN RAILWAY.**

56. **\*Mr. Amarendra Nath Chattopadhyaya :** (a) Will Government be pleased to lay on the table a statement showing the names of the contractors who were allowed to vend all sorts of food-stuffs, stationeries, toys and fruits, drinks and tea, and other miscellaneous articles up to the 31st March, 1934, on the East Indian Railway up to Dinapore Division and the loopline up to Kiul?

(b) Will Government be pleased to lay on the table the complaints received from the passengers against supply of articles of food, drinks, such as tea, (i) as to quality of food-stuff, or (ii) quality of other things sold at the Railway stations, (iii) prices of food-stuff and drink, (iv) behaviour of vendors, (v) acts of dishonesty on the part of vendors, and (vi) indifference on the part of contractors or any negligence on their part for which passengers suffer?

(c) Will Government be pleased to lay on the table a copy of the agreement between the Railway Company and the contractors, who were allowed to arrange for vending on platform up to the 31st March, 1934, in the above two divisions?

(d) Will Government be pleased to state whether it is a fact that the contractors who were supplying food-stuff and drinks and other articles have been given notice of the termination of their contract? If so, why?

(e) Will Government be pleased to state if it is a fact that one, Ballavdas Issardas, has been given contract for vending all sorts of things and food-stuff for Hindus and Mussalmans under the new agreement since 1934?

(f) Will Government be pleased to lay on the table a true copy of the aforesaid agreement?

(g) Will Government be pleased to state if there are any complaints against the vendors of all these things, such as food-stuffs, drink and other articles regarding (i) price, (ii) conduct of vendors, or (iii) dishonesty on the part of vendors, under the present system of contract in Howrah and Dinapore Divisions ?

(h) Will Government be pleased to state if the contractors who catered up to the 31st March, 1934, belonged to the retired Railway Staff ?

(i) Will Government be pleased to state, if by giving a monopoly of this vending on Railway platforms in the Howrah Division, i.e., up to Jamalpore (East Indian Railway) to Ballavdas, several contractors have been thrown out of employment ? If so, why has this been done and how many men have been thrown out of employment and deprived of their income ?

**Mr. P. R. Rau :** I assume that the Honourable Member's question refers to the Howrah and Dinapore Divisions. If this is correct,

(a) On the Howrah Division, petty vendors were displaced in 1932 by an area contractor, i.e., Messrs. Ballavdas Issardas at stations Bandel to Syaria, and Burdwan to Jamalpur, including the Barharwa Bandel loop and branches. I am placing on the table a statement showing the names of those who held vending contracts during 1933-34.

On the Dinapore Division, petty vendors were displaced by area contractors during the months of March and April, 1934. The names of the vendors displaced are not readily available.

(b) Government regret that they cannot collect the information required as this would involve an exhaustive investigation into past records.

(c) and (f). I am placing in the Library of the House a copy of the agreement which was being executed by petty vendors and of those that have been executed by Messrs. Ballavdas Issardas for contracts on the Howrah and Dinapore Divisions. The agreements with other area contractors were drawn up on similar lines.

(d) and (i). The vendors who were displaced by area contractors were given notice. It was found difficult to obtain the required standard of cleanliness and catering with petty vendors. The number displaced was 97.

(e) Messrs. Ballavdas Issardas have contracts for vending Hindu food-stuffs and other articles in the Moghalsarai and Gaya areas of the Dinapore Division and for vending Hindu and Muslim food-stuffs and other articles at the stations referred to in my reply to part (a) of this question, and also for a sweetmeat and tea stall at Howrah station.

(g) The Agent states that there have been some complaints.

(h) Some of the petty vendors who were displaced were ex-railway employees.

VENDING ARRANGEMENT OF HOWRAH DIVISION FOR 1933-34.

Name of Vendor or Contractor.	Station.	Articles sold.
Hindu Refreshment Room. (Proprietor M. M. Das).	Howrah .. ..	Indian refreshment of all kinds for Hindus.
Mohd. Refreshment Room (Pro. Isa Bros.)	Do. .. ..	Indian refreshment of all kinds for Mohammadans.
G. C. Chakrabarty. (Cancelled—Now taken over by Ballabhadras Ishwardas).	Do. .. ..	Sweetmeat, curd, milk, zilabi, gaja, balusai, laddoo, dalpuri, (cooked in oil) cheera, puri, battasa, chatoo, bhuja, murki, khau, cigarettes.
Ballabhadras Ishwardas .. ..	Do. .. ..	Biscuits, cake, tea, etc.
Ali Hossain Khan .. ..	Do. .. ..	Tea, cakes, mutton, fowl preparation, parata, pherni, bread, butter, betel and cigarettes.
Saroda Prosad .. ..	Do. .. ..	Ground nuts, roasted rice, betel, cigarettes and fans.
M/S Dutta Bros. .. ..	Do. .. ..	Tea, biscuits, bread and butter.
Rahamat Khan .. ..	Do. .. ..	Tea, biscuits, cakes, cigarettes, biri and matches.
N. N. Das & Son. ....	Do. .. ..	Fruits, betel, biri, cigar, cigarettes, matches and punkhas.
Ishar Singh & Son .. ..	Do. .. ..	Betel, pan, cigarettes, matches, and fruits on platform; betel, pan, cigarettes, and matches in south concourse; tea, sweets, fruits, betel, biri, oilcooked food on for shore pavement, the cab and the Lorry stand.
Ballabhadras Ishwardas .. ..	Howrah (Clerks' Tiffin Room).	All kinds of Indian food.
Basanta Kumar Ghose .. ..	Belur .. ..	Sweets, fruits, betel, cigarettes and matches.
K. S. Banerjee .. ..	Dankuni .. ..	Betel, biri and matches.
U. N. Santra .. ..	Begumpur .. ..	Sweets, fruits, betel, cigarettes and cigar.
Sudhir Ch. Paul .. ..	Manirampur .. ..	Fruits, betel, biri and cigarettes.
N. L. Modhak .. ..	Chandanpur .. ..	Sweets, fruits, betel, biri, cigarettes and matches.
K. P. Modhak .. ..	Belmuri .. ..	Betel, biri, matches and sweets.
M. N. Ghose .. ..	Mosagram .. ..	Sweets, betel, biri, cigarettes.

Name of Vendor or Contractor.	Station.	Articles sold.
J. N. Shaw .. ..	Serampore ..	Tea, coffee, fruits, betel, biri, cigarettes, oilcooked food.
K. D. Chatterjee ..	Sheoraphuli ..	Sweets, tea, fruits, betel, cigarettes and punkhas.
C. M. Banerjee ..	Do. ..	Fruits, beguni, ghooghni, jhalbara, dalpuri, bhujia (cooked in oil), pan, biri, and cigarettes.
A. C. Dutta .. ..	Kamarkundu ..	Sweets, fruits, betel, cigarettes and matches.
K. M. Muherjee ..	Do. ..	Tea, biscuits, toasts, cigarettes and biri.
Panchanan Das ..	Haripal ..	Fruits, betel, cigarettes and matches.
S. C. Das .. ..	Do. ..	Tea, breads, biscuits and cakes.
Khedan Shaw ..	Tarakeswar ..	Betel, cigar, cigarettes and matches.
Badri Shaw .. ..	Do. ..	Sweets, oilcooked articles, biri, milk, fruits and tobacco.
Dwarka .. ..	Bhadreswar ..	Fruits, betel, cigarettes and matches.
Khuban Mistry ..	Chandernagore ..	Fruits, betel, cigarettes, biri and matches.
Aghornath Ghose ..	Do. ..	Fruits, betel, cigar, biri, cigarettes, matches and punkhas.
Jamuna .. ..	Chinsurah ..	Fruits, sweets, betel, cigarettes, matches, cigar, golapi biri.
M/S. Ballabhadras Ishwardas ..	Bandel to Oyaria both inclusive, Burdwan to Jamalpur both inclusive including BAK Section and Branches.	(1) Hindu and Mohamedan Refreshment Room at Burdwan. (2) Tea for Hindu and Mohamedan in the area. (3) Vending of Indian sweets, food-stuff and fruits over the area. (4) Sale of pan, biri and cigarettes over the area. (5) Miscellaneous articles.

**Pandit Lakshmi Kanta Maitra :** May I ask the Honourable Member whether the whole question of contracts has not been hanging fire for some time past, and that the Honourable Member was put several questions during the Delhi Session, and he promised that the whole subject of contractors would be looked into and decided ? Is the Honourable Member in a position to say when these old food-stuff vendors will be re-instated, without calling for tenders ?

**Mr. P. B. Rao :** As the House is aware, we had asked all the railway administrations to let us have reports on the system of vending

contractors in each railway together with the advice of their local advisory committees in this matter. I understand that the replies have since been received and they consist of about 398 pages. The Railway Board are considering the whole question now and will probably place the matter for advice before the Central Advisory Council for Railways ?

**Pandit Lakshmi Kanta Maitra :** I hope the Honourable Member knows it as a fact that the Advisory Council of the East Indian Railway has decided that the contracts should be given to the old vendors ?

**Mr. P. R. Rau :** The views of the Advisory Committee members are very divergent.

**Pandit Lakshmi Kanta Maitra :** The majority favour the re-instatement of the men who have been displaced ?

**Mr. P. R. Rau :** I am afraid I cannot verify that statement.

**Pandit Lakshmi Kanta Maitra :** Will the Honourable Member take pains to verify whether it is a fact or not that the majority of the members of the Advisory Council of the East Indian Railway had decided that the old contracts should be let out to the old people now displaced ?

**Mr. P. R. Rau :** Certainly, Sir, all the views expressed by members of these local Advisory Committees will be taken into consideration when the question is being decided.

**Pandit Lakshmi Kanta Maitra :** And I am sure the Honourable Member realises that the travelling public as well as the contractors and vendors are concerned in this matter, that there is a keen feeling over it, and that the matter is not a very light one ?

**Mr. P. R. Rau :** I quite realise, Sir, that a keen feeling exists among the displaced vendors, but I am not aware that such a keen feeling exists among the travelling public. (Laughter.)

#### ALLEGATIONS AGAINST ONE BALLAVDAS ISSARDAS, VENDING CONTRACTOR FOR RAILWAY STATIONS FROM HOWRAH TO BANDEL.

57. \***Mr. Amarendra Nath Chatteropadhyaya :** (a) Will Government be pleased to state whether there were any complaints against those contractors who had been supplying tea and confectionary for the past 18 years to the public and passengers at stations from Howrah, East Indian Railway, up to Bandel ? If not, why has the contract for the same area now been given to one Ballavdas Issardas ?

(b) Is it a fact that the old contractors, Messrs. Dutta Brothers, had been catering tea and confectionaries all these years and had to invest several thousand rupees in this business ?

(c) Did they not approach the Railway authority with their petition to the Divisional Superintendent, Howrah, on the 24th July, 1934 ?

(d) Did the Agent receive the application ? If so, what action did he take thereon, and what was his reply ?

(e) Was the price of tea and confectionaries, supplied by Messrs. Dutta Brothers, high and quality of tea and confectionaries bad ?

(f) Did Government get any complaints from the passengers or public against Messrs. Dutta Brothers ?

(g) Is it a fact that the District Medical Officer, Gaya, after receiving several complaints against food-stuff, specimens of which were supplied to him for examination by the Assistant Station Master, C. Blanchette, on the 10th August, 1934, reported that the sweet-meats sent for examination were not fit for human consumption ?

(h) Is it not a fact that in spite of the assurance from the manager of the contractor, Ballavdas Issardas, sweet-meats taken for examination on the 25th August, 1934, by the same Medical Officer, were declared to be unfit for use ?

(i) Is it a fact that the same Medical Officer stated that the vendors of Ballavdas Issardas and others' managers were persistently ignoring the warning of the station staff and Medical Department, and that some sort of adequate action is necessary to bring to their notice that this will not be allowed to be a cause of an out-break of cholera in their colony which had up to that time practically escaped it, *vide* minute sheet No. 1f(Lab.)| 2 of the 28th February, 1935 ?

(j) Will Government be pleased to state whether the same Medical Officer gave a bad report on milk supply in his minute sheet No. 1f(Lab.)| 3 of the 7th September, 1934 ?

(k) Will Government be pleased to state if the same Medical Officer complained against vendors in his minute sheet No. 1f(Lab.)|2 of the 11th September, 1934 ?

(l) Will Government be pleased to lay on the table a copy of the complaints against the vendor of the said contractor, Ballavdas Issardas, by the crew staff, the Government Railway Police, Gaya, as contained in their diaries, D. S. Office and public ?

(m) Will Government be pleased to state what steps have been taken against the vendors and the contractor on account of such complaints ?

(n) Will Government be pleased to state what steps have been taken to redress the grievances and complaints regarding deterioration in quality, and enhancement of price, of food-stuff supplied by the present contractor, on the complaints by Mr. R. C. Pandit, General Manager, Bank of Behar ?

(o) Is it not a fact that four of the Indian Members out of the six of the Railway Advisory Committee were of the opinion that the present system of contract should be abolished and licence should be granted to different vendors under different contractors, as was the arrangement previously, and that the licence for refreshments for Hindus should be given to Hindus and for refreshments for Muslims to Muslims ?

(p) Is it not a fact that the Railway Advisory Committee recommended that one man should not be given the licence for several stations, or several articles ?

(q) Will Government be pleased to state why in spite of such complaints against Ballavdas and Issardas, the Railway authorities are allowing their contract to continue ?

**Mr. P. B. Rau :** (a) The Agent states that there were frequent complaints. Messrs. Ballavdas Issardas have, however, not been given the contracts for this section.

(b) Messrs. Dutta Brothers have been contractors for tea, etc., at Howrah station since July, 1917, and still hold the contract. The Administration have no information as regards the amount invested by the contractors in this business.

(c) and (d). The Agent states that there is no trace of any such petition.

(e) The prices were fixed by the Administration who do not consider that they were high, and are not able to trace any complaints.

(f) No.

(g) to (k). Yes.

(l) No complaints by the crew staff can be traced, but the Agent has sent me a copy of the correspondence with the Government Railway Police which I can show to the Honourable Member at any time convenient to him.

(m) No action was taken at the outset, as, in the opinion of the Agent, it was desirable to give the Area Contractors an opportunity to settle down to their work. It was also considered likely that most of the complaints were being engineered at the instance of those vendors who had been displaced. Government are informed, however, that when complaints were substantiated, punishments were inflicted.

(n) Two complaints were made by Mr. Pandit, and in both cases punishments were inflicted.

(o) to (q). I am placing on the table an extract from the minutes of the discussion on this subject which took place at a meeting of the Calcutta Advisory Committee on the 24th November, 1933, where it is stated that the meeting agreed generally with the proposed policy of the administration.

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*Single contract for refreshments and other articles at stations :*

Maulvi Abul Kasem had complained that the system of granting the monopoly on a division for the sale of refreshments and other articles at stations was unsatisfactory and furthermore, it was objectionable to give the Mohammedan Refreshment Rooms to a Hindu for management. It was explained to the meeting that it was proposed to continue to grant extended contracts but to a much more limited extent than has been done on the Howrah Division. It was proposed that the contract would be for all sales at a large station and would include an area of say 25 to 30 miles from this station, and stations would have separate Hindu and Mohammedan food vendors.

The Chairman further explained that the Administration was not in favour of throwing such contracts open to tender. It was, however, agreed that applications should be called for by the Divisional Superintendent so as to ensure that all suitable contractors were given the opportunity of being able to apply for such contracts. The meeting agreed generally with the proposed policy of the Administration.

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**Prof. N. G. Ranga :** When reviewing this whole question of the sale of food-stuffs, will Government consider the advisability of selling these food-stuffs through their own railway authorities ?

**Mr. P. E. Rau :** I do not think, Sir, that that is really a thing which will be financially in the interests of the railways.



## SUB-LETTING OF VENDING CONTRACTS ON THE EAST INDIAN RAILWAY.

58. \***Mr. Amarendra Nath Chattopadhyaya :** (a) Is it a fact that it is stated in the agreement of the vending contract for food and other stuff at Railway stations that the contractors cannot sublet their contracts ? If so, will Government be pleased to state if the following persons are sub-contractors at the stations standing against their names :

<i>Station.</i>	<i>Contractors.</i>
Moghalsarai	Mangal Chand, Hanuman, Mangroo, Mahadeo ;
Buxar	.. Thakon, Chauroo, Babuameah, Chakan ;
Behea ..	.. Dasrath ;
Arrah ..	.. Dhopuaran ;
Dinapore ..	.. Mangal, Bansi and others ;
Patna Junction	.. Dhoonmoon, Nathuni, Mangal, Yusuf, Habib Omar Meah ;
Kiul	.. Baijnath, Ghasita, Girdhari, Jugal, Faudar Rosan ;
Jhajha	.. Baijnath Shew ;
Jehanabad	.. Khedaran and others ;
Gaya	.. Lahori, Somaroo and others ;
Palmergunge	.. Bishnu ;
Rafigunge ..	.. Dewa ; and
Sasaram ..	.. Raghunandan ?

(b) Was Mr. Pandey's contract cancelled on the grounds of giving sub-contract at Kiul Junction in the Dinapore Division, East Indian Railway, on the report of Mr. Stoon, D. L., in 1930 ?

(c) Is it a fact that previously a contractor's term could be terminated at a month's notice, and that it requires six months' notice at present ? If so, will Government state the reasons for this privilege ?

(d) Is giving sub-contract a condition for the termination of contract ? If so, is it not necessary that the agreement of the contractor, who has given sub-contract, should be terminated without any notice ?

(e) Is it not a fact that sub-letting by the contractor Ballavdas Issardas, has been proved beyond any shadow of doubt ? If so, do Government propose to take immediate steps to terminate the contract of Ballavdas Issardas and revert to the former practice in the matter of giving out contracts ?

(f) Will Government be pleased to lay on the table the opinions and statements of the Agent of the East Indian Railway on the petitions made by the old contractors and on complaints made by the passengers and also by the public and the Medical Officers ?

(g) Will Government be pleased to state who was Mr. Marriot who made all these new arrangements for contracts ?

(h) Is it a fact that he is going to be the Divisional Superintendent at Allahabad and, simultaneously with his appointment at Allahabad, it is rumoured that the same policy of giving out contracts monopoly is in contemplation ? If so, do Government propose to take steps to stop such an evil process ?

**Mr. P. R. Rau :** (a) The reply to the first part is in the affirmative. As regards the second part, enquiries are being made.

(b) Yes, on the report of a Transportation Inspector in 1927.

(c) Yes, as it is considered desirable where considerable capital is involved and elaborate arrangements made at a large number of stations that the contractors should have reasonable notice to enable them to liquidate their stock-in-trade, fittings, etc.

(d) The reply to the first portion is in the affirmative. As regards the second, discretion vests in the Administration.

(e) The Administration state that they have no evidence to show that Messrs. Ballavdas Issardas have sub-let their contract. Prices are fixed in consultation with the local civil authorities. Government see no reason to interfere with the Administration's discretion in this matter.

(f) Government are not prepared to call for opinions or statements recorded on their office files by administrative officers on railways.

(g) and (h). Mr. Marriot was formerly Divisional Superintendent at Dinapore and is now Divisional Superintendent at Allahabad. Government have no knowledge of the rumour referred to.

**Prof. N. G. Ranga :** Have Government made experiments anywhere on their railways to ascertain whether it is not in the financial interests of the railways that a departmental supply of food-stuffs should be made ?

**Mr. P. R. Rau :** Sir, the business of the railways is transport, and not providing refreshments. (Laughter.)

**Prof. N. G. Ranga :** Sir, is it not part of that transport business that a supply of food-stuffs also should be made ?

**Mr. President** (The Honourable Sir Abdur Rahim) : Order, order. The Honourable Member cannot discuss the details of the railway administration.

#### SETTING UP OF COMMITTEES TO WATCH THE FLUCTUATIONS IN THE PRICES OF ARTICLES OF FOOD AND PURITY OF THEM ON RAILWAY STATIONS.

59. **\*Mr. Amarendra Nath Chattopadhyaya :** Are Government prepared to set up different committees of five or seven members consisting of local public and the Railway Station Masters, Superintendents and Medical Advisers, at all big stations to constantly watch the fluctuations in the prices of the articles and purity thereof, and see that the individual contractors do not create difficulties in the supply of food, drink and other articles to the passengers ?

**Mr. P. R. Rau :** The suggestion is under consideration.

FACILITIES GIVEN TO THE NEW VENDING CONTRACTORS AT RAILWAY STATIONS  
ON THE EAST INDIAN RAILWAY.

60. \*Mr. Amarendra Nath Chattopadhyaya : (a) Is it a fact that new vending contractors at railway stations on the East Indian Railway are given passes of all classes, while old contractors were never allowed any such concession ? If so, why ?

(b) What is the amount the new contractors pay to the Railway on account of the contract ? Is it higher than the old rate ?

(c) Is it a fact that the new contractors have not got to pay any freight on their luggage of food-stuffs carried from station to station ? If so, why ?

(d) Will Government be pleased to state the difference in incomes derived under the new system of contracts and the old system ?

(e) Is it a fact that the new contract agreement has expired on the 31st March, 1935 ? Do Government propose to discontinue it ? If not, are Government prepared to terminate the contract by a month's notice and invite fresh tenders of the old contractors and start again the old system ?

Mr. P. R. Rau : (a) The Agent explains that Area Contractors are given passes, as they have to supervise catering arrangements at a number of stations within the areas allotted to them.

(b) Government are informed that no licence fee is paid, but if hawkers are employed hawking fees, which vary at different places, are paid.

(c) A certain number of passes are allowed for the carriage of *bona fide* provisions within a specified weight limit. I am obtaining from the Agent, East Indian Railway, particulars of what these limits are, and am enquiring why it has been considered desirable to issue such passes.

(d) The information is being obtained.

(e) Contracts were entered into on different dates for a period of one year, and automatically continue thereafter subject to six months notice of termination. The Agent, East Indian Railway, states that the present arrangement has not been a failure and he does not propose to alter it at present.

TRANSFER OF OFFICES OF THE DIRECTOR OF WAGONS INTERCHANGE AND THE  
INDIAN RAILWAYS CONFERENCE ASSOCIATION TO DELHI.

61. \*Mr. Amarendra Nath Chattopadhyaya : (a) Is it not a fact that the office of the Director of Wagons Interchange was located at Allahabad, as it was considered to be a central place and close to the colliery areas, apart from the consideration that the office of the Indian Railways Conference Association was already there ?

(b) Is it not the fact that the Agent, Bengal Nagpur Railway, as well as certain Mining Associations of Bengal, put in a vehement protest against the move of the Indian Railways Conference Association office from Allahabad to Delhi, on the ground that they will be adversely affected by this move, and the Railway Board also discouraged the move

for the reason that, Delhi, being a thickly populated and expensive place, the staff will badly suffer for want of housing accommodation ?

(c) Is it a fact that the United Provinces Secretariat is to be transferred from Allahabad to Lucknow shortly ? If so, will there be accommodation available at Allahabad for Indian Railways Conference Association in the Secretariat building ? If so, will Government please state whether they have considered the question that the Indian Railways Conference Association office may be sent back to Allahabad, instead of erecting a new building for the office and quarters for the staff in Delhi, and thus effecting a great saving ?

**Mr. P. R. Rau :** (a) When the office was originally created, it was decided, on the recommendation of the Indian Railway Conference Association that the headquarters should be at the headquarters of the Association.

(b) The Agent, Bengal Nagpur Railway, and the Bengal Chamber of Commerce advocated the transfer of the office of the Director of Wagon Interchange to Calcutta. They opposed the transfer of the office to Delhi, but not for the reasons suggested.

(c) The question of the location of the headquarters of the Association is one for the Association itself to decide, and Government see no reason to interfere. The fact that there may be accommodation available at Allahabad cannot be the sole consideration.

#### PAY OF THE STAFF IN THE OFFICE OF THE INDIAN RAILWAYS CONFERENCE ASSOCIATION.

62. \***Mr. Amarendra Nath Chattopadhyaya :** Is it a fact that in the office of the Indian Railways Conference Association, Delhi, there is one subordinate who is getting Rs. 600 and that nearly 70 per cent. of the staff get a meagre salary of Rs. 60 each ?

**Mr. P. R. Rau :** Government are informed that the Office Superintendent is in receipt of a salary of Rs. 600 per mensem.

Fifty-eight per cent. of the staff are in the grade of Rs. 39—3—60 and 25 per cent. are in the grade of Rs. 65—5—100.

#### PAY OF THE STAFF IN THE OFFICE OF THE INDIAN RAILWAYS CONFERENCE ASSOCIATION.

63. \***Mr. Amarendra Nath Chattopadhyaya :** (a) Is it a fact that in the office of the Indian Railways Conference Association, Delhi, clerks with ten to twelve years' service at their credit are getting only Rs. 60 and have been blocked at the same pay for several years ?

(b) Is it also a fact that there actually exist vacancies in the upper grades of that office ? If so, what is the reason for the blockade mentioned in part (a) above ?

**Mr. P. R. Rau :** (a) Yes. This is inevitable as in a small office chances for promotion do not occur often.

(b) Government are informed that the clerks in the grade Rs. 39—3—60 are doing work for which the maximum pay is Rs. 60 per mensem and that the vacancies in the Rs. 65—5—100 grade cannot be

filled until the work of the office justifies the filling of the more responsible posts.

**Mr. V. V. Giri :** Sir, would Government recommend special allowances being granted for those who are blocked in the grades ?

**Mr. P. R. Rau :** Government do not consider that this is a time for the grant of special allowances.

**PERSONAL ALLOWANCE GIVEN TO THE OFFICERS OF THE OFFICE OF THE INDIAN RAILWAYS CONFERENCE ASSOCIATION.**

64. **\*Mr. Amarendra Nath Chattopadhyaya :** Will Government please state why officers of the office of the Indian Railways Conference Association are paid house allowance, in the shape of personal allowance, and why poor clerks are not paid the allowance ?

**Mr. P. R. Rau :** The officers have been given an allowance to compensate them for the higher rents for accommodation prevailing at Delhi. Their pay was not revised when the office was moved to Delhi. Government understand that no allowance is granted to clerks because of the fact that prior to and in view of the proposed transfer of the Headquarters of the Association from Allahabad to Delhi, the scales of pay of the subordinate staff were revised and a considerable increase was made in the maximum rates of pay, particularly in the lower grades. Clerks belonging to the local railway offices draw no house allowance.

**STAFF OF THE OFFICE OF THE INDIAN RAILWAYS CONFERENCE ASSOCIATION, DELHI.**

65. **\*Mr. Amarendra Nath Chattopadhyaya :** Will Government be pleased to lay on the table a list of subordinate staff of the headquarters office of the Indian Railways Conference Association at Delhi showing their grades, present pay and date of appointment ?

**Mr. P. R. Rau :** A copy of the seniority list of the staff has been kept in the Library of the House.

**STAFF OF THE OFFICE OF THE INDIAN RAILWAYS CONFERENCE ASSOCIATION, DELHI.**

66. **\*Mr. Amarendra Nath Chattopadhyaya :** Will Government be pleased to lay on the table a list, certified by the District Medical Officer, North Western Railway, Delhi, of the staff of the office of the Indian Railways Conference Association, Delhi, who have been suffering from malaria and other epidemic diseases ever since their transfer to Delhi ?

**Mr. P. R. Rau :** No, Sir, Government do not consider that such statistics are worth the labour and expense involved in collecting and publishing them in the debates of this House.

**TRANSFER OF THE OFFICE OF THE INDIAN RAILWAYS CONFERENCE ASSOCIATION TO DELHI.**

67. **\*Mr. Amarendra Nath Chattopadhyaya :** Will Government be pleased to state why the Indian Railways Conference Association was

moved from Allahabad to Delhi, and in what respect the Association has benefited since its transfer to Delhi ?

**Mr. P. R. Rau :** The office of the Association was moved for administrative convenience. Agents of Railways have frequently to visit Delhi, as the headquarters of Government and the Railway Board, and consequently the General Secretary of the Association, if located at Delhi, is able to keep in closer personal touch with the railways. Considerable saving of expenditure was also anticipated by having the Director of Wagon Interchange in close touch with the Clearing Accounts Office.

**GRIEVANCES OF THE STAFF OF THE INDIAN RAILWAYS CONFERENCE ASSOCIATION, DELHI.**

68. **\*Mr. Amarendra Nath Chattopadhyaya :** Is it a fact that out of 32 per cent. of the staff of the Indian Railways Conference Association, Delhi, occupying Government quarters, the majority is paying scheduled rent which almost comes to 20 per cent. of their salaries ? If so, will the Member in charge of Railways be pleased to state if any grievance in any shape from any of the staff had been put in ? If so, was any action taken to redress the grievance ?

**Mr. P. R. Rau :** Government are informed that 32 per cent. of the staff of the Indian Railways Conference Association are occupying Government quarters and are paying under ordinary rules the scheduled rent which ranges from 1.8 to 12.5 per cent. of their salaries. Representations have been made that the rent chargeable should be limited to 10 per cent. of pay as for Government servants but this recommendation was not accepted as the staff are not Government servants.

**NON-GRANT OF TRANSFER CONCESSIONS TO THE STAFF OF THE INDIAN RAILWAYS CONFERENCE ASSOCIATION.**

69. **\*Mr. Amarendra Nath Chattopadhyaya :** Is it a fact that the staff of the Railway Clearing Accounts Office were granted two advance increments, *plus* two months' salary as bonus (i.e., establishment breaking charges) and also expenses for shifting their luggage and family on their transfer from Lahore to Delhi ? If so, why were the same privileges not given to the staff of the Indian Railways Conference Association, in spite of their repeated request for the same, in view of change of province and increased expenses caused by their transfer ?

**Mr. P. R. Rau :** The reply to the first part of the question is in the negative. An advance of two months pay and travelling allowance were granted to the staff of the Railway Clearing Accounts Office. A personal pay of ten per cent. to be absorbed in future increments was also allowed to those who elected the Clearing Accounts Office scales of pay. Government understand that the staff of the Indian Railways Conference Association were also granted an advance of two months pay generally, and four months pay in special cases. They were granted, in addition, the usual travelling concessions.

**NON-REVISION OF THE PAY OF THE INDIAN RAILWAYS CONFERENCE ASSOCIATION STAFF.**

70. **\*Mr. Amarendra Nath Chattopadhyaya :** Is it a fact that the grades of subordinate staff of Railway Clearing Accounts Office and

Divisional Superintendents' Office, Delhi, have recently been revised and raised from Rs. 60 to Rs. 90 with effect from 1st January, 1935, but nothing has been done in the case of the Indian Railways Conference Association staff ?

**Mr. P. R. Rau :** The Railway Clearing Accounts Office, classes III and II of clerks on scales Rs. 40—4—80 and Rs. 60—5—90, respectively, were amalgamated into a single class on a scale of Rs. 40—4—80—5—90 with an Efficiency Bar at Rs. 80. I am not aware of any recent change in scales of pay in the office of the Divisional Superintendent.

#### GRANT OF CERTAIN FACILITIES TO THE INDIAN RAILWAYS CONFERENCE ASSOCIATION STAFF.

71. **\*Mr. Amarendra Nath Chattopadhyaya :** Is it a fact that the majority of the staff of the Indian Railways Conference Association have to take loan after loan to meet their hardships caused by the move of this office, as well as due to the emergency cut being enforced soon after their transfer to Delhi ? If so, are Government prepared to waive the recovery of the money advanced to them under "relaxed rules", which they had to borrow during their hardships and emergency cut period, and compensate those who had not taken a loan to that extent in order to reduce their losses to a certain extent ? If not, why not ?

**Mr. P. R. Rau :** Government understand that loans from balances at their credit in the Provident Fund have been granted from time to time. Waiving recovery of these amounts will not help the staff in any way, the amounts recovered are credited to their accounts.

#### SALARIES OF THE INDIAN RAILWAYS CONFERENCE ASSOCIATION STAFF.

72. **\*Mr. Amarendra Nath Chattopadhyaya :** (a) Is it a fact that prior to the move of the Indian Railways Conference Association from Allahabad to Delhi the majority of the staff were getting a poor salary, Rs. 52 being the maximum, and it was raised to Rs. 60 by annual increments of Rs. 2 to 3 in view of this move ?

(b) Is it a fact that lacs of rupees are sanctioned every year for the establishment expenditure of the Indian Railways Conference Association, but only a meagre portion of the amount goes towards the salaries of the poor clerks, and the rest goes towards the salaries and travelling allowance of the officers ?

**Mr. P. R. Rau :** (a) I would invite the Honourable Member's attention to the reply which I gave to part (g) of question No. 48. Government are informed that prior to the move of the Indian Railways Conference Association from Allahabad to Delhi there were five grades in the lowest cadre of the three branches of the Association's office as under :

Rs. 44—4—52.

35—4—55.

42—4—50.

34—3—40—4—44.

30—4—38

and these were amalgamated into one grade, viz., 39—3—60.

(b) The total expenditure in 1934-35 on establishments was about Rs. 3,68,000 of which about Rs. 1,02,000 was on officers.

**Seth Govind Das :** Do Government publish the detailed accounts of this Department every year ?

**Mr. P. R. Rau :** Government do not publish the detailed account, because it is not a Government Department.

#### APPLICATION OF FUNDAMENTAL RULES TO THE INDIAN RAILWAYS CONFERENCE ASSOCIATION STAFF.

73. **\*Mr. Amarendra Nath Chattopadhyaya :** Is it a fact that Fundamental Rules are not applied to the staff of the Indian Railways Conference Association, Delhi, where it is considered that their application would be beneficial to them, i.e., in the matter of officiating allowance, etc. ?

**Mr. P. R. Rau :** As I have explained to an earlier question, the Fundamental Rules are not applicable as the staff of the Association are not Government servants.

#### APPLICATION OF FUNDAMENTAL RULES TO THE INDIAN RAILWAYS CONFERENCE ASSOCIATION STAFF.

74. **\*Mr. Amarendra Nath Chattopadhyaya :** Is it a fact that the office of the Indian Railways Conference Association is not considered to be a Government Department ? If so, why were the staff subjected to emergency cut and why were the Fundamental Rules applied in the matter of travelling allowance, etc. ?

**Mr. P. R. Rau :** I have already explained that the emergency cut in pay was made applicable to the staff of the Association in the same way as to railway employees generally. It is open to the Association to adopt rules on the same lines as Government rules.

**Mr. V. V. Giri :** Will Government recommend to the Association to restore the wage cut ?

**Mr. P. R. Rau :** It has been restored.

**Mr. N. M. Joshi :** In view of the fact that most of the money required for this Conference comes from, what I may call, State Railways, why should not Government treat this body as a Government body ? May I know what are the reasons for treating this body as a private body ?

**Mr. P. R. Rau :** It is not a Government body, because quite a number of the members of the Association belong to private railways with which Government have no concern. Secondly, my Honourable friend must be aware that even the State-owned but Company-managed Railways have got their own rules with regard to leave and travelling allowances and Government do not interfere with them.

**Mr. N. M. Joshi :** Is it not a fact that the Government of India have got some control over the servants even of the State Railways which are managed by Companies ?

**Mr. P. R. Rau :** Government determine the maxima.



## EXTRA-DEPARTMENTAL POSTAL OFFICIALS.

75. \***Mr. Amarendra Nath Chattopadhyaya** : With reference to paragraph 34 of the Annual Report of the Indian Posts and Telegraphs Department, will Government be pleased to state how many of the 241 postal officials were extra-departmental ?

**The Honourable Mr. D. G. Mitchell** : I presume that the Honourable Member is referring to the Annual Report for the year 1933-34. Of the 241 postal officials involved, 84 were extra-departmental agents.

## SAVINGS BANK ACCOUNTS AND GOVERNMENT SECURITIES HELD IN CUSTODY OF THE ACCOUNTANT GENERAL, POSTS AND TELEGRAPHS.

76. \***Mr. Amarendra Nath Chattopadhyaya** : (a) Will Government be pleased to lay on the table a statement showing, (i) the number of active Savings Bank Accounts as stood on the 31st March, 1931 and on the 31st March, 1934, (ii) the value of Government securities held in custody of the Accountant General, Posts and Telegraphs, on behalf of the depositors on the 31st March, 1931, and on the 31st March, 1934, and (iii) the percentage of increase between the figures for the years 1930-31 and 1933-34 ?

(b) What amount was credited to the postal side as cost of maintenance of the Savings Banks and Government security work in the years 1930-31 and 1933-34, separately ?

(c) On what calculation have these figures been based ?

**The Honourable Mr. D. G. Mitchell** : (a) A statement giving the information required by the Honourable Member is laid on the table.

(b) The credits afforded to the Posts and Telegraphs Department on account of the cost of management of Post Office Savings Bank and Government security work in 1930-31 and 1933-34 were Rs. 40,61,165 and Rs. 53,72,536, respectively.

(c) The attention of the Honourable Member is drawn to the reply given to part (a) of starred question No. 776 put by Mr. S. C. Mitra in the Legislative Assembly on the 20th March, 1933.

*Statement.*

		No. of Active savings Bank accounts.	Value of Government Securities held in custody of Accountant General, Posts and Telegraphs, on behalf of Savings Bank Depositors.
			Rs.
On the 31st March, 1931	..	2,478,000	5,78,43,000
On the 31st March, 1934	.. ..	3,089,000	13,39,88,000
Percentage of increase	.. ..	24.66	131.64

**INADEQUACY OF SELECTION GRADE POSTS IN THE CALCUTTA GENERAL POST OFFICE.**

77. \***Mr. Amarendra Nath Chattopadhyaya** : (a) Is it a fact that on the 10th March, 1934, the late Director General of Posts and Telegraphs gave an assurance that he would consider the question of inadequacy of selection grade posts at Calcutta ?

(b) Will Government be pleased to state whether they have considered the question ? If so, have they since arrived at any decision ?

(c) Is it a fact that in the Report on Time Test, Mr. G. V. Bewoor, C.I.E., I.C.S., the present Director General, Posts and Telegraphs, mentioned that 13 Supervisors were justified for the Money Order Department and six Supervisors for the Savings Bank Department of the Calcutta General Post Office ?

(d) Is it a fact that since then the number of clerks in those two departments has increased, but the number of Supervisors has not been increased, as mentioned in part (c) ?

(e) Are Government prepared to consider the question of increasing the number of selection grade posts in these two departments ?

**The Honourable Mr. D. G. Mitchell** : (a) The fact is not exactly as stated by the Honourable Member. The statement made by the late Director General was as follows : " The principal point made by my Honourable friend, Mr. Mitra, regarding the disparity between Bombay and Calcutta (with regard to selection grade posts) is being examined although I do not necessarily admit that there must be an equality ".

(b) The question has been examined and some additional supervisory posts have already been sanctioned in Calcutta. Further examination of the question is still going on, and the Postmaster General, Bombay, has been asked to justify the number of selection grade posts in Bombay.

(c) Yes, on the basis of the statistics of work then performed in those departments.

(d) The number of clerks in the money order department has increased from 61 to 69 and in the savings bank department from 23 to 34. The supervisory staff in the savings bank department has been increased by two supervisors and it has been decided to increase the strength of the supervisory staff in the money order department by the creation of two supervisors' posts.

(e) In view of the reply given to part (d), Government do not consider that there is at present any necessity for increasing the number of selection grade posts in the two departments.

**SELECTION GRADE POSTS IN CERTAIN POSTAL CIRCLES.**

78. \***Mr. Amarendra Nath Chattopadhyaya** : (a) Will Government be pleased to lay on the table a statement giving the following information :

- (i) the number of selection grade posts of officials in the grade of Rs. 250—350 in Bombay, Bombay Circle (excluding Bombay), Calcutta, and Bengal and Assam Circle (excluding Calcutta), separately ;

(ii) the number of selection grade posts in the grade of Rs. 160—250 (including Inspectors of Post Offices) in Bombay, Bombay Circle (excluding Bombay), Calcutta, and Bengal and Assam Circle (excluding Calcutta), separately ; and

(iii) the number of upper division time scale clerks in Bombay, Bombay Circle (excluding Bombay), Calcutta, and Bengal and Assam Circle (excluding Calcutta) ?

(b) Is it a fact that for the purpose of promotion in the grade of Rs. 250—350, all officials in the grade of Rs. 160—250 (including the Inspectors) are treated as one unit ?

(c) Is it a fact that the Inspectors who are promoted to the grade of Rs. 160—250 after completing eight to ten years of service, are always at an advantage ?

(d) Is it a fact that in Calcutta and Bombay most of the vacancies in the grade of Rs. 250—350 have been filled up by the officials working outside those cities ?

(e) If the answer to part (d) be in the negative, will Government be pleased to lay on the table a statement showing the number of officials promoted to the grade of Rs. 250 to 350, either as officiating or as permanent, in the years 1933-34 and up to 28th February, 1935, in the year 1934-35, in Bombay and Calcutta, separately, as well as the position they held before their promotion in the grade ?

(f) Are Government aware of the fact that the officials working in Calcutta have got practically no chance to get promotion to the grade of Rs. 250—350, even in Calcutta ?

(g) If the answer to part (f) be in the negative, will Government be pleased to state how many officials in the grade of Rs. 160—250 working in Calcutta and *muffasil* are likely to get promotion to the grade of Rs. 250—350 during the next two years ?

(h) Is it a fact that about a year ago, officials of the Bombay General Post Office submitted a representation to the Director General, requesting him to treat Bombay as a self-contained unit for the purpose of promotion in the grade of Rs. 250—350 ?

(i) If the reply to part (h) be in the affirmative, will Government be pleased to state whether they have since arrived at any decision ?

(j) Are Government prepared to consider the hardships of the officials working in Bombay and Calcutta in this respect ?

(k) If not, will Government be pleased to state why a section of employees should get advantage over others in the matter of promotion ?

**The Honourable Mr. D. G. Mitchell :** (a) A statement is laid on the table.

(b) and (c). Yes.

(d) Recently this has been so.

(e) Does not arise.

(f) The facts are not as stated by the Honourable Member.

(g) Government are unable to give any estimate, as promotions must depend on the number of vacancies that may occur.

(h) Yes.

(i) The representations were rejected by the Director General in June, 1934.

(j) and (k). Promotions to the grade of Rs. 250—350 are made by selection from the combined list of senior officials in the grade of Rs. 160—250 whether working in a Presidency town or in the mofussil, and Government do not admit that the officials in Calcutta and Bombay have been put to any hardship.

*Statement.*

	Number of posts in the grade of Rs. 250—350.
(a) (i) Bombay .. .. .	9
Bombay Circle (excluding Bombay)	11
Calcutta .. .. .	16
Bengal and Assam Circle (excluding Calcutta) ...	14
	Number of posts in the grade of Rs. 160—250 (including Inspectors of post offices).
(ii) Bombay .. .. .	63
Bombay Circle (excluding Bombay) .. ..	120
Calcutta .. .. .	70
Bengal and Assam Circle (excluding Calcutta) ..	149
	Number of upper division time-scale clerks.
(iii) Bombay .. .. .	866
Bombay Circle (excluding Bombay) .. ..	1,728
Calcutta .. .. .	1,385
Bengal and Assam Circle (excluding Calcutta) ..	2,584

**SUPERVISORS AND CLERKS IN THE AMHERST STREET POST OFFICE, CALCUTTA.**

79. \***Mr. Amarendra Nath Chattopadhyaya** : (a) Will Government be pleased to lay on the table a statement showing the number of (i) supervisors and (ii) clerks, working in the Amherst Street Post Office, Calcutta ?

(b) Is it a fact that there is no other supervisor, except the Deputy Sub-Postmaster, who is required to look into the working of all branches of the office ?

(c) Is it a fact that according to the standard laid down by Government, one additional supervisor is justified to look into the working of the Registration, Parcel, and Sorting Branches of the office ?

(d) If the reply to part (b) be in the negative, will Government be pleased to state who is required to supervise the work of those branches ?

**The Honourable Mr. D. G. Mitchell** : (a) (i) and (ii). There are two whole time supervisors, viz., the sub-postmaster and the deputy sub-

postmaster and one part time supervisor, viz., the head clerk. The number of clerks excluding the head clerk is 22.

(b) and (c). No.

(d) The deputy sub-postmaster and the head clerk of the office.

#### EXPORT DUTY ON RAW JUTE.

80. \*Mr. Amarendra Nath Chattopadhyaya : (a) Has Government's attention been drawn to the fact that the export duty on raw jute and manufactures, since the depression of the jute trade commenced in 1930, has been very high according to the calculation of Mr. N. C. Choudhury, late of Provincial Agricultural Services of Bengal and Bihar and Orissa, in his well-known work "Jute and Substitutes" ?

(b) Is it a fact that the export duty on raw jute is about three annas per rupee, and one and a half annas on hessian, equivalent to twenty per cent. on raw jute and ten per cent. on hessian ?

(c) Is it not a fact that prior to 1930, the duty was about one anna per rupee on raw jute and nine pies on hessian when the prices of raw jute and manufactures were much higher ?

(d) Are Government prepared to reduce the duty to about five per cent. of the value of the exports of both raw jute and manufactures, in order to relieve both the *raiya*s and the manufacturers ?

(e) Will Government be pleased to state if the rates of railway freight on raw jute for carrying it from districts to Calcutta are different on different Railways, Bengal-Nagpur Railway and East Indian Railway charging 0.1 pie per maund per mile, in wagon loads, while the Eastern Bengal Railway charges at 0.42 pie per maund per mile, usually, although the Eastern Bengal Railway carries the largest quantity of jute to the extent of 90 per cent. ?

(f) Do Government propose to spend a considerable portion of the duty on jute for direct benefit of the cultivators of Bengal, e.g., on improvements of traffic and opening of *golas* or marts at different centres for selling jute and other commercial crops ?

(g) Is it a fact that the I. G. S. N. and R. S. N. Companies charge steamer freights for carrying jute to Calcutta from different places at the same rate of Rs. 1-14-10 per bale of 3½ maunds each, coming to about Rs. 15 per ton, distance from Serajganj to Calcutta being 544 miles, from Narainganj 492 miles, from Chandpur 455 miles, and from Madaripur 415 miles ?

(h) Do Government propose inducing the Railways and the Steamer Companies concerned to reduce the fares on this most important commercial crop of the Bengal Province ?

(i) Are Government prepared to appoint a committee to suggest improvements in the dying country boat traffic system (*vide* page 145, "Jute and Substitutes") ?

The Honourable Sir Muhammad Zafrullah Khan : (a) Government have seen the reference quoted by the Honourable Member.

(b) and (c). The export duties on raw jute and hessians are specific duties based on weight and the *ad valorem* incidence of the duties has naturally varied with changes in prices.

(d) No. The financial position does not permit of the duty being reduced at this stage.

(e) The rate for wagon loads over the Bengal Nagpur Railway is 0.42 pie per maund per mile for jute, pressed, and 0.62 pie per maund per mile for jute, unpressed ; whereas on the East Indian Railway the scale is on a telescopic basis as follows :

<i>Miles.</i>	<i>Pie per maund per mile.</i>
First 100	.. 0.38
+ 101 — 300 ..	.. 0.22
+ 301 — 600	0.13
Over 600 .. ..	0.11

On the Eastern Bengal Railway the maximum rate permissible is 0.83 pie per maund per mile but a large number of special rates are quoted for traffic to Calcutta on a lower basis than the maximum permissible.

(f) Half the export duty on jute is handed over to the jute growing provinces and it is for them to consider the point.

(g) No.

(h) No.

(i) Honourable Member will appreciate that if there is a reduction in the steamer fares, as suggested by him, it is likely to press hardly on the country boats themselves. No Committee has been suggested at page 145 of the publication referred to by him and in any case Government do not propose to appoint any Committee.

#### WILLINGDON BRIDGE OF THE CALCUTTA CHORD RAILWAY.

81. \*Mr. Amarendra Nath Chattopadhyaya : Will Government please state the amount of tolls collected for the year 1934, over the road traffic on the Willingdon Bridge of the Calcutta Chord Railway and the number of vehicles and pedestrians which passed over this bridge ?

Mr. P. R. Rau : I am endeavouring to ascertain if the information is readily available ; if it is, I shall place it on the table of the House on receipt.

#### OPENING OF THE CALCUTTA CHORD RAILWAY FOR REGULAR TRAIN TRAFFIC.

82. \*Mr. Amarendra Nath Chattopadhyaya : (a) Will Government please state when the Calcutta Chord Railway will be opened for the regular train traffic, both for passenger and goods ?

(b) What is the cause of this unusual delay when the bridge over the river Hooghly and the line have long been completed ?

(c) Are Government aware that this delay has caused heavy loss, as there is no return yet on the huge capital outlay on the project ?

(d) Is the line open to goods traffic ? If so, is it a regular traffic, or only a few trains pass as a trial ?

(e) Are goods booked from stations on the Burdwan-Howrah Chord section of the East Indian Railway for Calcutta stations on the Eastern Bengal Railway, sent through this Calcutta Chord route, or are they still sent by the roundabout route, *e.g.*, *via* Burdwan, Bandel and Naihati ?

(f) How is it that goods booked from these stations take more than two to three weeks to reach Calcutta stations, though the distance is less than 50 miles ?

(g) Do Government propose to enquire into the matter and ask the Railways concerned to expedite that traffic ?

**Mr. P. R. Rau :** (a) and (b). The Calcutta Chord Railway was opened to goods traffic on the 1st February, 1932 ; but as the passenger traffic existing at present can be handled without passing over the Chord line there is no intention at present of opening the line to passenger traffic.

(c) No.

(d) Yes : the average number of trains run daily in each direction is nine during the busy season and six during the slack season.

(e) This traffic is sent *via* Howrah, Bandel and Naihati, as this routing is found to be more economical, the traffic being comparatively small. To arrange for its carriage over the Calcutta Chord Railway would necessitate interfering with the loads of through trains running from or to Burdwan over the Calcutta Chord Railway.

(f) The East Indian Railway Administration deny the allegation that goods take so long a time in transit.

(g) Does not arise.

#### ABSENCE OF OVERBRIDGES AND RAISED PLATFORMS ON THE BURDWAN-HOWRAH SECTION OF THE EAST INDIAN RAILWAY.

83. **\*Mr. Amarendra Nath Chattopadhyaya :** (a) Are Government aware of the dangerous conditions of the stations on the Burdwan-Howrah section of the East Indian Railway, as there are no raised platforms and over-bridges in these sections ?

(b) Is it not a fact that every year several accidents take place on this section of the line for the absence of these over-bridges and raised platforms ?

(c) Is it not a fact that most of these stations are entitled to have these necessities in consideration of the passenger as well as goods traffic they have ?

(d) Do Government propose to take up these works ?

**Mr. P. R. Rau :** (a) Government do not consider that the absence of a high level platform can be described as  
12 Noon. resulting in the stations being in a dangerous

condition.

(b) No.

(c) Not in preference to other stations. The volume of passengers dealt with at a station is always taken into account in considering where such facilities should first be provided.

(d) There is already a raised platform and over-bridge at Dankuni and the East Indian Railway are providing platforms at Begumpur and Kamarkundu and over-bridges at Chandanpur and Jaugram this year.

# SHORT NOTICE QUESTIONS AND ANSWERS.

## ITALO-ABYSSINIAN DISPUTE.

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

- (a) whether they are being kept informed from time to time, as the British Dominions are, about the developments in the Italo-Abyssinian dispute, and the attitude of Great Britain towards the same ;
- (b) whether the despatch of Indian troops to Ethiopia was on the initiative of the Government of India, or under orders from the British Government, or on their suggestion ;
- (c) what the cost of sending these Indian troops is, and who is bearing the same ;
- (d) what are the purposes for which the Indian soldiers are being sent, and for what period ; and
- (e) whether Government will be consulted before Britain takes any decisive step in this matter ?

**Mr. J. G. Acheson :** (a) Yes.

(b) The initiative in the discussions regarding the protection of Indians in Abyssinia, the outcome of which was to strengthen the Legation Guard at Addis Ababa, was naturally taken by the Government of India. There is of course no question of the detachment being sent under orders from His Majesty's Government.

(c) The cost of the voyage from India to Jibuti in French Somaliland will be about Rs. 20,000 and the pay and allowances of the troops approximately Rs. 13,000 a month. I regret that it is not possible at such short notice to give details of further incidental expenditure. His Majesty's Government have agreed to pay the entire cost.

(d) As stated in the communiqué issued by the Government of India on the 22nd August, the object of the sending of this detachment is to facilitate the protection of British and Indian subjects of His Majesty in Abyssinia in the event of an emergency. The reinforcement will remain as long as is necessitated by the situation.

(e) Government of India will naturally be consulted regarding any further measures affecting the safety of British Indian subjects in Abyssinia, a matter which is engaging their close and constant attention.

**Mr. Satyamurti :** With reference to part (a), may I know what is the latest information in the possession of the Government of India, as regards the stage of the dispute and the attitude of Great Britain ?

**Mr. J. G. Acheson :** I think this supplementary question substantially repeats the portion of the original question which has already been disallowed by the Honourable the President, if I remember correctly.



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

**Mr. S. Satyamurti** : I understood the Honourable Member to say "yes" in reply to part (a) of my question. My supplementary question is, if the Government of India are being kept informed, from time to time, as the British Dominions are, about the developments in the Italo-Abyssinian dispute and the attitude of Great Britain towards the same, what is the latest information in the possession of the Government on this matter, if they are being consulted ?

**Mr. President** (The Honourable Sir Abdur Rahim) : Do Government choose to answer this supplementary question ?

**Mr. J. G. Acheson** : I think perhaps the Honourable the President has not heard my objection. My objection was that this supplementary question of the Honourable Member substantially repeats the portion of the original question to which I took objection on the ground that it affected the relations between His Majesty's Government and a Foreign State, and that objection was upheld by the Honourable the President.

**Mr. President** (The Honourable Sir Abdur Rahim) : Does the Chair take it that the Honourable Member does not wish to answer the supplementary question because it affects foreign relations ?

**Mr. J. G. Acheson** : Yes, Sir.

**Mr. S. Satyamurti** : With regard to the reply to part (b), do I understand the Honourable Member to say—I am sorry I did not hear him quite plainly—that the entire action was taken on the sole responsibility of the Government of India and not under the orders of the Government of Great Britain ?

**Mr. J. G. Acheson** : I think I had better repeat the answer I gave to part (b). I said :

"The initiative in the discussions regarding the protection of Indians in Abyssinia, the outcome of which was to strengthen the Legation Guard at Addis Ababa was naturally taken by the Government of India. There is of course no question of the detachment being sent under orders from His Majesty's Government."

**Mr. S. Satyamurti** : With regard to part (d), may I know if the Government of India do not consider the possibility of acts of hostility being precipitated, by the presence of these troops when they are sent there ?

**An Honourable Member** : By whom ?

**Mr. S. Satyamurti** : Either by Italy or by Abyssinia ?

**Mr. J. G. Acheson** : We do not consider there is any such possibility.

**Mr. S. Satyamurti** : Are not Government aware that certain Indians have already been arrested by the Italian Government in Eritrea ?

**Mr. J. G. Acheson** : I have seen notices in the Press to that effect, but there is no official confirmation.

**Mr. M. Ananthasayanam Ayyangar** : How many Indians are there in Addis Ababa for whose protection these troops are sent ?

**Mr. J. G. Acheson** : Approximately one thousand.

**Mr. M. Ananthasayanam Ayyangar :** Is it consistent with their protection to send so many troops ?

**Mr. J. G. Acheson :** I thought the Honourable Member wanted to know how many Indian subjects there are in Abyssinia. The answer to that is one thousand.

**Mr. S. Satyamurti :** May I know if, apart from the safety of Indians involved for which these troops have been sent, this Government will be consulted by Great Britain if she decides to declare War ?

**Mr. J. G. Acheson :** I object to this supplementary question on the same ground on which I objected to his previous question.

**Mr. M. Ananthasayanam Ayyangar :** What is the number of Britishers there for whose safety the regiment is sent from here ?

**Mr. J. G. Acheson :** The number of Britishers is approximately about 1,600 out of whom one thousand are Indians.

#### POSITION ON THE NORTH-WEST FRONTIER.

**Mr. S. Satyamurti :** (a) Will Government be pleased to state the latest position on the North-West Frontier ?

(b) How long this year have British and Indian troops been engaged in what may be termed guerilla warfare with the Frontier tribes ?

(c) What has been the cost on the whole, in money and in men ?

(d) What are the reasons why this miniature warfare is going on ?

(e) What is the policy of Government towards the frontier tribes.

**Mr. J. G. Acheson :** (a) The position is that a *lashkar* of Mohmands, which had attacked the Peshawar District and the Gandab Road, has been repelled from administered territory and the neighbourhood of the road by combined land and air operations. A column of troops has advanced into the Gandab valley and has effected repairs to the road which had been damaged by the tribesmen. Tribal *lashkars*, though repelled from the neighbourhood of the border, are still in being and have as yet shown no disposition to come in for settlement.

On another part of the Frontier on the border of the Hazara District there has been an incursion by armed tribesmen who have attacked and murdered villagers in the administered territory. Troops have been moved up from Abbottabad, and repelled the attack.

(b) In the earlier part of this year operations took place in the Agra salient for a period of two months. The present operations on the Mohmand border have hitherto lasted only a little over fortnight, and on the Hazara border less than a week.

(c) The cost of the current operations is not yet known. The cost of the Loe Agra operations, so far as is known at present, and including the cost of a motor road from Kot to Loe Agra, is 3½ lakhs.

The total casualties to date in all operations on the Frontier this year are :

		Killed.	Died of wounds.	Wounded.
Loe Agra	.. ..	8	..	16
Gandab Valley to date	.. ..	5	1	27
Total	.. ..	8	1	43

These figures include Mr. Best, the Political Agent, Malakand, who was killed during the Loe Agra operations.

(d) The reason for the operations on the Mohmand border is that in defiance of Government's agreement with the Mohmands of 1933 a tribal *lashkar* attacked and broke up the Gandab Road, and sent gangs to fire on constabulary posts in the Peshawar District. The main object of the *lashkar*, which was led by the eldest son of the Haji of Turangzai, was to bring pressure to bear on Government to release certain tribal hostages held as security for the presence of a number of outlaws and murderers taking sanctuary with the Safi tribe. The Hazara rising is communal in inspiration.

(e) The Honourable Member is referred to the reply given to question No. 880 put by Mr. M. Maswood Ahmad on the 12th September, 1933.

**Mr. S. Satyamurti :** With reference to the answer to clause (a), may I know if these operations include air raids, specially on women and children in their houses, dropping bombs ?

**Mr. J. G. Acheson :** No, Sir.

**Mr. S. Satyamurti :** With reference to the answer to clause (e), may I know if, since 1933, the policy has remained unchanged, and, if so, why Government pursue this cat and mouse policy towards these Frontier tribes ?

**Mr. J. G. Acheson :** The answer to the first part of the question is in the affirmative. As regards the second, I would point out that it contains an innuendo.

**Mr. S. Satyamurti :** May I know why Government do not either make peace with these tribes, or settle with them in the manner known to Great Britain ?

**Mr. J. G. Acheson :** Government do all in their power to make peace with these tribes and have succeeded to a very large extent. The cases referred to are isolated cases covering only a small portion of the Frontier.

#### STATEMENTS LAID ON THE TABLE.

*Information promised in reply to starred question No. 160 asked by Mr. V. V. Giri on the 12th February, 1935.*

#### RE-EMPLOYMENT OF GREAT INDIAN PENINSULA RAILWAY STRIKERS.

The Agent, Great Indian Peninsula Railway, reports :

(a) The number of *ex-strikers* on the first and second waiting lists was on 1st February, 1935, 154 and two, respectively.

(b) 2,184.

(c) Only 7 transfers have so far been effected as from experience it is found to be most difficult to exchange *ex-strikers* re-employed on other railways with men newly engaged on the Great Indian Peninsula Railway during the last strike for the reasons that men between whom the exchange is to take place must be on somewhat equal salaries and possessing knowledge and experience to suit each other's duties and also as men are required to be willing to accept the posts offered as such transfers could not be enforced upon either the *ex-strikers* employed on other railways or on men engaged on the Great Indian Peninsula Railway.

*Information promised in reply to unstarred question No. 28 asked by Mr. Sham Lal on the 13th February, 1935.*

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

(a) (i) Rs. 85,013-12-0 with contingent liabilities of Rs. 52,994 consisting of—

Rs. 12,825 for payment of outstanding bills in connection with Water Works,  
Rs. 10,615 as an advance received from Messrs. Herman and Mohatta for  
the part purchase of Electric Distribution and Stores,

Rs. 11,925 contribution for the construction of the Tangri Bund,

Rs. 6,700 due to the Military Engineer Services for water supply,

Rs. 3,072 due to the Military Engineer Services for Duct water and electricity,

Rs. 258 Government share of rents from land under the management of the  
Cantonment Authority, and

Rs. 7,590 securities deposited by private persons for the supply of electric  
current.

The balance left for distribution between the two local bodies was Rs. 32,019.

(ii) Rs. 17,052 were paid in cash. Bills amounting to Rs. 11,312 were also paid  
from the cantonment fund being part of the liabilities to which the Municipality was  
committed.

Rs. 3,738-12-3 were subsequently paid to the Municipality from the unspent balance  
of the amount set apart for the construction of the Tangri Bund.

(iii) The assets were divided into equal parts by a committee consisting of the  
Executive Officer, the Secretary, Municipal Committee, and a First Class Magistrate  
appointed by the Government of the Punjab with the concurrence of the Government  
of India. In case of any difference of opinion either party had the option of appeal-  
ing to the Commissioner, Ambala Division. No appeal was made against the division  
made by the committee and the inference is that both parties were satisfied with the  
decision.

(b) No. The population of the sadar bazar is 27,596 approximately and that of  
the Cantonment, 18,516.

(c) Yes. The terminal tax is divided with the concurrence of the Government of  
India and the Local Government on a population basis in the proportion of 60 per cent.  
to the municipality and 40 per cent. to the cantonment. The Sadar Bazar Separation  
Committee appointed by the Local Government in March, 1934, recommended that the  
terminal tax should be divided equally between the two bodies.

(d) No. In addition to cash the municipality also received more than half a lakh  
of rupees in the shape of water works.

(e) No.

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*Information promised in reply to starred question No. 311 asked by Prof. N. G. Ranga on the 18th February, 1935.*

**CONTEMPLATED RETRENCHMENT IN THE MADRAS DEAD LETTER OFFICE.**

(a) to (i). The proposal to retrench the clerks in question has been abandoned and  
the rest of the question does not therefore arise.

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*Information promised in reply to Dr. P. N. Banerjee's supplementary question to starred question No. 332 asked by Sardar Sant Singh on the 20th February, 1935.*

**ANNUAL COST OF EMPLOYMENT OF TROOPS IN BENAL TO SUPPRESS THE  
TERRORIST MOVEMENT.**

The incidental charges paid by the Local Government in connection with the acquisition of land, etc., are as follows:

Year.	1932-33.	1933-34.	1934-35.	1935-36.
	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
Compensation to Saidpur Station Committee for loss of grazing rights within the station area.	80) 0	160 0 0	160 0 0	160 0 0
Rent of land for location of troops.	110 2 0	100 0 0	384 8 3	..
Compensation for occupation of lands or private individuals.		59 0 0	79 0 0	..
Compensation for rights, etc. ..		1,075 9 0		..
Grazing rights ..			75 0 0	..

*Information promised in reply to parts (b) and (c) of starred question No. 497 asked by Mr. Muhammad Nauman on the 23rd February, 1935.*

COMMUNAL COMPOSITION OF NON-GAZETTED STAFF RECRUITED IN THE GOVERNMENT OF INDIA OFFICES.

Name of Department or Office.	Recruitment made from 4th July, 1934 to 1st February, 1935.							Total number of permanent subordinate staff who have not passed the Public Service Commission's examination.	Total number of temporary Subordinate Staff who have not passed the Public Service Commission's examination.	Remarks.
	First Division.	Second Division.	Third Division.	Steno-grapher.	Community.	Whether permanent or temporary.				
1	2	3	4	5	6	7		8	9	10
Home	..	..	1	..	Muslim	Provisional permanent.	..	..	13	..
	..	..	..	1	Do.	Temporary	..	..	..	..
	..	..	1	..	Do.	Do.	..	..	..	..
	..	..	1	..	Hindus	Do.	..	..	..	..
	..	1	..	..	Do.	Do.	..	..	..	..
	..	..	1	..	Do.	Provisional permanent.	..	..	..	..
	..	..	1	..	..	Temporary	..	..	..	..
	1	..	..	..	Muslim	Do.	..	..	..	..
Director, Public Information.	..	..	1	..	Sikh	Do.	..	2*	3	*Exempted from the examination.
Foreign and Political.	..	..	10	..	4 Hindus	Do.	..	7	32	..
	..	..	..	..	4 Muslims.	..	..	..	..	..
	..	..	..	..	2 Anglo-Indians	..	..	..	..	..

Name of Department or Office.	Recruitment made from 4th July, 1934 to 1st February, 1935.					Total number of permanent subordinate staff who have not passed the Public Service Commission's examination.	Total number of temporary subordinate staff who have not passed the Public Service Commission's examination.	Remarks.
	First Division.	Second Division.	Third Division.	Stenographer.	Community.	Whether permanent or temporary.		
1	2	3	4	5	6	7	8	10
Military Adviser-in-Chief, Indian States Forces.	1	..	..	..	European ..	Permanent (on probation).	..	..
Finance ..	..	..	11*	..	4 Hindus .. 4 Muslims .. 1 Sikh. 2 Indian Christians.	Permanent Muslim—1. Temporary—10.	10	* Includes 2 (Hindus) recruited prior to 4th July 1934.
Central Board of Revenue.	2	..	4	1	3 Hindus .. 1 Sikh. 2 Muslims. 1 Anglo-Indian.	Temporary ..	..	..
	..	..	July 1934.		4 Hindus .. 1 Muslim. 2 Sikhs.	Officiating ..	7	..
	..	..	August 1934.		3 Hindus .. 1 Muslim. 1 Sikh.	Do. ..	5	..
	..	..	September 1934.		4 Hindus .. 1 Muslim. 1 Sikh.	Do. ..	6	..

\*All the individuals were specially exempted by the Public Service Commission.



Name of Department or Office.	Recruitment made from 4th July, 1934 to 1st February, 1935.					Total number of permanent subordinates staff who have not passed the Public Service Commission's examination.	Total number of temporary subordinate staff who have not passed the Public Service Commission's examination.	Remarks.
	First Division.	Second Division.	Third Division.	Stenographer.	Community.	Whether permanent or temporary.		
1	2	3	4	5	6	7	8	9
Army ..	..	1	..	..	Hindu ..	Permanent ..	Nil.	<p>*The entries in columns 8 and 9 relate only to personnel recruited since 1926.</p> <p>†Paid from the D. S. estimates. This is a temporary post in the Calcutta Office on Rs. 50 per mensem sanctioned up to the 31st March 1935 in connection with the issue of the I. G. S. Medal, 1933, with Clasp "Mohmand, 1933." The post is held by a pensioner. Since discharged on the termination of the temporary appointment.</p> <p>†One of them has since resigned his appointment.</p> <p>‡Since replaced by a lady Stenographer.</p> <p>§The particulars given exclude the soldier and ex-soldier clerks whose recruitment is not controlled by the Public Service Commission and those who were confirmed prior to the introduction of the Staff Selection Board Examinations.</p>
General Staff Branch.	..	..	12	..	Europeans (Lady clerks).	Temporary ..	4	13

				(e)				
Adjutant General's Branch.	..	7	..	3 Muslims 3 Hindus. 1 Sikh.	Temporary ..	..	¶1	Included in the 25 % of posts set apart for soldiers, ex-soldiers and lady clerks. (e) Excluding those who are exempted.
Quartermaster General's Branch.	..	4	..	1 Hindu 1 Sikh. 2 Muslims	Temporary ..	..	4	¶1 temporary clerk (Sikh) has been retained with the concurrence of the Home Department until 31st October 1935. The appointments of Soldiers, ex-soldiers, and lady clerks have not been taken into account. The appointments of British other ranks and lady clerks have not been taken into account.
Engineer-in-Chief's Branch.	..	1	..	Muslim	Permanent (on probation). Temporary.	..	..	**Soldier and ex-soldier clerks have not been taken into account.
Master General of Ordnance Branch	..	9	..	2 Muslims 7 Hindus	3 on probation 6 Temporary ..	..	11	
Medical Directorate	..	6	..	3 Hindus 3 Muslims.	Temporary ..	..	3	
Military Secretary's Branch.	One temporary appointment on Rs. 100 per mensem.	3	..	2 Hindus 1 Muslim European	} Temporary .. Temporary ..	2††	2	†† One lady clerk permanently transferred from the office of the Director General, Posts and Telegraphs with the concurrence of the Public Service Commission. One permanent third Division clerk in the Master General of Ordnance's Branch transferred to this Branch on 6 months' probation from the 16th February 1935.
	2 soldier clerks were entertained in temporary appointments (Second Division). Sanctioned for the War Book Committee.						..	

Name of Department or Office.	Recruitment made from 4th July, 1934 to 1st February, 1935.					Total number of permanent subordinate staff who have not passed the Public Service Commission's examination.	Total number of temporary subordinate staff who have not passed the Public Service Commission's examination.	Remarks.
	First Division.	Second Division.	Third Division.	Steno-grapher.	Community.			
1	2	3	4	5	6	8	9	10
Judge Advocate General's Branch.			2	..	Hindus	..		
Assistant Director of Supplies Provision.	..	..	6	..	3 Hindus 2 Muslims. 1 Anglo-Indian (Lady typist).	2 Permanent (1 Hindu and 1 Muslim). 4 Temporary (2 Hindus, 1 Muslim and 1 Anglo-Indian).	5 (employed in deputations vacancies).	(a) Including (i) Soldier and ex-soldier clerks recruited from the I. A. O. C. and units, (ii) civilian clerks recruited from the I. A. O. C. in accordance with Government orders relating to recruitment to this office.  Does not include soldier and ex-soldier clerks, whose recruitment is not controlled by the P. S. C.
Assistant Military Secretary (Personal).	..	..	..	..		..	1	
Royal Air Force Headquarters.	..	..	8	..	5 Hindus 2 Muslims. 1 Sikh.	Temporary ..	8	
Legislative ..	..	..	2	..	1 Hindu 1 Muslim	Permanent .. Temporary.		*Of this, 3 were appointed in relaxation of the rules relating to recruitment through the Staff Selection Board, 3 were appointed after getting the necessary exemption from the Commission.
Commissaries ..	3	..	..	..	1 Muslim 1 Do. † 1 Hindu †	Permanent .. Temporary .. Officiating.	8	†Were in service in the Department when appointed to these posts.



Recruitment made from 4th July 1934 to 1st February 1935.							Total number of permanent subordinates staff who have not passed the Public Service Commission's examination.	Total number of temporary subordinate staff who have not passed the Public Service Commission's examination.	Remarks.
Name of Department or Office.	First Division.	Second Division.	Third Division.	Steno-grapher.	Community.	Whether permanent or temporary.			
1	2	3	4	5	6	7	8	9	10
Director of Civil Aviation.	..	2	1 4	.. 2	Hindu 3 Hindus 2 Muslims 3 Europeans and Anglo-Indians. Hindu	Permanent. Temporary ..		3	
Controller of Printing and Stationery.	1		3 including 1 special temporary post of Van clerk on Rs. 50 p.m.		1 Muslim	Permanent (on probation for one year). Provisional permanent (on probation in the first instance).	2 (excluding 1 Superintendent).	4	
Director General of Posts and Telegraphs.	..	..	..	1	Do. 1 Hindis Muslim	Temporary. Do. Temporary.		14	
	..	..	9 4	..	7 Hindus 2 Muslims 1 Hindu 2 Indian Christians 1 Sikh Hindu	Permanent. Temporary.			
	..	1	..	..	..	Permanent.			

Indian Stores Department.	1	1	9	1	Indian Christian Hindu .. Muslim .. Hindus .. Muslims .. Sikhs .. Indian Christian .. Anglo-Indian .. Parsi ..	Temporary Do. Do. Do. Do. Do. Do. Do. Do.	*6	8 (Recruited from subordinate offices of the Indian Stores Department under Government orders. Appointed in office pending vacancies or pending arrival of qualified men from Public Service Commission.) Hindus .. 5) Muslims .. 4 Parsi .. 3 .. 8	* Recruited by special exemption.
Legislative Assembly. Imperial Council of Agricultural Research.	..	..	..	..	..	..	10 (3 out of these hold technical appointments which have been excluded from the ministerial staff for purposes of recruitment).	4	Not applicable to Legislative Assembly Department made under Legislative Assembly Department (Condition of Service) Rules.
Reforms†	4	..	11	..	8 Hindus † 2 Muslims 1 Parsi	Temporary ..	..	..	† Includes one member of the Depressed classes.
Public Service Commission.	1	..	6	2	3 Hindus 1 Muslim Hindu .. 4 Hindus 1 Muslim 1 Sikh Hindus .. Muslim .. Do. Hindu .. Do.	Permanent. Do. Temporary Do.	..	One temporary stenographer 14th January, 1935 to 18th February 1935. He holds a permanent post of clerk in this office.	† Reforms Office is a temporary organization. Permanent* in column 7 indicates men holding permanent appointments in other Government offices. ‡ The two posts held by the Confidential Stenographer and her Assistant which are excluded from the ordinary clerical cadre have not been taken into account.

*Information promised in reply: (i) to supplementaries in connection with question No. 639 asked by Pandit Lakshmi Kanta Maitra (on behalf of Dr. Ziauddin Ahmad) on the 5th March, 1935, and (ii) to question No. 643 asked by Dr. Ziauddin Ahmad on the 5th March, 1935.*

#### CONTRACTORS AT RAILWAY STATIONS IN THE DINAPORE AND HOWRAH DIVISIONS.

639. The Agent, East Indian Railway, reports that enquiries have been made with the following result:

- (i) On the Howrah Division there were allegations against the Area Contractors having sublet the contract at two stations. The allegations were, on enquiry, found to be incorrect.
- (ii) On the Dinapore Division complaints were made against three Area Contractors. The complaints against two of them were, on enquiry, found to be incorrect. As regards the third it was ascertained that the contractors had arranged for the sale of food-stuffs at certain stations through men who were not their paid servants. The Contractors, however, maintained that the men engaged were directly under their control, wore their badges and uniform and that they (the Contractors) were responsible for any irregularities committed. The Administration, however, did not accept this contention and instructed the Contractors to discontinue the arrangement.

#### FOOD-STUFF SOLD BY VENDORS ON THE EAST INDIAN RAILWAY.

643. The Agent, East Indian Railway, states that the reply to parts (a) and (b) of the question is in the affirmative. The matter is receiving attention.

*Information promised in reply to starred questions Nos. 669 to 676 asked by Mr. Fakir Chand on the 5th March, 1935.*

#### ALLEGATIONS AGAINST THE PRESIDENT OF THE LAHORE CANTONMENT BOARD.

669. (a) Powers have been delegated to the Vice-Presidents of the following cantonments under the sections mentioned against each—

Allahabad—Sections 25 and 114 (1) of the Cantonments Act, 1924.

Dehra Dun—Sections 25, 114 (1), 162 (2), 166 (3), 207 (1) and 253.

Dinapore—Sections 162 (2) and 166 (3).

Fyzabad—Section 22 (1) (b), 166 (3), 207 (1) and 242.

Certain powers were delegated to the Vice-President at Lucknow under section 22 (2), in 1927, but no such powers have been delegated since the last general election in December, 1933. In most cantonments, even if there are no specific delegations of powers, Vice-Presidents act for the Presidents during their absence and exercise all their powers under the Act.

(b) Yes. The power under section 22 (2) is discretionary vested in the President and the President of the Lahore Cantonment Board, considered that the Board was not competent to pass such a resolution.

(c) The reply to the first part is in the affirmative. As regards the second part, the President invited the attention of the mover of the resolution to the provisions of section 22 (2).

#### ACTION TAKEN BY THE EXECUTIVE OFFICER OF THE LAHORE CANTONMENT UNDER SECTION 25 OF THE CANTONMENTS ACT.

670. (a) 26 times.

(b) Government have examined all the cases and find that the action in each case was taken with the sanction of the President and was subsequently confirmed by the Board. They are satisfied that in each case the action was justified on the grounds mentioned in the question.

### APPOINTMENT OF CHAIRMEN OF VARIOUS SUB-COMMITTEES OF THE LAHORE CANTONMENT BOARD.

671. Yes. The President did not consider it necessary to appoint different elected members to be Chairmen of the different committees because, under the Regulations framed under section 44 of the Cantonments Act, the Vice-President being the senior elected member on the committees concerned, would ordinarily be the Chairman of the committee in preference to any other elected member on the same committee.

### PRESIDING OVER THE MEETINGS OF THE LAHORE CANTONMENT BOARD BY VICE-PRESIDENT.

672. Four times.

### ACTING MILITARY OFFICERS AS PRESIDENTS OF THE LAHORE CANTONMENT BOARD.

673. None.

### RESIGNATION OF THE NOMINATED MEMBERS OF THE LAHORE CANTONMENT BOARD.

674. The necessity for doing so has not arisen because the acceptance of the resignation of a nominated member and the notification nominating another member in his place have occurred simultaneously.

### ATTENDANCE OF MEMBERS AT THE MEETINGS OF THE LAHORE CANTONMENT BOARD.

675. Yes.

### RESOLUTIONS PASSED OR REJECTED IN THE LAHORE CANTONMENT BOARD.

676. (a) and (b). Two were passed and one was rejected. All three resolutions related to the disposal of building applications, and the regulation of building does concern the health and welfare of the troops.

(c) Yes. Attention is invited to the statement laid on the table of the Legislative Assembly on the 21st November, 1932, in reply to starred question No. 834 asked by Sirdar Sohan Singh on the 26th September, 1932, regarding the appointment of an elected member to perform the duties of the Executive Officer, Lahore Cantonment.

*Information promised in reply to Munshi Iswar Saran's supplementary question to starred question No. 708 asked by Mr. M. Asaf Ali on the 7th March, 1935.*

### INDIANS AND BRITISHERS WITH KING'S COMMISSION IN THE INDIAN ARMY.

The number of King's Commissioned Indian Officers who have been called on to retire from the service or to resign their commissions cannot exceed 12. Four of these are old cases the records of which are no longer available and the correct number may be only 8.



*Information promised in reply to starred questions Nos. 809 and 811 asked by Mr. V. V. Giri on the 11th March, 1935.*

**SELECTION GRADE POSTS ABOLISHED OR CONVERTED INTO TIME-SCALE APPOINTMENTS IN THE POST OFFICES AND THE RAILWAY MAIL SERVICE.**

809. (a) The following selection grade posts in the Post Office and Railway Mail Service were retrenched or converted into time scale posts during the period from the 1st April 1932 to the 31st December 1934.

Designation of Posts.	Number abolished.	Number converted.
Postmasters .. .. .	..	1
Deputy Postmasters .. .. .	1	93
Assistant Postmasters .. .. .	3	17
Assistant Presidency Postmasters .. .. .	1	..
Sub-Postmasters .. .. .	9	13
Deputy Sub-Postmasters .. .. .	1	9
Assistant Sub-Postmasters .. .. .	..	4
Town Inspectors .. .. .	3	63
Inspectors of Post Offices .. .. .	26	..
Head clerks (including Joint Head clerks) .. .. .	4	25
Head signallers .. .. .	..	1
Accountants .. .. .	1	3
Head Assistants .. .. .	2	..
General Supervisors .. .. .	3	4
Sanitary Superintendents .. .. .	..	1
Head Record clerks .. .. .	1	3
Sub-Record clerks .. .. .	1	1
Head Sorters .. .. .	4	7
Inspectors Railway Mail Service .. .. .	11	3
Total .. .. .	71	248

(b) The posts which were abolished were those which on a careful examination of each case were found to be superfluous. The conversion of posts from the selection grade to the time-scale was carried out as justified by the application of the Bewoor Time Tests, read with the administrative instructions issued from time to time by the Director General or the Government of India governing the respective classes of posts.

(c) The additional selection grade posts sanctioned and the offices to which they are attached are given below :

**Bengal and Assam Circle.**

Calcutta General Post Office .. .. .	1	Inspecting Postmaster.
Dum Dum Sub Office .. .. .	1	Selection Grade Postmaster.
Tinsukia Sub Office .. .. .	Do.	
Patiya Sub Office .. .. .	Do.	
Digboi Sub Office .. .. .	Do.	

**United Provinces Circle.**

Railway Mail Service 0-8 Section .. .. .	1	Selection Grade Sorter.
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**Punjab and N.-W. F. Circle.**

Bawalpindi City	..	..	..	1	Selection Grade Sub-Postmaster.
Kasauli	..	..	..	1	Selection Grade Sub-Postmaster.
Murree	..	..	..	1	Deputy Sub-Postmaster.
Railway Mail Service D-4 Sub-Division	..	..	..	1	Inspector, Railway Mail Service.

**Burma Circle.**

Bassein head office	..	..	..	1	Selection Grade Supervisor.
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**Sind and Baluchistan Circle.**

Sukkur Head Office	..	..	..	1	Assistant Postmaster Telegraphs.
Sub-Record Office, Rohri	..	..	..	1	sub-record clerk.
Sub-Record Office, Quetta	..	..	..	1	sub-record clerk.

### SELECTION GRADE APPOINTMENTS IN THE POST OFFICES AND THE RAILWAY MAIL SERVICE.

811. (a) The total number of selection grade appointments in the Post Office and Railway Mail Service as it stood on the 31st March, 1935, was 1,459.

(b) The percentage of such appointments

(i) to the total number of clerical appointments, both in the ordinary and lower division time-scales in the Post Office, is 5.85 ; and

(ii) to the total number of sorters' appointments, both in the ordinary and lower division time-scales in the Railway Mail Service, is 4.43.

*Information promised in reply to starred question No. 846 asked by Mr. Satya Narayan Sinha on the 12th March, 1935.*

### ABSORPTION OF THE PERMANENT STAFF IN THE MOODY-WARD SYSTEM ON THE EAST INDIAN RAILWAY.

(a), (b) and (d). The Agent, East Indian Railway, reports that majority of the retrenched men have been re-employed with the exception of those who refused the offers of re-employment made to them or who were found unsuitable for re-engagement. Government are unable to give any particular date by which they will all be absorbed. As regards the reference to demoted staff, Government are informed that staff, retained in lower posts an alternative to discharge at the time of introduction of the Moody-Ward System on the East Indian Railway were not given any assurance that they would be restored to their former or equivalent grades. As regards the employees who were demoted as a measure of economy, the Honourable Member is referred to the Railway Board's letter No. 1635-E.G., dated the 30th December, 1932, a copy of which is in the Library of the House.

(c) The reply to the first part is in the negative.

As regards the second part, the Honourable Member is referred to the reply given to part (d) of question No. 869 asked by Mr. Muhammad Azhar Ali on 12th March, 1935.

*Information promised in reply to starred question No. 852 asked by Mr. Muhammad Azhar Ali on 12th March, 1935.*

### PROMOTIONS TO THE POSTS IN HEADQUARTERS OFFICES OF THE TRANSPORTATION AND COMMERCIAL DEPARTMENTS.

(a) and (b). The Agent, East Indian Railway, reports that substantive promotions to the grades of Transportation and Commercial Inspectors are decided at headquarters and not in the divisional offices. The only post to which promotion was made between the 1st June, 1934, and the 31st January, 1935, was that of a Claims Inspector.

(c) and (d). The selection board in connection with the promotion referred to above was held in the headquarters office at Calcutta, on the 19th September, 1934, and consisted of the Superintendent Staff, the Superintendent Claims and the Superintendent Rates.

(e) Candidates were not called to appear before the selection board, as it was not considered necessary.

(f) Traffic Canvassers and staff with commercial training and experience were eligible.

*Information promised in reply to starred question No. 873 asked by Pandit Sri Krishna Dutta Paliwal on the 12th March, 1935.*

#### ALLEGATIONS AGAINST THE DIVISIONAL SUPERINTENDENT, ALLAHABAD.

(a) Government are informed that no travelling allowance is charged in such cases.

(b) The reply to the first part of the question is in the affirmative and the latter part does not arise.

*Information promised in reply to starred question No. 970 asked by Mr. A. K. Fazlul Huq on the 25th March, 1935.*

#### FIDELITY SECURITIES OF INSURANCE COMPANIES.

(a) The following Insurance Companies have been approved and recognised by the Posts and Telegraphs Department for the purpose of fidelity bonds :

- (1) Clive Insurance Company, Calcutta,
- (2) Guardian Assurance Company, Calcutta,
- (3) National Insurance Company, Calcutta,
- (4) Norwich Union Fire Insurance Society, Calcutta,
- (5) Royal Insurance Company, Calcutta,
- (6) Sun Insurance Office, Calcutta (does not now carry on fidelity bond business),
- (7) Ocean Accident and Guarantee Corporation, Calcutta,
- (8) Commercial Union Assurance Company, Calcutta,
- (9) Empire of India Life Assurance Company, Bombay, and
- (10) Palatine Insurance Company, Limited, Calcutta.

(b) Yes.

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

(d) Does not arise in view of the reply given at (a) above.

(e) Presumably the acceptance of any class of business which Insurance Companies regard as sound will be an encouragement to the development of the Insurance system.

*Information promised in reply to starred question No. 989 asked by Mr. C. N. Muthuranga Mudaliar on the 25th March, 1935.*

#### RETRENCHMENT IN THE MADRAS DEAD LETTER OFFICE.

(a) The reply to the first part of the question is in the negative. As regards the second part no maximum outturn has been prescribed.

(b) (i) August, 1933	..	..	26,834
(ii) February, 1934	..	..	25,852
(iii) Special enumeration taken in July, 1934	..	..	24,091

(c) Particulars of figures under the sub-heads referred to by the Honourable Member are not available in respect of the enumeration weeks of August, 1933 and February, 1934. As regards the special enumeration taken in a week of July, 1934, the number of paid and unpaid unregistered articles received during the period are 9,807 and 14,484, respectively, while the number of such articles despatched are 8,873 and 11,936, respectively.

(d) (i) Registered articles	..	..	..	19,909
Registered parcels	..	..	..	1,371
(ii) Registered articles	..	..	..	18,227
Registered parcels	..	..	..	2,163
(iii) Registered articles	..	..	..	16,325
Registered parcels	..	..	..	1,618

(e) No.

(f) The staff in the Madras Dead Letter Office was found by actual observation by a senior and experienced officer of the Department to be excessive, a fact which was confirmed by statistics obtained by special enumeration of the articles received and despatched.

(g) and (h). No. Government are satisfied that the retrenchments, which have already been carried out, are fully justified.

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*Information promised in reply to starred question No. 1043, asked by Mr. N. M. Joshi on the 26th March, 1935.*

#### BOX *Khalasies* FOR EUROPEAN AND ANGLO-INDIAN DRIVERS ON STATE RAILWAYS.

On the Great Indian Peninsula and North Western Railways box *khalasies* are provided for the carriage of boxes of all engine drivers. As already stated, on the East Indian Railway coolies are provided for the carriage of boxes of drivers in grades I and II. On the Eastern Bengal Railway box *khalasies* are provided for the European and Anglo-Indian drivers only, for the reason that the size of boxes used by the European and Anglo-Indian drivers is larger and cannot be carried without the assistance of a box *khalasi*. The Indian drivers carry small boxes which can easily be carried by hand without the assistance of box *khalasies*. To obtain uniformity Railway Administrations have been instructed that there should be no racial discrimination in this matter and that box *khalasies* should be provided for all drivers when the circumstances render this necessary.

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*Information promised in reply to parts (b) and (c) of starred question No. 1220 asked by Mr. M. S. Aney on the 30th March, 1935.*

#### INCREASE IN THE QUANTITY AND VALUE OF QUININE SOLD.

(b) and (c). A statement is attached. Compared with the figures for 1932-33 there was an increase during 1933-34 in the quantity and value of quinine sold of 14.86 per cent. and 14.77 per cent. respectively, and not 14.98 per cent. and 17.6 per cent. as shown in the Annual Report of the Indian Posts and Telegraphs Department for the year 1933-34. The mistake in the Annual Report was due to inaccurate reports originally furnished by certain Circles.

## STATEMENT.

Circle.	1932-33.		1933-34.		Value.		Increase (+) or decrease (-) in quantity.		Remarks.	
	Quantity sold.		Quantity sold.		Ra. a. p.		Ra. a. p.			
	lbs.	gr.	lbs.	gr.	lbs.	gr.				
Bengal and Assam	10,487	1,920	12,353	6,193	2,23,673 14 4	2,63,485 3 1	+1,866 +17.80%	4,273	+39,811 4 9 +17.80%	Increase in quantity was due to malaria.
Bihar and Orissa ..	242	4,254	285	1,425	6,369 5 0	7,486 12 0	+42 +17.55%	4,171	+1,117 7 0 +17.55%	Increase in quantity was due to (i) malaria and (ii) increased popularity of drug.
Bombay ..	1,299	5,570	1,671	5,630	24,686 0 0	31,482 8 0	+372 +28.65%	60	+6,796 8 0 +27.59%	Increase in quantity was due to malaria.
Burma ..	186	15	191	1,622½	2,034 6 5	2,091 9 7	+5 +2.81%	1,607½	+57 3 2 +2.86%	No special reason for the slight increase in quantity.
Central ..	745	4,917½	782	5,430	14,417 12 7	15,237 11 2	+37 +4.96%	512½	+819 14 7 +5.69%	No special reasons for the increase in quantity. The slight increase of .75% in value over the percentage of quantity is due to fluctuations in the cost of the drug.
Madras ..	1,951	4,000	1,859	1,000	39,916 4 6	37,615 8 9	-92 -4.73%	2,400	-2,300 11 9 -6.76%	Decrease in quantity was due to the free supply of quinine by the Public Health Department in several districts, and the larger decrease in value was due to the increased sale of 10 gr. packets by post offices in the Mysore State and elsewhere.

Increase (+) or decrease (-) in value.

Increase (+) or decrease (-) in quantity.

Value.

Quantity sold.

Value.

Quantity sold.

Value.

Punjab and N. W. F.	102	5,065	1,964 15 7	95	255	1,613 12 1	-7 -7.45%	4,810	-145 3 6 -7.45%	Decrease in quantity was due to free supply by Itinerary Dispensaries.
Sind and Baluchistan.	48	3,320	994 3 9	69	8,265	1,502 5 0	+23 +50.38%	2,935	+508 1 3 +61.10%	Increase in quantity was due to less free distribution of quinine by local bodies and a widespread epidemic of malaria. The difference in percentage was due to variations in actual and selling price of a tin of quinine supplied to the offices in Baluchistan by the Inspector-General, Civil Hospitals, Punjab.
United Provinces ..	155		3,993 0 0	180		4,295 11 0	+14 +9.03%	..	+302 11 0 +7.50%	Satisfactory reasons not given, but apparently due to (1) the drug having been supplied in 1933-34 in lieu of money received during the preceding year and (2) the drug having been supplied during the year (1933-34) by V. P. P., so that its value was received during the succeeding year (1934-35).
Total ..	15,217	1,971½	3,13,049 14 2	17,478	426½	3,65,816 0 8	+2,289 +14.88%	6,340	+46,066 2 6 +14.77%	

*Information promised in reply to supplementaries to starred question No. 1322 asked by Mr. S. Satyamurti on the 2nd April, 1935.*

# **TREATY BETWEEN THE SULTAN OF ZANZIBAR AND GREAT BRITAIN.**

(a) In 1908 a treaty was signed abrogating the treaty of 1886 between Great Britain and Zanzibar.

(b) The rights of Indian settlers and other British subjects in Zanzibar were safeguarded in certain respects by the provisions of the Treaty between Great Britain and Muscat of the 31st of May, 1839. Provision was also made in the Treaty for the reciprocal recognition of Consuls appointed by the High Contracting Parties on a most-favoured-nation footing. This treaty was abrogated as regards Zanzibar on the 3rd of April, 1911.

(c) As this Treaty is not now in force it would serve no useful purpose to table it.

*Information promised in reply to parts (b) and (d) to (g) of starred question No. 1395 asked by Mr. D. K. Lahiri Chaudhury on the 3rd April, 1935.*

## **TIME TEST FOR CORRESPONDENCE WORK IN FIRST CLASS HEAD POST OFFICES.**

(b) The reduction was effected on the basis of the actual reduction of work due to fall in traffic.

(d) The number of clerks who worked in the Correspondence Department of the Calcutta General Post Office in 1931-32 and the number reduced up to the 28th February, 1935, is as follows :—

Number of clerks in the Correspondence Department of the Calcutta General Post Office on 1st April, 1931	..	112
Number of clerks reduced up to the 28th February, 1935		18

(of these 11 were reduced in 1932 and 7 in 1934).

(e) The facts are substantially as stated.

(f) The number of selection grade, time-scale supervisory and other clerical posts in the Bombay General Post Office, Correspondence Department, which includes the offices of the two Inspecting Postmasters, Bombay, is as follows—

(i) Selection grade posts		4
(ii) Time-scale supervisory posts	..	nil
(iii) Clerks	..	26

(g) The entire question of the staff requirements of the Correspondence Department of the Calcutta General Post Office is being closely examined by the Postmaster-General, Bengal, and Assam Circle, and Government are not yet in a position to state what re-adjustments of staff may ultimately be found to be necessary.

*Information promised in reply to unstarred question No. 262 asked by Mr. D. K. Lahiri Chaudhury on the 3rd April, 1935.*

**CERTAIN INFORMATION IN RESPECT OF THE BOMBAY, CALCUTTA AND MADRAS  
GENERAL POST OFFICES.**

	Bombay General Post Office.	Calcutta General Post Office.	Madras General Post Office.
(i) Number of selection grade posts of Rs. 250—350	8	12	5
(ii) Number of selection grade posts of Rs. 160—250	40	41	10
(iii) Number of time-scale supervisors ..	12	8	2
(iv) Number of clerks (Upper Division) .. ..	446(a)	823(a)	187(a)
(v) Number of clerks (Lower Division) .. ..	98(b)	174(b)	59(b)
(vi) Number of sorting postmen ..	22	39	10
(vii) Number of overseers ..	12(c)	6(c)	2(c)
(viii) Number of postmen .. .. ..	239	182	118
(ix) Number of inferior and other miscellaneous staff	325	391	78

(a) Operative clerks including leave reserves but excluding town Inspectors and assistant accountants.

(b) Including leave reserves.

(c) Overseer postmen.



*Information promised in reply to unstarred question No. 263 asked by Mr. D. K. Lahiri Choudhury, on the 3rd April, 1935.*

STAFF EMPLOYED IN BOMBAY, CALCUTTA AND MADRAS GENERAL POST OFFICES.

PART (a).

Name of Department.	Bombay.			Calcutta.			Madras.		
	Selection grade.	Time scale Super- visory.	Clerical.	Selection grade.	Time scale Super- visory.	Clerical.	Selection grade.	Time scale Super- visory.	Clerical.
1. Staff ..	1		5	..	1	7	..		..
2. Accounts ..	5		12*	2		16*	1	..	6*
3. Correspondence ..	3	..	21	3	..	94	1		30
4. Sorting ..	6	1	119	4	1	132	..	..	7
5. Money Order ..	5		41	4	2	69	1	1	32
6. Savings Bank ..	4		23	3	2	34	2†	..	11
7. Delivery ..	2		17	3	..	50	1	..	8
8. Deposit ..	2		14	2	..	16			5
9. Sub Account ..	2	..	9	1	..	8	..		4
10. Registration ..	5	6	91	7	2	125	3	..	36
11. Parcel ..	5	4	67	8	1	101	1	1	21
	* Including 4 Assistant Accountants.			* Including 3 Assistant Accountants.			* Including One Assistant Accountant. † Including the Manager M. O. and S. B. Departments.		

Part (b) 11, 9 and 7 respectively.  
Part (c) 58, 63 and 39 respectively.

*Information promised in reply to unstarred question No. 297, asked by Mr. C. N. Muthuranga Mudaliar on 3rd April, 1935.*

**CLOSING OF LEVEL CROSSINGS ON THE MADRAS AND SOUTHERN MAHRATTA RAILWAY BETWEEN ARKANAM AND AMTATTUR.**

(a) and (b). Government have made enquiries and are informed that such is not the case. Out of the 18 level crossings between Arknam and Amtattur, only 5, at which the road traffic is insufficient to justify gatemmen during night hours, have their gates kept locked by night and the keys kept by the station master who arranges for the gates to be opened on application. Of the remainder 4 are manned both day and night and 9 are continually open for road traffic.

(c) No, the cost will be prohibitive.

(d) Government are informed that every effort is being made to reduce the time the gates are closed to road traffic.

*Information promised in reply to part (b) of starred question No. 1482, asked by Mr. Ram Narayan Singh on the 4th April, 1935.*

**GRIEVANCES OF TRAVELLING TICKET EXAMINERS ON THE EAST INDIAN RAILWAY.**

Passes to Travelling Ticket Inspectors on the East Indian Railway are being given according to the pay of the individual concerned. On the Moradabad Division, however, prior to April, 1935, all Travelling Ticket Inspectors were given inter class duty passes. The procedure has since then been brought into line with that on other Divisions.

*Information promised in reply to the supplementary questions to Mr. Mohan Lal Saksena's starred question No. 1519, asked by Mr. S. Satyamurti on the 5th April, 1935.*

**CERTAIN PARTICULARS IN CONNECTION WITH STATE PRISONERS AT PRESENT CONFINED IN INDIA.**

*Statement of the number of detenues released under the Bengal Criminal Law Amendment Act, 1930.*

The latest figure of releases available is that given by the Honourable Mr. R. N. Reid in reply to a question in the Bengal Legislative Council on the 31st July, 1935. In accordance with his statement ill persons were released from January to June, this year, including those who are free to move about, but have to report periodically to the police.

*Information promised in reply to starred question No. 1624, asked by Mr. Ram Narayan Singh, on the 6th April, 1935.*

**POST AND TELEGRAPH OFFICES IN THE CHOTA NAGPUR DIVISION.**

Districts in the Chota Nagpur Division.	Number of combined post and telegraph offices.	Number of post offices.	Total.
Hazaribagh .. .. .	14	38	52
Ranchi .. .. .	11	42	53
Palamau .. .. .	4	29	33
Manbhum .. .. .	7	43	50
Singbhum .. .. .	15	38	53
<b>Total</b>	<b>51</b>	<b>190</b>	<b>241</b>

*Information promised in reply to part (c) of starred question No. 1657, asked by Qazi Muhammad Ahmad Kazmi on the 8th April, 1935.*

#### HAPUR REMOUNT DEPOT AT BABUGARH IN THE MEERUT DISTRICT.

(c) Efforts have been made to procure the information but the Local Government have reported that it would involve a prolonged search into old records, the labour and cost of which would not be commensurate with the value of the results.

#### MOTIONS FOR ADJOURNMENT.

##### DESTRUCTION OF THE SHAHIDGUNJE MOSQUE AT LAHORE.

**Mr. President** (The Honourable Sir Abdur Rahim) : I have received notice of a motion for adjournment from Mr. Gauba who wants to discuss a definite matter of urgent public importance, namely, the facilities afforded by the military, police and district authorities of Lahore for the destruction of the Shahidgunje mosque under cover of the plea of the exercise of legal rights. Does the Honourable Member want to move it ?

**Mr. K. L. Gauba** (East Central Punjab : Muhammadan) : I will not move the first motion standing in my name, but I propose to move the second.

##### LACK OF DISCIPLINE IN CERTAIN SOLDIERS AT JUBBULPORE.

**Mr. President** (The Honourable Sir Abdur Rahim) : I have received notice from Mr. Satyamurti that he proposes to move for adjournment of the House to discuss a definite matter of urgent public importance, namely, the lack of discipline in the King's Regiment as evidenced by the conduct of some soldiers of that Regiment in the village of Benda near Jubbulpore. I understand that a prosecution has been instituted against a certain number of soldiers in that regiment with reference to the incident mentioned here. I should like to know from the Honourable Member if it is possible to discuss the question of lack of discipline in the regiment without reference to the facts of this incident.

**Mr. S. Satyamurti** (Madras City : Non-Muhammadan Urban) : Sir, the only point that I want to bring before the House is the lack of discipline in the regiment. I undertake not to discuss or bring within the scope of my motion the actual facts which are now pending trial before the civil Courts of the country. I may mention in this connection certain facts which are admitted by Government. I will read from a communiqué issued from Simla on the 29th August by the Government of India. They say :

" In their communiqué of the 24th July the Government of India stated that a court of inquiry was examining the facts in the case in which it was alleged that certain soldiers in the King's Regiment had made an attack on the village Benda in Jubbulpore and the result of the inquiry must be awaited. The report of the court of inquiry has now been examined and it has been decided with the full approval of the military authority to hand the case over to the civil Court to be dealt with. Twentythree men of the battalion are being placed on their trial under the Indian Penal Code on charges of murder and rioting and the proceedings are expected to commence immediately."

I submit, Sir, that I am not discussing whether these particular men who are charged before His Majesty's Courts are actually guilty of this offence, and, if so, what the evidence amounts to, in respect of the actual

offences they are alleged to have committed. The point, I am on, is that the Government of India, on the report of the court of inquiry appointed, I take it, by the Army Department, have decided that certain incidents took place. (*Cries of "No, no" from Official Benches.*)

**The Honourable Sir Henry Craik** (Home Member): They say an inquiry should be made.

**Mr. S. Satyamurti**: The report of the court of inquiry has now been examined by the Government of India, I presume, and it has been decided, with the full approval of the military authority, to hand the case over to the civil Court to be dealt with. What they are dealing with is whether A or B or C is guilty of certain acts, and if so what those acts amount to under the Indian Penal Code. I am not on that question now. What I am on is the preceding state of affairs in the regiment which made it possible for this incident to happen. What that incident amounts to in law, what the responsibility of A or B is in respect of that incident, are matters which are at the moment before a Court of law.

**Mr. President** (The Honourable Sir Abdur Rahim): I understand that the Honourable Member wishes to establish the lack of discipline by the facts of this very incident.

**Mr. S. Satyamurti**: By the fact that certain men have been found by a court of inquiry, appointed by the Government of India, to have been guilty of certain offences. (*Cries of "No, no" from Government Benches.*) According to them, at least a *prima facie* case has been established for handing over these men to the civil authorities. You will notice, Sir, that in the ruling cited by Seth Govind Das yesterday this point was elaborately discussed; and so long as I, and you as President, see that matters which are actually *sub judice* are not actually brought under discussion, it seems to me that it is eminently a matter to be discussed by this House. And I will say another thing. Assuming that this trial is over and these people are found guilty, the matter will cease to be urgent. It comes to this, therefore, that when a thing like this happens we are neither here nor there.

**An Honourable Member**: You can put down a Resolution.

**Mr. S. Satyamurti**: My Honourable friend knows or ought to know that a Resolution has to go through a hurdle race.

**Mr. President** (The Honourable Sir Abdur Rahim): After the trial, cannot a motion for adjournment be put down?

**Mr. S. Satyamurti**: Subject to what you say, Sir, it seems to me that they may take it up to the High Court, in which case months will elapse, and it will cease to be a matter of urgent importance. We are now in a cleft stick. We cannot discuss it, and I submit that the Court as such has nothing to do with discipline in the regiment. The Court cannot punish the regiment and cannot censure the Government. It can only find A or B guilty of assault or manslaughter or murder and hang him. The question which I want to bring up is the absence of discipline. I do not want to put it forward as a matter of argument now but you will have noticed, as any reader of newspapers has noticed, that this thing is a growing evil everywhere. This want of discipline is becoming apparent and these British soldiers take the law into their own hands. What I

[Mr. S. Satyamurti.]

want to discuss is the question of lack of discipline, which no Court can deal with.

**The Honourable Sir Nripendra Sircar** (Leader of the House) : Sir, I oppose this motion. I need hardly remind you that in a motion like this only one single specific matter can be discussed and my Honourable friend has really mentioned one single specific matter. And what is that ? The lack of discipline in the King's Regiment as evidenced by the conduct of certain soldiers of that regiment in the village of Benda. Therefore, the sole specific matter is the conduct of these soldiers in the village of Benda.....

**Mr. President** (The Honourable Sir Abdur Rahim) : Lack of discipline.

**The Honourable Sir Nripendra Sircar** : As evidenced by the conduct of some soldiers.....

**Mr. President** (The Honourable Sir Abdur Rahim) : He puts it on the ground of lack of discipline.

**The Honourable Sir Nripendra Sircar** : True : but the lack of discipline is based on the specific matter of the conduct of some of these soldiers in the regiment in the village of Benda. He is thus including a matter which is going to be discussed in a Court of law. If I may remind you, Sir, of a previous ruling on this matter, such a motion must be restricted to a single specific matter of recent occurrence and must be of an urgent nature. I read through the notice again : it says "lack of discipline in the King's Regiment as evidenced by the conduct of some soldiers of that regiment". Therefore, the conclusion that there is lack of discipline is based on one matter only, namely, the conduct of some soldiers of that regiment in the village of Benda. There is no other ground for suggesting lack of discipline and there is nothing further which can be made really the basis of this lack of discipline.

Then I take another point. When you talk of lack of discipline it is only when the case has been tried then we will know what the facts of the case are. Surely by using the word 'discipline' nothing is advanced. What I mean is this : we must take all theoretical objections : supposing the Court finds, as a matter of fact, that there was justification for the exercise of the right of self-defence and so on,—it may not be a fact which may be ultimately proved—but if that is so, there will be no question of lack of discipline. Again, supposing these soldiers were not at the time of alleged occurrence under military orders or disciplinary orders to remain inside the barracks or inside the cantonment : they were out, they committed murder, they committed other offences : those are crimes for which anybody would be punishable, irrespective of the fact whether they are subject to military discipline or not : whether in doing that they simply broke the ordinary law of the land like committing murder or assault or so on or not has nothing to do with the question of discipline. All these matters can be discussed really after the case has been tried. Then, what is the urgency about this ? Supposing, as a matter of fact, some soldiers in the regiment did behave in an improper way, where is the urgency ?

**Mr. President** (The Honourable Sir Abdur Rahim) : The urgency is stated here—lack of discipline in the regiment, so that the authorities may take proper action.

**The Honourable Sir Nripendra Sircar** : Is it right to expect that the authorities would take action when the matter has been taken to Court before the lack of discipline is established ? Is that right or fair ? I do not deny that it is a matter of recent occurrence, but that is not enough to carry my friend through.....

**Mr. President** (The Honourable Sir Abdur Rahim) : The question comes to this : whether the lack of discipline can be proved in any other way excepting by what has occurred.

**The Honourable Sir Nripendra Sircar** : The notice specifically confines itself to this evidence : if he had cited no evidence whatsoever, then I could understand—but the language is perfectly clear—'lack of discipline as evidenced by the conduct of some soldiers of the regiment'. That is the whole gravamen of the charge ; that is the sole foundation for making this complaint of lack of discipline : there is no other. I submit on this motion as drafted, knowing that the conduct of these soldiers is now being investigated in Court, you should not allow this motion.

May I just say one word more in answer to my Honourable friend's arguments ? If it is not urgent now, then he says this may go on for two months and after that it may be dragged on in the High Court for a year and then when he comes here he will be told : "Too late". Whether he will be told that he is too late or not I do not know : that will be a matter for your ruling, if the occasion arises. But surely the whole fallacy of that argument is as if a motion for adjournment is the only method of discussing a grievance before this House. Unless you make that basic assumption, unless you assume that there is no other way in which a thing can be done, that argument has no force.....

**Mr. President** (The Honourable Sir Abdur Rahim) : What can be done now ?

**The Honourable Sir Nripendra Sircar** : It may be done not now, but later, by a Resolution. (Laughter from the Opposition Benches.) I am meeting the point that it is not urgent : supposing the matter comes up after a year or six months.....

**Mr. President** (The Honourable Sir Abdur Rahim) : There may be some other kind of remedy.

**The Honourable Sir Nripendra Sircar** : My friend is assuming as if he has no other remedy at any time.....

**Mr. Bhulabhai J. Desai** (Bombay Northern Division : Non-Muhammadan Rural) : But why "any time" ? We want it now.

**The Honourable Sir Nripendra Sircar** : I am meeting the argument there will be no remedy later. Before I resume my seat, I will read from page 30 of the Book of Rulings :

"The formal moving of the adjournment of the House as a tactical method of introducing new matter into the day's work has during the nineteenth century been gradually but steadily discouraged by the rules of the House", says Joseph Redlich in his *Procedure of the House of Commons*.

Of course, my Honourable friends may say this is the 20th century.

[Sir Nripendra Sircar.]

Further on, the same author says :

“ By the present rules such a motion for adjournment can only be permitted in case of special urgency ” ;

and I am anxious that the same principle should be established in this House.

I submit, Sir, that if this trial goes on we shall know the facts, and then it will be time for us as well as for the Government to decide what should be done.

**Seth Govind Das** (Central Provinces Hindi Divisions : Non-Muham-madan) : Sir, as regards the urgency of this matter, which has been disputed, I may say that I come from the place where this incident has taken place, and I can tell you that round about the place, where the soldiers are stationed, there are many small villages....

**The Honourable Sir Nripendra Sircar** : On a point of order, Sir, is my friend right in discussing these matters now ?

**An Honourable Member** : What is the point of order ?

**The Honourable Sir Nripendra Sircar** : My Honourable friend is referring to evidence about the conduct of these soldiers....

**Mr. President** (The Honourable Sir Abdur Rahim) : I would like to hear what the Honourable Member, Seth Govind Das, says.

**Seth Govind Das** : I was pointing out, Sir, that the place where the soldiers live is surrounded by many small villages, and, on account of this incident, the villagers who live there are afraid of such incidents or even more serious incidents in future ; what I want to point out, therefore, is that this matter is very urgent and the discussion on it might enable the military authorities to prevent the recurrence of such offences in the near future ; it is, therefore, a matter of very great urgency.

**Mr. President** (The Honourable Sir Abdur Rahim) : I have considered this matter carefully, and I think I must hold that this motion cannot be discussed usefully without investigating the conduct of the soldiers of the King's Regiment implicated in the incidents alluded to. The sole evidence in the notice of motion before the House, as stated here, is the conduct of those soldiers. The House cannot discuss the conduct of those soldiers without taking into consideration the incidents of this occurrence, and, as the whole matter is *sub judice*, I feel that the rules stand in the way of this motion being allowed. I, therefore, disallow this motion.

DESPATCH OF TROOPS FROM BRITISH INDIA. TO ADDIS ABBABA (ABYSSINIA).

**The President** (The Honourable Sir Abdur Rahim) : The next motion is in the name of Pandit Nilakantha Das. He proposes to ask for leave for adjournment of the House to discuss a definite matter of urgent public importance as follows :

“ The despatch of troops from British India to Addis Abbaba (Abyssinia). ”

Is there any objection to this motion ?

(No objection was taken.)

Does the Honourable Member wish to move this ?

**Pandit Nilakantha Das** (Orissa Division : Non-Muhammadan) : Yes.

**Mr. President** (The Honourable Sir Abdur Rahim) : The motion will be taken up at 4 o'clock.

### ELECTION OF A MEMBER TO THE STANDING FINANCE COMMITTEE.

**Mr. A. H. Lloyd** (Government of India : Nominated Official) : Sir, in the absence of the Honourable Sir James Grigg, and, on his behalf, I beg to make the following motion, with your permission :

"That this Assembly do proceed to elect, in such method as may be approved by the Honourable the President, a member of the Standing Finance Committee to fill the vacancy caused by the resignation of his seat on the Assembly by Sir Leslie Sewell Hudson."

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

"That this Assembly do proceed to elect, in such method as may be approved by the Honourable the President, a member of the Standing Finance Committee to fill the vacancy caused by the resignation of his seat on the Assembly by Sir Leslie Sewell Hudson."

The motion was adopted.

**Mr. President** (The Honourable Sir Abdur Rahim) : I have to inform Honourable Members that for the purpose of election of a member to the Standing Finance Committee the Notice Office will be open to receive nominations upto 12 Noon on Friday, the 6th September, and the election, if necessary, will, as usual, be held in the Secretary's Room in the Assembly Building on Wednesday, the 11th September, 1935, between the hours of 10-30 A.M. and 1 P.M. The election will be conducted in accordance with the principle of proportional representation by means of the single transferable vote.

### THE CINEMATOGRAH (AMENDMENT) BILL.

**The Honourable Sir Henry Craik** (Home Member) : Sir, I beg to move :

"That the Bill further to amend the Cinematograph Act, 1918, for a certain purpose, as passed by the Council of State, be taken into consideration."

This Bill has been passed by the Council of State and we would have proceeded with it in this House last Session had time permitted. The Bill is designed to meet an evil which has been felt and commented on for some years, namely, the improper and suggestive form occasionally taken by certain cinematograph posters and advertisements. The evil came to notice a good many years ago when the Cinematograph Committee of 1928 reported that it was desirable that it should be checked, but the only suggestion they made to check it was that the police or the magistracy should have statutory power to remove an objectionable poster, and that disobedience to any order of removal should be made punishable. That suggestion was considered by the Government of India, but it was not thought very satisfactory, as it was felt that it would fail to achieve the object desired, that is to prevent the exhibition of objectionable posters. The bulk of the Local Governments who were



[Sir Henry Craik.]

consulted on that occasion preferred the remedy which has been embodied in this Bill, namely pre-censorship. We had many protests about cinematograph posters, and I shall quote a few of the bodies and people who have made such protests. The Association for Moral and Social Hygiene writing quite recently said that these posters do much harm, and added, "when we consider the standards of courtesy observed between the two sexes in households in India, it is difficult to see any reason for the delay in prohibiting these undesirable posters, often American in origin". Another protest was made by the All-India Women's Conference which met at Calcutta in January last year, and another one by the National Council of Women in India, a body of which Her Highness the Maharani of Baroda is the President, another one by the Bengal Welfare Association, of which Sir P. C. Ray is the President, and yet another by the Bombay Presidency Women's Council. Finally, the Municipal Corporation of Bombay, during the presidency of Dr. Deshmukh, now a Member of this Assembly, wrote in October, 1934, thus :

"It has been brought to the notice of the Corporation that posters depicting love scenes were exhibited by cinematograph companies in prominent places and that in the opinion of the Corporation there should be censors to prevent the exhibition of objectionable posters."

There were a number of other protests. I have only quoted a few of them. A large number of representations were made to Government to take legislative steps to cure this evil.

Now, Sir, the Bill which is before the House today has been prepared after consulting Local Governments and also Boards of Film Censors. Such Boards exist, I think, in five provinces, Bombay, Bengal, Burma, the Punjab and Madras,—I think I am right in saying that. The Bill provides that advertising matter of a pictorial nature should be censored by the Boards of Censors. We do not propose to extend the censorship to literary matter such as pamphlets and advertisements in newspapers unless they contain pictures, because we do not think that much harm is done by advertising matter of that kind. But posters and pictorial advertisements are sometimes indecent. If any Honourable Member is not prepared to accept my statement, I have had some examples of objectionable posters put up in the Library, and I think any Honourable Member looking at these posters will agree with me that they are, I won't say, obscene in the sense that they amount to an offence under the Penal Code, but they are I venture to hold distinctly suggestive, and in some cases it would not be an exaggeration to describe them as indecent.

**Mr. Akhil Chandra Datta** (Chittagong and Rajshahi Divisions : Non-Muhammadan Rural) : They are all foreign and not Indian.

**The Honourable Sir Henry Craik** : Most of them are foreign, but there are some Indian too.

Broadly speaking, the provisions of the Bill are that these pictorial advertisements must be exhibited for pre-censorship before the Board of Censors and the penalty provided for exhibiting publicly posters which have not been passed by the Censors is a fine of Rs. 500, and in certain cases, a recurring fine as well if the offence is repeated after warning. I

hope that the Bill will be treated as non-controversial and that the House will accept its principle. Since the Bill passed the Council of State in February or March last, we have taken the opportunity of consulting Local Governments, Boards of Censors, and through them the trade. Certain objections have been put forward by the trade, but from a great many of the trade bodies and corporations that we consulted no replies have been received, thus showing that they are indifferent in the matter. Those that have objected have had their objections considered both by the Local Governments and by the Boards of Censors who are, of course, in constant touch with the trade, and the Board of Censors report that the apprehensions which the trade entertains are in fact ungrounded and that little or no inconvenience will be caused to the trade if this Bill becomes law.

The Honourable the Deputy President suggested that there was no need to apply this law to posters of Indian films. It would be difficult to distinguish between films produced in one country and films produced in another, and although I admit that taking it by and large the Indian posters are less objectionable than those that come from abroad, it is not the case that we have not had any complaints about Indian films. That was a matter specifically considered by the Board of Censors of Bengal which is the province particularly affected, being the province where I think most of the films produced in India are made.

That is all I have to say on the general lines of the Bill. I think the Bill, as it passed the Council of State, is capable of improvement in certain respects. We have had certain definite suggestions made to us by one or two of the provincial Boards of Censors for the modification of the Bill, and I have myself given notice of one or two amendments to that effect. I see that there is an amendment to my motion, for the appointment of a Select Committee. If that is the general wish of the House, I am quite prepared that the Bill should go to a Select Committee, but I must warn the House that that may possibly mean considerable delay in passing the Bill. I doubt very much whether we shall have time to get it through a Select Committee this Session in view of the pressure of business, but I quite agree that the Bill does want amendment in its present form and I am perfectly ready to give the House, or a Select Committee if that is the general view, an opportunity of considering and adjudicating on such objections as have been made by the trade to the Bill.

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

" That the Bill further to amend the Cinematograph Act, 1918, for a certain purpose, as passed by the Council of State, be taken into consideration."

Notice has been given by Mr. Gadgil of an amendment which he wishes to move.

**Mr. N. V. Gadgil** (Bombay Central Division : Non-Muhammadaan Rural) : Sir, I move :

" That the Bill be referred to a Select Committee, consisting of Dr. G. V. Deshmukh, Seth Govind Das, Mr. Samuel Aaron, Mr. Amarendra Nath Chattopadhyaya, Mr. Muhammad Nauman, Mr. H. A. Sathar H. Essak Bait, Sir Ghulam Hussain Hidayatallah, Sir Abdul Halim Ghuznavi, Mr. J. Ramsay Scott, Mr. Pradyumna Prashad Singh, the Honourable the Home Member, Rao Bahadur M. C. Rajah, Mr. A. S. Hands, and the Mover, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be six."

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

“ That the Bill be referred to a Select Committee, consisting of Dr. G. V. Deshmukh, Seth Govind Das, Mr. Samuel Aaron, Mr. Amarendra Nath Chattopadhyaya, Mr. Muhammad Nauman, Mr. H. A. Sathar H. Essak Sait, Sir Ghulam Hussain Hidayatallah, Sir Abdul Halim Ghuznavi, Mr. J. Ramsay Scott, Mr. Pradyumna Prashad Singh, the Honourable the Home Member, Rao Bahadur M. C. Rajah, Mr. A. S. Hands, and the Mover, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be six.”

Discussion will now go on on both the original motion and the amendment.

**Dr. G. V. Deshmukh** (Bombay City : Non-Muhammadan Urban) : Sir, there can be no controversy over a Bill like this when we are as much interested in regulating the exhibition of pictures as the Honourable the Home Member. We have to remember that the object of this Act was to regulate the exhibition of pictures, but now I want to put before the House the other side of the shield. Under this Bill, we cannot forget that more and more power is being given to the so-called authority, the licensing authority, call it the Board of Censors—more and more power is being given, and it cannot be denied, and, I hope, it will not be denied even by the Honourable the Home Member, that this power has not always been exercised with reason. Indeed, I may say that very often this power has been exercised in an autocratic fashion, and there is a good deal of feeling in the public against the Board of Censors. To quote an instance that happened not so very long ago, some films were imported into this country as educational films. Those films were passed by the International Board as educational films. I happened to see some correspondence on them, and I believe I am correct when I say that in one of the letters from the Government of India it was asked what was the meaning of educational films ; they did not understand. If that is the position, I say, by all means give wider powers in the interests of moral hygiene if you like to the Board of Censors. But then you must be very particular as to how this Board of Censors is constituted. We find that, all over the country, the authority in many places is given to District Magistrates and Police Officers and Police Commissioners. It seems to me that this is behaving in a very backward fashion. After all, India is not such a country where, particularly in big cities like Bombay, Calcutta and Madras and other cities, you will not get public men or public bodies to associate themselves with the censors so that the films may be properly judged when they come up for inspection and there would be less of feeling amongst the merchants as well as the film importers. What I would suggest is this. I take it that the Bill is now going to the Select Committee and the Home Member has himself agreed to it. For instance, in cities like Bombay and Calcutta, where there are public bodies like the Bombay Corporation and the Senate of the University of Bombay, you would find many public spirited men perfectly willing to co-operate with the work of the Police Commissioners. In the different cities of India, you will find the same condition of things, and, if you associate them, there would be less of grievance and less of heart-burning when a film is censored. I would like that in this business of censorship educational institutions and public bodies should be more and more associated. If that is taken up in the Select Committee, I think that would be a very wise measure, and I do not suppose there would be much difficulty about passing the Bill in this House.

**Mr. Abdul Matin Chaudhury** (Assam : Muhammadan) : I quite appreciate the desire of the Government of India to safeguard the morals of the public by prohibiting the exhibition of objectionable posters. Having seen the samples of the posters that have been put in the Library and also the posters in the streets, I am not convinced that they are so devastating in their effect on public morals as to require the enactment of this measure. Holding as I do a rather unorthodox view regarding this matter, I am not very nervous about the consequences of exhibition of a certain type of posters. As to the question of what is objectionable, opinions differ and the opinions of the highly respectable citizens who constitute the Board of Censors are not always above criticism. When the film producers produce some film they produce also the advertising material and naturally they take care to see that these materials are of such a character as not to offend against the accepted notions of obscenity or immorality and so far as my information goes the posters produced by the Indian producers have not been found objectionable anywhere. It is only the posters that are imported from outside to which objection has been taken by the authorities. I do not understand why the posters that can be exhibited in England and America should come under ban in India. I think, Sir, it is too late in the day to suggest that Eastern people will have a wrong conception of European life from the posters that are printed in the West. Cinema has familiarised the Western life to Eastern masses and it is generally recognised that human nature is the same all the world over. I do not see any reason why if these posters are allowed to be shown and exhibited in England and America they should be banned in India. The Home Member referred to the report of the Cinematograph Committee. The Committee found that there were some tendencies to exhibit objectionable posters but they did not recommend that the cinema producers ought to be put to the inconvenience and trouble of submitting the posters to the Board of Censors. They thought that it would be sufficient if the police took away the objectionable posters. I think that no cinema producer will go to the length of spending money on printing the posters when he knows that they are likely to be snatched away by the police when exhibited in public. I think the recommendation of the Cinematograph Committee was quite a cautious one and it should meet the needs of the situation. I would again say that the Indian film producers have not been found guilty of showing objectionable posters and why should they be penalised for the sins of the European producers ?

**The Honourable Sir Henry Craik** : I said that there have been some cases which have been objectionable.

**Mr. Abdul Matin Chaudhury** : Opinions will differ. The posters held objectionable by Board of Censors may not really be objectionable. As I said, my views are unorthodox in this matter. I do not consider that the posters that I have seen on the streets are so objectionable that they should be banned. I am glad that the Home Member has accepted the motion for reference of the Bill to the Select Committee and I think the matter can be thrashed out there.

**Mr. Sri Prakasa** (Allahabad and Jhansi Divisions : Non-Muhammadan Rural) : Mr. President, like my friend, Mr. Abdul Matin Chaudhury, I am opposed to this measure, but on grounds exactly opposite to his. Before I proceed further, I should like very respectfully to con-

[Mr. Sri Prakasa.]

gratulate the Honourable the Home Member for keeping his eyes and ears open and alert at least in the matter of complaints that come on such matters as he likes, while his eyes and ears are absolutely closed to complaints of other kinds, such as those that come from Bengal. You will remember, and I am sure many Members of this House will remember, that Lord Irwin on one occasion said that the Indian people get a very wrong idea of European life owing to the cinemas. I agree with Lord Irwin. Having been myself abroad, I do not think European life is so corrupt and so utterly bad as is depicted in the cinemas that are exhibited in this country. Being a human being and not being governed by racial considerations, I feel it as hurtful to my own self-respect if any other human being is traduced or libelled; and I stand for the proper representation of European life in my country as much as I do for the proper representation of Indian life in countries abroad. It may perhaps satisfy the morbid taste of some gentlemen opposite to see to it that Indian life is traduced and painted in very evil colours abroad. It may even satisfy their lust for slander, to see that Miss Mayo's scandalous book is distributed free of cost abroad; but it does not satisfy me to see that Europeans are shown in a wrong and bad light in my country. Despite the European clothes worn by many of my countrymen in this House, I know that their homes are not European and that they do not live exactly as Europeans do. Ideas of decency and of morality differ in certain aspects, in different countries, despite all that my friend, Mr. Abdul Matin Chaudhury, may say. I am not an expert on cinemas; I am not even an expert on the posters of cinemas. If I may confess candidly, I have not been to a cinema house more than twelve times in my whole life of forty-five years. (Laughter.) I have not looked at many of the posters that are exposed; but the few posters and the few films that I have seen have given me the idea that the whole thing is seriously corrupt. If the Cinematograph Act itself were under consideration, I should be the first to propose that all cinemas in this country should be abolished (Oh! Oh!) (Hear, hear) unless decency and educational value could be ensured in the shows together with recreative pleasantness. But we are here limited by the terms of this Bill. I am one of those that do not like over-loading the Statute-book. I do not like lots of laws which are only honoured in the breach....

**The Honourable Sir Henry Craik:** "More honoured in the breach...."

**Mr. Sri Prakasa:** If the Honourable Member is correcting my English, I may say that he himself is wrong. 'More' is used when a comparison is made. I did not say: "more honoured in the breach than in the observance". If I had said that, he would have been right; but I did not use the latter expression at all. I simply said: "which are only honoured in the breach". I do not know to what university my Honourable friend belongs. I suppose he belongs to Oxford, but I belong to Cambridge (Hear, hear), and we Cambridge men yield to no one. I was just going to say that the Indian Penal Code and the police laws, as they exist in the country, are quite enough to meet the danger that the Honourable Member is afraid of. There are laws about decency, there are laws against obscenity; and I am sure the police is not doing its duty when it allows objectionable posters to be exhibited in public places. If only the police authorities look into

1 P.M.

the laws that they are supposed to administer, they will see to it that these posters are abolished without the help of any additional laws. The reason why I am opposed to this measure is that I have no faith in the censors. As my Honourable friend, Dr. Deshmukh, has already explained, these censors behave in a funny and autocratic manner. They don't care for their duty but act according to their own notions of things. Though the Honourable the Home Member assured the House or seemed to assure the House that his purpose was to stop indecency and immorality, I may assure you, Sir, from such experience as I have had of his Government and of himself, that all this censorship is going to be used mostly for political purposes. (Hear, hear.) I will give you only one illustration. The other day, in Farrukhabad in my Province, and in my constituency, a cinema company wanted to exhibit a film showing scenes from the Bombay Congress. The District Magistrate of that place advised the manager of the cinema company not to exhibit this film. We all know what the "advice" of a District Magistrate means: if that "advice" had been disregarded, the manager and his company would have gone to pieces! This is the way the censors work here. Sir, I have no trust in these censors any more than I have any trust in this Government and its personnel (Hear, hear), and, therefore, I am most anxious that there should be no law on the subject, and no addition to the existing law. What are these posters, after all? They are only a replica, so far as I know, of the films that have been passed by the censors. In European countries they have a standard of clothing; for instance, they see nothing very indecent in a lady of rank and title appearing in a skirt not lower than her knees, but in India—we may be wrong—we regard this as indecent, and we think that women should be more clothed than this. I have no objection to European women putting on whatever clothes they like; they follow their own standards; but we do not want those standards to come here. I have seen on the few occasions that I have been in a cinema hall (Laughter) the audience indulging in ribald laughter whenever they see some scene thrown on the screen which would not have elicited even a smile from a European audience. Here they feel that it is something very amusing.

I will refer—if you will permit me to do so, Sir,—to the rather embarrassing subject of kissing. (Laughter.) Now, in India, we are not much used to being kissed or to kissing (*A Voice*: What?) in public. In India—I am not talking about those gentlemen who have been aping European manners (Laughter), I am talking of the vast mass of the people—I can tell you, Sir, that if you take a census, you will find that about 90 per cent of husbands have never kissed their wives (Laughter) (*Voices of "What?" "What?"*), and certainly 99 per cent of Indian wives have never kissed their husbands (Laughter) in public. Now, kissing in public here is almost reserved to babies; but in European countries public kissing is a very common thing. In England, for instance, men and women kiss each other without creating any confusion at railway stations. (Laughter.) On the continent of Europe, men kiss each other without creating any similar confusion. If men kiss each other in England, there would be confusion, because that is not the custom there. In England, you are only authorised to kiss ladies, and if you go beyond that, you will get into trouble. Now, whenever these films of indiscriminate kissing are exhibited, there is always ribald laughter here from those who are witnessing these scenes.

**An Honourable Member :** They are beginning to like it.

**Mr. Sri Prakasa :** They are beginning to like it, and I am sorry for them : and I wish that Government, if they mean to be a Government—I doubt if they mean to be a Government, they only mean to be a tyrant—if they really are a Government in any sense of the word, they will see to it that the immoral in human nature is not encouraged.

**The Honourable Sir Henry Craik :** Is kissing prohibited ?

**Mr. Sri Prakasa :** I ask the Honourable Member who is pretending to indulge in a moral lecture to this country, in the case of everything that a human being does in private, why should not all that be exposed on the screen, and why bring in this law ? Sir, I cannot understand the Honourable Member indulging in moral lectures ; I can understand him in the realm of politics. My clear submission to this House is that we must stand against all exhibition of immorality and indecency according to our standards and not according to the standards of Europe. I say that the whole of the cinema censorship is wrong in principle because persons who are in charge of censorship are themselves rather fond, as one of my friends said, of those things which they pass as good. And what happens in Mofussil towns ? I can give many examples from my own city of Benares. The policemen themselves are rather fond of seeing cinemas and so are the magistrates. I know of deputy collectors phoning to the police station, and asking the *thanadar* to inform the neighbouring cinema house that His Majesty the Deputy Collector with his family wants to visit the cinema ; and seats are thereupon reserved for them without any payment. When policemen and magistrates are allowed free admission to cinema houses, of course, they are very chary of running cinema men for indecency and immorality. How does the Home Member expect that this evil of his Government will be abolished ? If any wrong doing on the part of magistrates and the police are mentioned to him, he says : “ I have never heard about them. All this is absolutely false and untrue.” He was saying the same thing when informed of the actual happenings in Bengal. Any complaint that is made against his subordinates is false and untrue ; and anything that he likes to believe is true. We have seen how sensitive he was when the motion for adjournment was moved this morning. He seemed to me to be treating very lightly the life that was taken in Jubbulpore. But when it comes to his own subordinates and members of his own Government, he becomes awfully sensitive. I shall have more to say if I get an opportunity, when his infamous Bill *re* Criminal Law Amendment comes before the House. But for the present I shall be satisfied with saying that this Bill be withdrawn and that the Home Member and his Government should instruct all subordinates throughout the country to see that immoral and indecent posters are not exhibited in the public streets. I may assure the House that there is plenty of scope under the terms of the various existing laws, for example, the Indian Penal Code and the Criminal Procedure Code, for the local magistracy and the local police to take action against offenders. As I said at the beginning, I do not want to overburden the Statute-book. The larger the number of laws that you enact the lesser the possibility of their being followed in action. With these few words, I wish to appeal to both sides of the House to throw out this Bill and to depend upon the ordinary law of the land.

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

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

**Seth Govind Das** (Central Provinces Hindi Divisions : Non-Muhamadan) : Sir, I do not want to give a silent vote on this question as I am personally connected with this industry and I know its difficulties. At the very outset, I want to make it clear that I am one of those who want to censor films from a moral point of view, and the concern with which I am connected is floated to produce such films which are clean from a moral point of view. But, at the same time, I do not want that such restrictions should be imposed on this industry, which will kill the industry itself.

Now, Sir, according to this Bill, representation of every picture will have to be brought before the Board of Censors. This pictorial representation will not contain only big screens and posters, but even photographs and blocks, the number of which goes sometimes even to hundreds. Sir, to bring all this material before the Censor would be not only too difficult a job for these film concerns, but would be too expensive. In different papers, when the cinema advertisements appear, those papers also make blocks in different ways and in different combinations. These papers are published from different parts of the country. It would be very difficult, I should say, it would be practically impossible, for these papers to get their blocks censored by the Board of Censors. Then, generally, all photographs of these blocks are prepared from the material of the films which are censored. I do not see the need of censoring these things again when the film is already censored.

When this Bill was being discussed in the Council of State, the Honourable Raja Ghazanfar Ali Khan asked whether Government had received any complaint about the advertisements concerning the films which were prepared in India to which the Honourable Mr. Hallett replied, "No, Sir, I do not think we have". The Honourable Raja Ghazanfar Ali Khan again asked if he would not confine this Bill to imported films alone, to which the Honourable Mr. Hallett said, "No, Sir". I do not understand why, when complaints are not received as far as the Indian films are concerned, this Bill should not be restricted to the imported films only and why should this Bill be applied to indigenous films also ?

I do not want to take up much of the time of the House, but, before I sit down, I must say one thing more, and that is that I do not think this Bill is a safe one from the political point of view as well. Recently a film was produced by a film concern in Bombay, namely, Ajanta, its name was "Mazdur", and the story of that film was written by a famous Hindi writer, Babu Prem Chand. This film has been banned in most of the provinces from the political point of view. This Government calls itself the Government of India, but there is no denying the fact that it is not our Government, and I shall be the last person to give any more powers in any direction in the hands of the present Government of India. Therefore, I must oppose this Bill both on principle and on its merits.

**Dr. F. X. DeSouza** (Nominated Non-Official) : Sir, although the Bill is being treated more or less as a non-controversial measure, yet I should like to intervene in this debate for a few moments to express my gratitude to the Honourable the Home Member for introducing this Bill, on behalf



[Dr. F. X. DeSouza.]

of the Indian Christian community which I represent in this House. No community, Sir, views with more concern the mischief done by obnoxious films than the Indian Christian community. Representing as these films profess to do the types of culture and modes of life prevailing in Christian countries, people in the East have a tendency to regard these films as typical of the Christian culture of the West. Therefore, we, the Indian Christians in this country, feel as if Christianity itself was on trial in the East. It is, however, unnecessary to inform this enlightened House that these films are not typical of Christian culture at all. They represent the culture which Hitler has called the Bolshevisation of culture and are no more representative of the true Christian culture than the Bolshevik State represents the ideals of a Christian State.

Sir, there is indeed a school of thought in this country which was referred to this morning by my Honourable friend, Mr. Sri Prakasa, which regards these disgraceful exhibitions of European life not without some satisfaction. They do not wholly condemn these exhibitions, because they think that they tend to lower the prestige of the Western races in the eyes of the Eastern people. I, for one, do not share these feelings. As my Honourable friend, Mr. Sri Prakasa, expressed it this morning in his best Cambridge manner, these films are a degradation of our common humanity.

As I have said the measure is being treated more or less as a non-controversial measure, there is general agreement about its being referred to a Select committee. Two types of mind were brought to light in the course of the debate this morning. One type was that of extreme conservatism which regards kissing as mischievous and short skirts as a source of great danger. There is another school of thought represented by my Honourable friend, Mr. Abdul Matin Chaudhury, who thinks that no harm can be done by a picture however bad it may be. I shall leave these two extremes aside and I think the general sense of the House is that the posters which are now advertised do contain very objectionable matter, and it is up to the Select Committee to inquire to what extent they should be stopped.

My Honourable friend, Mr. Sri Prakasa, said, after all what is a poster? A poster is merely a replica of the film and if the film is not censored, why censor the poster? Well, Sir, I do not agree with him nor did the Cinema Committee which inquired into the matter in 1928. I will use the words which the Cinema Committee used:

"Posters like other catchpenny devices are often more lurid than the goods which they advertise and at times refer to scenes which have been excised either by the censor or the exhibitor himself."

As an instance they say that they themselves witnessed an enlarged poster advertised "Kiss me Again" in too suggestive a manner but the film itself was absolutely harmless. True, the old proverb says that good wine needs no bush. Apparently, according to the experience of the Cinema Committee, a good film requires a bad poster in order to make it more alluring.

Sir, I shall not detain the House further except to mention one thing and that is that when the Select Committee comes to consider this Bill they will bear in mind one or two points referred to this morning. The

first was the constitution of the Board of Censors about which I see there is general dissatisfaction in the larger cities of Bombay, Madras and Calcutta. They consider that superannuated old gentlemen are not in touch with modern ideas and they want that the Board of Censors should be more representative by having men interested in education, social reform and other public activities to be included in them. The second point to which I should like to draw the attention of the Select Committee is that more facilities should be given to producers of films than exist at present. I understand that both in Madras and Bombay there are no decent projection boards at all provided, and the unfortunate producer has considerable expense in hiring a theatre from one of the cinema exhibitors and he has to pay the taxi hire of inspectors and incur expense before the film is passed. Third and last, I should also draw the attention of the Select Committee to the fact that the industry has now become a national industry. I hear that in Bombay nearly 20,000 men are employed in this industry and therefore a national Government which this Government is gradually becoming should feel that it is its duty to make it a national industry by abolishing the duty on raw films, by having educational films or patriotic films produced or in any other way that may suggest itself to the Select Committee. Sir, I support the motion.

**Mr. M. Ghiasuddin** (Punjab : Landholders) : Sir, I wish to draw the attention of the House to the fact that no good can come out of this measure unless a radical change is made in the type of persons who are to be appointed as film censors. How will anybody feel if a blind man were made a judge of art, or a deaf person a judge of music or a teetotaller were made a wine taster in a hotel ? At present the only qualification which is required of a man to be appointed as a film censor is that he should have ultra-puritanical views and so we see some of the best pictures being slaughtered because the persons so appointed have no sense of art. I can illustrate my point by quoting what happened very recently in Lahore. A picture called "The Private Life of Henry the Eighth" which was exhibited both in America and in England and to which the critics of both countries gave very fine certificates was censored because they thought it would bring hatred and contempt on the English race here. It was shown in London where it was a great success and I suppose there are a few English people in London. It did not hurt any of their susceptibilities ; yet it was thought that this picture would bring into hatred and contempt the English people over here. On the other hand, pictures which show Asiatics as villains and Englishmen as heroes and in which Asiatics are depicted in the worst colours are freely exhibited without any restraint. So I wish to submit that, before this Bill is passed into law, the Select Committee would see that provisions are made to remove these defects.

**Mr. Lalchand Navalrai** (Sind : Non-Muhammadan Rural) : Sir, I feel much concerned with this Bill. Having taken some interest in this matter, I found that there are some matters which must be attended to by Government. On account of that I had communications with the Home Member and I drew his attention to the fact that in this Bill or in some other Bill provision should be made to checkmate the production of pictures in India which are quietly photographed here and taken to the other countries, developed there and exhibited to the detriment of Indian people. On that point I had some correspondence with the Home Member

[Mr. Lalchand Navalrai.]

and the House knows that at the last Session in Delhi two instances were brought before the House to show how attempts are being made in that direction by showing such films in countries outside India. I also suggested some remedy for that purpose but as the Home Member then stated that he would look into the question we waited to see what he would actually do in that respect. I hope I have made clear to the House what I mean. Some people come over here from America and other places and take incorrect pictures here of things which do not sometimes even exist. Thus many things manipulated are to the detriment of the Indian people and the country of India. These people take such photographs round to America and other places and exhibit them there : this is a thing that must be stopped with a strong hand, and for that purpose I hope that some method will be found out by the Government to check it. The last reply that I got from the Honourable Member showed his sympathy : it also showed that he had at his heart the question of safeguarding the interests of India in that direction, but he was not able to find out any remedy. He asked : "How can we prevent it ? There are secret ways of photographing and taking away these films." But I submit that in this matter if the Government have vision they will certainly find a way out. It cannot be that a mischief like this cannot be prevented : Government have got their own C. I. D. and their inspecting and other staff to find out whether things are being done illegally or not. At the customs offices and at the ports, inspections are always going on and so much money is being spent on inspectors' salaries and other precautions, and I am sorry to say that I get this reply. However, I do not despair—I never despair—and I hope the Government will think over this question and the Select Committee will give attention to this question and arrive at some method by which this evil could be checked.

Now, coming to the Bill itself, there are two motions before the House : one is to take the Bill into consideration and the other is to refer it to a Select Committee : and I think the Home Member has been wise in accepting the motion to refer it to a Select Committee. There is no doubt that it is not a contentious Bill ; it is also not objectionable if the provisions are worked properly. I would here submit that the original Cinematograph Act has not been worked properly, as was pointed out by Dr. Deshmukh : it is left in the hands of the District Magistrates, as so many other things are left in their hands : in many instances European District Magistrates do not know our customs and manners, our feelings and our tastes, and they give permission to show pictures, judging from the standard of their own country. I say the Censor Board should be constituted in such a manner that it should consist of Indian experts jointly though with European experts, of persons who feel themselves responsible to the people and who consult the views of the public and find out what is good and what is bad.

So far as the throwing out of the Bill is concerned, I am sorry I cannot join hands with my friend, Mr. Sri Prakasa. He has put his case very well ; but does he know that the Cinematograph Act exists today and that this Bill is only supplementary to it, adding one or two sections to it ? If it is suggested that the original Act itself should go off and that there should be no legislation in this matter at all, I for myself would not agree to it at all. Therefore, to reject this Bill will not achieve the object

in view. Our destinies and the destinies of the British have been mixed together and we cannot avoid their joining us in passing legislation for safeguarding this country and theirs. In this matter, however, the sense of morality itself is different, and I cannot agree with my Honourable friend, Mr. Abdul Matin Chaudhury, that any picture which is good in America is good here. In fact, I do not think his own community will accept what he says here : I do not know where he got those ideas from. Is it Koranic law which tells him that an obscene picture should be accepted in this country ? (Interruption.) My friend is still young and he will revise his views later on : I know from my experience of him of so many years that he is open to correction and is not incorrigible. (Laughter.) I have seen the world and I can form my own judgment....

**Pandit Lakshmi Kanta Maitra** (Presidency Division : Non-Muhammadan Rural) : Are you within the 90 per cent, or within the 10 per cent. category of Mr. Sri Prakasa ?

**Mr. Lalchand Navalrai** : As I say I do not agree with those who think that this Bill should be thrown out. I do not also agree with those who say that what is good for America or for the British people is good for India. I say we must have a good body of censors in India. Some people say we must do away with cinemas altogether : if you can have Congress rule you can certainly do it : but at present it is no use saying those things. What I say and emphatically say is that precautions must be adopted for proper censorship before the Bill passes out of the Select Committee. The Committee should consider all these views. If no provisions are to be made and no precautions taken to get a better Board of Censors, then it is no use having this legislation. I think this side of the House is agreed that the censorship now is not impartial or good. Now if you want to censor films but you do not want to censor posters and advertisements it will be an anomaly. It is said there is no such law in England ; true, but even the Royal Cinematograph Commission, considering the condition in India, recommended it for India. I think they have sense enough, in fact they have more sense than some of us have here. My Honourable friend opposite asked how to meet the differences of opinion as to the kind of posters and pictures ? Are there not differences of opinion in this House ? How are such differences got over ? Such differences of opinion are got over by a majority. Have a useful Board of Censors, and if by a majority they consider that a certain film or poster is harmless, you can pass it, but if it is considered objectionable by the majority, certainly don't pass it. Therefore, I say that this is only a supplementary Bill, and so all necessary precautions and safeguards should be taken to see that the Act itself is also worked properly. We know in India how Bills when they become an Act are worked, how their provisions are carried out in practice. The whole measure is considered very nice by this House and it becomes an Act, and when it is sent out, how does the Executive work it ? They try to whittle down everything and then tell you that it is working very well. All I want to say is this. When the Bill comes out of the Select Committee and again comes before this House if necessary precautions are not taken or if certain provisions are not embodied in it as safeguards, I for one would ask the whole House to throw it out

**Mr. M. Ananthasayanam Ayyangar** (Madras ceded Districts and Chittgor : Non-Muhammadan Rural) : Sir, I wish to say a few words in respect of this Bill. Some of us on this side are sharply divided on this Bill according to their age. Persons as they grow old find objectionable matter in everything. I would say, Sir, that this Amending Bill is not necessary. Instead of making the original Bill more and more useful so that better films may be produced, and the industry as a whole is encouraged, every kind of obstacle is sought to be placed in the way of the further progress of this film industry. Recently, Sir, in an exhibition which was opened by Sir M. Vishweshwarayya, he explained how this industry is full of promise for the future and what great potentialities it has before it. Persons of various professions are engaged in this industry,—artists, play-wrights, photographers and engineers find occupation in this industry. Again and again resolutions have been passed and representations have been made to the Government that raw films brought into this country might be let off easily without charging a heavy import duty. Far from taking action in the direction suggested by the public, unfortunately every kind of stringent measure is sought to be adopted with a view to kill this infant industry. I would submit that if the original film itself cannot be exhibited without its passing through a Board of Censors, there is no need putting before that Board the advertising matter also relating to that film. Whatever the advertisement may be, a person takes the trouble of advertising a film only for the purpose of exhibiting that film. If the film is likely to be censored, the advertiser will not be foolish enough to send up posters at a huge cost to advertise his film, and if it is to be exhibited, there is absolutely nothing objectionable in allowing pictorial representations thereof to go in advance. Already the film producers are put to an enormous cost by way of fees for inspection and they have made various representations to Government from time to time. Under the Act, 50 per cent. of those who are nominated on the Board of Censors are officials and the other 50 per cent. are non-officials. Views are changing everyday regarding decency, and they are naturally different in different countries. Recently, an M. L. A. was found to be an obnoxious being, not a fit person to be admitted to society, because he had not put on western costume. We do not know where this will end. A kind of dress that is usually adopted in one country may be objected to by persons in another country. I would, therefore, say that if you select persons of the type who recently sought to avoid or exclude an Honourable Member of this House from a club, if such persons are put on the Board of Censors, we do not know if this industry will be allowed to flourish in this country at all. We are trying to be too sensitive in this matter.

With regard to sending advertising matter before the Board of Censors, I would say there is absolutely no need for it, it is not necessary and it puts the film producers to a very great expense.

Then, Sir, as regards the restrictions. In these days, we are trying to empower the Government with certain powers which can be used adversely to the interests of this country. "Dandi March" and similar films which are exhibited in other countries are not allowed to be exhibited in this country. This Amending Bill does not restrict the pictorial advertisements to obscene pictures or pictorial advertisements alone. Anything on political grounds can be tabooed. You are placing once again too much power in the hands of the Board of Censors, 50 per cent. of which is nominated by Government. Anything, however, useful to this country,

can be tabooed by the Board of Censors. I would, therefore, request Honourable Members of this House to consider whether it is desirable to place much more power than already exists in the hands of the Board of Censors over whose nomination or appointment this House has absolutely no control.

Then, even after a film is produced and exhibited, there is the District Magistrate or the local Superintendent of Police to throttle it, who says that even if the film has passed through the fire, even if it has been passed by the Board of Censors, it is objectionable so far as a small place is concerned, as if the morals contained in a picture exhibited in a small place differ from the morals in the presidency headquarters, so that films which are passed by a Board of Censors as fit for a big place become absolutely objectionable to a small place. That is how at any stage a film which is produced at an enormous cost is likely to be banned. Under these circumstances, I suggest that this is not a measure which should receive support from this side of the House. However, as my friend has moved for reference to a Select Committee, I suggest that sufficient precautions should be taken in the Select Committee, at least with respect to this portion of the Amending Bill, to see that the Board of Censors consist of some representatives who will be free from bias or who would not be absolutely under the thumb of the Government.

Further, Sir, I would say that it is just and proper that film producers should have adequate representation on such Board of Censors. No doubt, this would mean a modification of the original Bill itself, but at least with respect to this portion,—the preamble not having been modified,—at the Select Committee stage necessary amendments should be made so that suitable provisions may be incorporated in the Bill in order to give proper representation to the film producers as also to the non-official public on the Board to ensure that proper films are not unnecessarily tabooed.

Then, as regards the difficulty which my friend, Mr. Lalchand Navalrai, raised, that films produced in this country are taken surreptitiously to other countries where we are made a laughing stock, he was at pains to find out a remedy, and it appears that in spite of repeated representations the Government also expressed its inability to remedy this evil. I would suggest that there ought to be an International convention that unless a film is certified in the place of its origin, it ought not to be allowed to be exhibited in another country. Such a convention is not hard to get, because if other countries do not accept that convention, it is easy for us to exhibit in our country films depicting damaging things about those countries. Therefore all countries should be interested in bringing about that convention if it is possible. Of course, this may be a matter foreign to the scope of the present Bill and of the Select Committee, but I would suggest that the Honourable the Mover might bring the Bill in a modified form so that it may do more justice to the industry and the public at large. You will not prevent books, you may prevent these films and advertisements. I was really surprised when I went through the posters collected and kept in the Library. I did not find much of objectionable material therein, and I wonder how they should take objection to this when we find exhibited in every railway station nude pictures in journals of the nude society and sun bathing journals containing pictures of nude sun bathers. I do not know if the Government or the Honourable Member have ever seen those pictures. Here at least there is an attempt to cover up the coverable portions, but in those pictures there is absolutely no attempt to do so.

[Mr. M. Ananthasayanam Ayyangar.]

We are unfortunately in a position in this country where we have not got the means to cover both the waist and the upper portion of the body, and a sun bath is absolutely unnecessary in those circumstances. I find that there is no censorship in the case of the nude cult and sun bathing societies. You do not prohibit that, and still you try to prohibit this branch of industry in this country when it has not yet been able to raise its head. It is full of promise and, therefore, let us not be too careful and meticulous about this and kill the industry even in its infancy. I just want to say one word more. My Honourable friend, Mr. Sri Prakasa, being quite young I thought that he would feel like a young man. But he seems to be a puritan from his birth. He, incidentally, said that 90 per cent. of our people do not know what it is to kiss. I hope that he confines his objection to kissing in public. (Laughter.)

**The Honourable Sir Henry Craik :** Most of the speeches delivered by objectors to this Bill have dealt with the censoring, not of posters, but of films, and that is a subject with which the Bill does not deal in any way whatever. The Bill is wholly confined to a proposal that pictorial posters should be pre-censored. One or two objections have been taken on the ground that the Bill would prove a serious obstacle to the film producing or film exhibiting industry, and the Honourable gentleman opposite said that if the films themselves have to be censored, what is the point in censoring the advertisements which are merely a part of the film. That is not, strictly speaking, accurate. Advertisements very often represent scenes that are not actually in the films themselves. I imagine that most of the particularly objectionable advertisements are of that description. Further, it was said that the Bill would put additional expense on the industry. But there is no proposal that any additional fee should be charged in the censoring of advertisements. It is merely proposed that the advertisements should be shown to the Board of Censors at the same time as the films to which they refer. Honestly I do not think that it would really involve any additional expense or hindrance to the development of the trade. However, that is a matter that can and will certainly be gone into if the Select Committee is appointed.

My Honourable friend, Mr. Lalchand Navalrai, introduced quite a different subject when he referred to the correspondence which he recently had with myself about films manufactured in India. He asked me, so far as I recollect the correspondence,—I have not seen it recently—he asked me whether there was not some way in which films manufactured in India could be censored before they were taken out of the country. But I am afraid that is not practicable because a staff of photographers come out here and take photographs, but they do not develop them in this country and it is impossible to show them to the censor or to any one else, even if we were aware, as we cannot always be, where they were being made and when they were being taken out of the country.

**Mr. Lalchand Navalrai :** The Honourable Member will excuse me if I interrupt him. My point was whether the Government could not have means to find out when the productions are secretly made and taken out of the country. My correspondence will show that.

**The Honourable Sir Henry Craik :** I am sorry I cannot hear the Honourable Member. I will be glad to discuss this subject with him and

to show him what the practical difficulties in the way of his suggestion are.

**Mr. Lalchand Navalrai :** My Honourable friend said that when they are secretly made and taken out they could not be censored. My point was, and I have explained it today in my speech, that those pictures are secretly made and taken out of India, and some method should be devised to see that this does not happen.

**The Honourable Sir Henry Craik :** I had better have a discussion with the Honourable Member outside the House ; if he can make any practicable suggestion I will only be too glad to consider it. But it is very difficult to discuss it on the floor of this House by way of question and answer, and after all, it has nothing whatever to do with the Bill now under consideration.

I think I am right in saying that on the whole the House is sympathetic to the object of this Bill, and I trust that it will agree that it should be further considered either by Select Committee or by a Committee of the whole House, I do not really mind which. I do not think that the views expressed by the Honourable Member from Benares, which seemed to be of a very pessimistic nature, really reflect any large body of opinion either in this House or in the country. The Honourable Member dislikes films altogether. He dislikes cinema houses, he dislikes kissing, he dislikes Government, he dislikes me....(Laughter.)

**Mr. Lalchand Navalrai :** He is opposed to kissing in public, and not in bed.

**The Honourable Sir Henry Craik :** He dislikes nearly everything. When the Honourable Member was speaking, to me he seemed to have the outlook of a gonty, pessimistic old gentleman of 85, and I suggest that he should try to model his outlook on life slightly more closely on the lines of the bright young gentleman sitting straight in front of him. (Laughter.)

**Mr. President** (The Honourable Sir Abdur Rahim) : Before the amendment is put, the Chair would mention to the House that the Mover of the amendment wants to add the name of Babu Baijnath Bajoria to the personnel of the Select Committee. The question is :

“ That the name of Babu Baijnath Bajoria be added to the Select Committee.”

The motion was adopted.

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

“ That the Bill be referred to a Select Committee, consisting of Dr. G. V. Deshmukh, Seth Govind Das, Mr. Samuel Aaron, Mr. Amarendra Nath Chattopadhyaya, Mr. Muhammad Nauman, Mr. H. A. Sathar H. Essak Sait, Sir Ghulam Hussain Hidayatallah, Sir Abdul Halim Ghuznavi, Mr. J. Ramsay Scott, Mr. Pradyumna Prashad Singh, the Honourable the Home Member, Rao Bahadur M. C. Rajah, Mr. A. S. Hands, Babu Baijnath Bajoria, and the Mover, and that the number of Members whose presence shall be necessary to constitute a meeting of the Committee shall be six.”

The motion was adopted.



## THE ALIGARH MUSLIM UNIVERSITY (AMENDMENT) BILL.

**Sir Girja Shankar Bajpai** (Secretary, Department of Education, Health and Lands) : Sir, I beg to move :

“ That the Bill further to amend the Aligarh Muslim University Act, 1920, for a certain purpose, as passed by the Council of State, be taken into consideration.”

This is a very simple measure, Sir, and I hope that it will prove to be non-controversial. Towards the end of April, 1934, the Court of the Aligarh Muslim University decided to recommend to the Governor General in Council through the Board of Visitors that the Aligarh Muslim University Act should be amended so as to abolish the post of Pro-Vice-Chancellor. They made that recommendation in pursuance of a recommendation of a retrenchment committee which had been appointed earlier suggesting that the post of Pro-Vice-Chancellor be abolished as a measure of economy. The Board of Visitors, Sir, forwarded the recommendation of the Court to the Governor General in Council but with a modification that, instead of abolishing the post, the power shall be left to the Court either to keep the appointment or to abolish the appointment. Their point of view, and that is also the point of view of the Government of India, is that in the case of a growing institution like the Aligarh Muslim University it is impossible to anticipate when circumstances may arise when the appointment of a Pro-Vice-Chancellor may be necessary. After all there is the sister university of Benares. The Act which constituted that University made the appointment of Pro-Vice-Chancellor there obligatory and from all that I have heard from the Vice-Chancellor and from others the business of the University has been so pressing and the functions of the Vice-Chancellor especially in an ambassadorial capacity have been so varied that they have persistently felt the need of keeping the post of Pro-Vice-Chancellor filled. What we felt was that rather than adopt the restrictive recommendation of the Court, because it would be a restrictive recommendation if the Court were deprived of the liberty to fill the post of Pro-Vice-Chancellor later on if necessary, we should so amend the Act as to leave the Court free to appoint a Pro-Vice-Chancellor when circumstances required it and to abolish that when circumstances recommended that particular course. That is the amendment which was made by the Bill as passed by the Council of State and that is the amendment, Sir, to which we now seek the support of this House. Sir, I move.

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

“ That the Bill further to amend the Aligarh Muslim University Act, 1920, for a certain purpose, as passed by the Council of State, be taken into consideration.”

There is an amendment of which notice has been given.

**Maulana Shaukat Ali** (Cities of the United Provinces : Muhammadan Urban) : I beg to propose an amendment to the Bill.

**Mr. President** (The Honourable Sir Abdur Rahim) : That is to the second clause.

**Maulana Shaukat Ali** : My amendment would read thus....

**Mr. President** (The Honourable Sir Abdur Rahim) : Clause 2 is not yet before the House.

**Mr. Muhammad Yamin Khan** (Agra Division : Muhammadan Rural) : We have received no notice.

**Mr. President** (The Honourable Sir Abdur Rahim) : The amendment of which notice has been given by Maulana Shaukat Ali is only relating to clause 2. That is not before the House. This is the motion for consideration.

**Mr. Muhammad Yamin Khan** : We have received no copy of the amendment.

**Mr. President** (The Honourable Sir Abdur Rahim) : That will be dealt with when the time comes.

The question is :

“ That the Bill further to amend the Aligarh Muslim University Act, 1920, for a certain purpose, as passed by the Council of State, be taken into consideration.”

The motion was adopted.

**Mr. President** (The Honourable Sir Abdur Rahim) : The question is : “ That clause 2 stand part of the Bill.”

Notice of an amendment has been given by Maulana Shaukat Ali.

**Sir Muhammad Yakub** (Rohilkund and Kumaon Divisions : Muhammadan Rural) : I rise to a point of order. Is this amendment in order according to Order 46, sub-section (1) ? Notice has not been given within the prescribed time, and, therefore, it cannot be moved.

**Mr. President** (The Honourable Sir Abdur Rahim) : Does the Honourable Member want to move his amendment ?

**Maulana Shaukat Ali** : Yes, my amendment would read thus :

“ In clause 2 of the Bill, for the proposed section 41, the following be substituted : ‘ The office of the Pro-Vice-Chancellor shall be abolished ’.”

This was the recommendation made by the Court of the University.

**Sir Muhammad Yakub** : May I raise the point of order at this stage ? My submission is that under Order 46, sub-section (1) notice ought to have been given two days earlier, and, as that rule has not been complied with, the amendment cannot be taken up at this moment.

**Mr. President** (The Honourable Sir Abdur Rahim) : When was the notice given ?

**Maulana Shaukat Ali** : I admit that I gave notice of this motion only a few hours ago. I am very sorry for this mistake, because I am a new Member and I have been busy arranging about my accommodation and other things. If you allow my amendment, it will be more acceptable to the Muslim community. You, Sir, can use your power in my favour, Government can use their power to help me. But if that power cannot be used, then I accept the position.

**Mr. President** (The Honourable Sir Abdur Rahim) : The Chair would rule this amendment out of order. Objection has been taken that notice was not given in time, and no justification has been made out for not giving the notice in time.

The question is :

“ That clause 2 stand part of the Bill.”

**Maulana Shaukat Ali** : Then I want to oppose this Bill. I have my reasons for opposing it. If my amendment could have been accepted, I

am sure that it would have been in the best interests, not only of the Government, but also of the Muslim community and of Aligarh.

**Sir Girja Shankar Bajpai** : I should like to suggest to my Honourable friend that his opposition would be more appropriate at the stage when I move that the Bill be passed, and not at this stage.

**Mr. President** (The Honourable Sir Abdur Rahim) : The Chair would like to hear what the Honourable Member has got to say.

**Maulana Shaukat Ali** : Sir, I see it is very easy to try to thwart an honest motion. I want to put up a straightforward and honest fight. If every obstacle,—legal or otherwise, that is put in front of me, all I can say today is that I will be able to meet it when I make a careful study of the rules and regulations of this House. Today, however, on this matter, I must ask the indulgence of the House to give me a patient hearing. I am an Aligarh boy. (Laughter.) (A Voice : " Boy ! ") Yes, I am an Aligarh boy, and am proud of it. I am very much younger at heart than the youngest man in this House. I know Aligarh well ; I have worked for it ; and even my worst enemy cannot say that many more people love Aligarh better than myself or better than my late brother did to the collection of funds for the Muslim University. I devoted myself, and I gave up Government service and took part in making its constitution. We took our full share and we took the greatest interest always in every aspect of life of the Aligarh University. Now, I want to tell you, Sir, and through you, the House, that the reason on account of which feelings were strained between the Government and the Muslim people, so much so that men like me and others became rebels and outlaws, was on account of Government's constant interference in the internal affairs of Aligarh dearly loved by all. It has always been our plea that we Muslims were entirely responsible for the working of the constitution. The great founder from the very beginning laid stress on the point that nobody should be a Trustee except a Muslim. On account of our feelings of resentment against the Government interference, we became rebels and outlaws. We, Muslims, know how to look after our own interests and resent others interfering in matters concerning ourselves. We have got enough capable men in our University Court, and we are perfectly alive to the best interests of the University,....

**Mr. President** (The Honourable Sir Abdur Rahim) : The Chair has heard the Honourable Member's preliminary remarks, and it thinks the Honourable Member must now address himself to the clause.

**Maulana Shaukat Ali** : I want to show why the University Court unanimously recommended to the Government.....

**Sir Muhammad Yakub** : Not unanimously, by a majority of two or three.

**Maulana Shaukat Ali** : I am talking of April, 1934.

**Sir Muhammad Yakub** : Then also.

**Maulana Shaukat Ali** : The Vice-Chancellor, Sir Ross Maswood, realising the position, proposed and the Court accepted it, that the post of the Pro-Vice-Chancellor should be abolished. And the Pro-Vice-Chancellor himself, who was an English gentleman and for whom we have the greatest respect, said with emphasis that this post was not really needed ; that it has caused and will cause friction and differences and intrigues. When you have got a whole-time Vice-Chancellor,—there was

no need for the post of the Pro-Vice-Chancellor carrying nearly Rs. 4,000 a month. Everybody connected with the University work accepted it. The Academic Council, consisting of responsible members of the staff, unanimously accepted it, and the gentleman concerned himself, Mr. Ransbotham, in the interests of truth, efficiency and smooth-working, said that the post was not needed and should be abolished. Then came a communication after April, 1934, to the Government of India, giving the considered decision of all these people who were intimately connected with the University. No answer was given nor any notice taken of this recommendation. There were reminders sent also but to no effect and I would very much like the Honourable Member in charge to lay on the table of the House all the correspondence that passed after the University had asked for the amendment of the Muslim University Bill, so that the House may be able to judge and form an opinion whether the recommendation of the unanimous Court was right or wrong or whether the Government Department concerned had treated them with due respect. Sir, all I want is that there should be no corruption, there should be no jobbery in our University organization. I know there had been corruption, there had been jobbery which we wanted to stop.

Here I have got a report in my hand which very few gentlemen in this House have seen. There was a Vice-Chancellor, of the type of Sahabzada Aftab Ahmed Khan,—a man who had devoted all his life to the cause of Aligarh, and then there was a Pro-Vice-Chancellor, the quarrels started between the Pro-Vice-Chancellor and the Vice-Chancellor, which ruined the work of our University. There was indiscipline, and every rule and reputation of the University was broken to further party politics, so much so that there were complaints and scandalous quarrels all round and it was openly said that money was wasted and salaries increased, in favour of partisans, while others got into trouble because they could not belong to a certain party and because the Pro-Vice-Chancellor thought that he should control and have power and they fought and the University suffered. Sahabzada Aftab Ahmad Khan, the Vice-Chancellor, is dead, but Dr. Ziauddin Ahmad, the then Pro-Vice-Chancellor, is here and he will bear me out that there was constant friction and open quarrels. This scandalous condition got so bad that the Government officials complained. After consultation between Rector Lord Irwin and Her Highness the Begum of Bhopal, the Chancellor, an impartial commission was appointed. There were no Congress people on it nor Muslim Nationalists were on it. The Commission had as President Sir Ibrahim Rahimtoola. He was formerly an Executive Councillor of the Bombay Government. Later on he became the President of the Legislative Council of Bombay, and still later he occupied the Chair that you, Sir, now occupy, and on that Commission were Sir Philip Hartog, the educational expert, and also Sir George Anderson, now Educational Commissioner with the Government of India—men responsible.

**Mr. President** (The Honourable Sir Abdur Rahim) : How is that relevant to this clause ?

**Maulana Shaukat Ali** : Because I want to tell you that the Commissioners had to look in the quarrels between the Pro-Vice-Chancellor and the Vice-Chancellor. Sir, there is a Persian proverb :

*"Deh Darwesh der galmey ba khushpand,  
Do Padshah der aqlimey na gunjand."*

[Maulana Shaukat Ali.]

That is "ten Faqirs can sleep under one blanket but two Sultans cannot be accommodated in a big Empire." Sir, I want to warn my Honourable friend of the danger and that we want to close the door for corruption. Any partisan can come forward with canvassed votes to have someone of his party as Pro-Vice-Chancellor to pull down the Vice-Chancellor. I hope, Dr. Ziauddin will have no objection to it because he will have no rival to interfere with his work; he alone would be responsible for the good work or the bad work, that had been done. There would be no constant friction and I want to shut the door to all intrigue,—and this impartial and powerful commission's report supports me in everything I have said. I do not want to read it all out, there is no time for it, but I do say that the Bill should be dropped now, and later on, say in the next Delhi Session it may be taken up, after consulting the Muslim public. This is my position. The recommendation of the Commission was that Dr. Ziauddin Ahmad should be made to retire and give up his Aligarh connection. He left Aligarh and after seven years he is brought back again by means of a miserable intrigue started in Delhi. I want to tell the Government in clear terms, as far as Aligarh is concerned, it is very clear to me. This Muslim University is very important, and is our future hope, I do not want that the Government of India should interfere and be connected with any underhand intrigue to rob it of its independent character.

**Mr. Muhammad Yamin Khan :** Sir, it is a matter of good fortune that I am present in this House today when this Bill comes here after my having seen this Bill through in the Council of State. (Hear, hear.) Sir, I am one of the few members of the Court of the Muslim University who are the Members of this House also. I am not going to traverse all the ground which has been covered by my friend, Maulana Shaukat Ali. I do not want to say what were the causes which made him a rebel or an outlaw or how he came over to the other side, as he himself has expressed his feelings. The question for me is what is the opinion of the Court of the Muslim University and how far has Government acted according to the wishes of that Court.

The Court considered this matter in April, 1934, when Sir Syed Ross Masood was the Vice-Chancellor and at that time there were certain persuasions made by him and there was something in the minds of the members of the Court which led them hurriedly to accept the recommendation that the post of the Pro-Vice-Chancellor be abolished. But when this proposition came again before the Court on November 25th, 1934, the members of the Court, who were not present in the meeting of April, 1934, and who now became aware of the previous decision, challenged that decision and they came in full strength in November, 1934, to reconsider that decision. At that time the decision of sticking to the former resolution of the Court was decided by 42 votes against 38. This was a very close division and, as the Honourable Members of this House are aware, this agitated the whole Muslim public in India. Members of the Court came from all parts of India, such as Hyderabad, Madras, Peshawar, Assam and other far distant places in the country simply to give expression to their views. The members voted in favour of the old decision simply because

some of them did not like to go back on their former decision. I was present throughout and I know that the opinion was closely divided. The chief thing that prevailed in the mind of the people who had voted on the side of 42 was this that as they had taken a decision only a few months back, they did not like to change it. There was other side also and members who were absent in the first meeting thought that they must hold that that decision was wrong and they must revise it. Besides, on the side of 38 votes there were people who had been subscribing greatly towards the funds of the Muslim University. Therefore, although they were in the minority by four votes only, their views certainly carried great weight. This opinion was forwarded to the Government of India and I think the Government of India could not find a better solution than to say that they left the matter entirely to the Court. Sir, up to this time it has been obligatory under the Act to have a Pro-Vice-Chancellor. That post must be filled and must continue. When the decision came up, however, by a slight majority, it was the duty of the Government of India to leave it aside and to give an option to the future Courts not to be bound by a slight majority but to revise it whenever they thought fit. Therefore the Government of India gave this power to the Court of the Muslim University by providing that in future the Court may fill up the post of the Pro-Vice-Chancellor or not as it thought fit. I think this is the best solution which the Government of India could come to and it was unanimously accepted by the Council of State. I hope that under the circumstances this House will not go beyond this because if the views of Maulana Shaukat Ali are accepted, they would be having the views of one party only which voted once in the strength of 42. But if the House accepts the proposal as contained in the Bill, then it will be giving an option to the members of the Court to have the Pro-Vice-Chancellor or not to have the Pro-Vice-Chancellor as they deem fit in the future. If we get a Vice-Chancellor who can run this show properly, we will certainly not require a Pro-Vice-Chancellor. But if we find ourselves in some difficulty in future when we have to keep a Vice-Chancellor who cannot perform the duties of the Pro-Vice-Chancellor as detailed in the Muslim University Act, then certainly the Court must have an option to appoint a Pro-Vice-Chancellor also and that is the only thing on which we, the members of the Court, would like to have the vote of this House. We will ask the House to vote simply giving an option to the future Courts of the Muslim University and not be led by the washing of the dirty linen which the Maulana has done in this House.

**Maulana Shaukat Ali :** I object to the use of that expression. Where can I get redress for this party intrigue ? I say abolish the post of the Pro-Vice-Chancellor.

**Mr. Muhammad Yamin Khan :** I know, Sir, that my friend, Maulana Shaukat Ali, has got a very excitable temper and I never meant any offence to him. What I meant to say was that the House should not be led by anything of a controversial nature but be guided only by the desire of the Muslim community as a whole.

**Sir Girja Shankar Bajpai :** Sir, my Honourable friend, the Maulana, spoke with great feeling, and I have no doubt those feelings have been deeply stirred, but I shall be forgiven if I do not go into much of what he said for the very simple reason that I submit and I submit that without

[Sir Girja Shankar Bajpai.]

any idea of giving him offence that much of what he said really is not relevant to the consideration of this clause at all. He said a great deal about the Rahimatulla Committee. The only point with which I am concerned here and with which the House is concerned today is whether the Rahimatulla Committee had anything to say on the subject of the abolition of the post of the Pro-Vice-Chancellor. The Rahimatulla Committee is silent on that point. Then, Sir, my Honourable friend went on to say that there was a great deal of effort made by the Government to interfere with the affairs of the University and he challenged me to produce the correspondence that passed between us and the University or rather the Vice-Chancellor on the subject of this particular amendment, because he suspected that, if that correspondence were produced, signs of this interference would be forthcoming. Now, Sir, as a matter of convention, we do not ordinarily place correspondence that passes between us and other autonomous bodies on the table of the House, but I am quite prepared to show my Honourable friend, the Maulana, the correspondence that has passed.....

**Maulana Shaukat Ali :** May I interrupt the Honourable Member and say whether he is prepared to give me permission to expose the intrigue.....

**Sir Girja Shankar Bajpai :** I do not give way. I am merely concerned with the point which he made and I say that I am prepared to show to the Maulana himself the correspondence that passed between us and the University on the subject of this amendment and he will, I am sure, be satisfied, being a fair-minded man, that there was absolutely no question of interference or intrigue in regard to that matter.

Now, Sir, my Honourable friend might say that the amendment which we are undertaking now will give the Government directly or indirectly authority to interfere with the Court. May I draw your attention to subsection (1) of section 20 of the Aligarh Muslim University Act ? Subsection (1) of section 20 says :

“ The Pro-Vice-Chancellor shall be appointed by the Court.”

We are leaving to the Court the option to appoint the Pro-Vice-Chancellor if they wish to. We are equally leaving it to the Court not to appoint a Pro-Vice-Chancellor if they do not want to. I would further point out that, unlike the appointment of the Vice-Chancellor, the approval of the Governor General in Council is not necessary to the appointment of a Pro-Vice-Chancellor, so that this matter is entirely within the jurisdiction of the Court, and has neither directly nor indirectly anything to do with the jurisdiction of the Governor General in Council over the University. That, Sir, disposes of the point which he made in regard to interference by the Governor General in Council. Then he did make a great point of the decision taken by the Court in April, 1934, and he sought to minimise the decisions of the Court taken in November, 1934. May I draw your attention to the fact that what the Court was considering in April, 1934, was not so much the merits of option versus obligation to appoint a Pro-Vice-Chancellor. What it was influenced by was the recommendation of the Retrenchment Committee to abolish the post of Pro-

Vice-Chancellor as a measure of economy. The amendment that we are proposing does not in any way fetter the discretionary power of the Court to abolish the post of Pro-Vice-Chancellor whenever they wish to. There is one further point with regard to the meeting of the Court in November, 1934. That meeting was not considering the question whether the power shall be optional or not. The resolution upon which the Court divided was this. I have got the terms of the resolution before me :

"I beg to propose that the post of Pro-Vice-Chancellor should not be abolished and steps should be taken to appoint a Pro-Vice-Chancellor as soon as possible."

That, Sir, was what the Court divided upon and not the question whether the Governor General in Council would be acting rightly in leaving discretion to the Court instead of statutorily abolishing the post of Pro-Vice-Chancellor.

**Maulana Shaukat Ali :** Who proposed this resolution ?

**Sir Girja Shankar Bajpai :** It was proposed by Khwaja Nizamuddin.

**Maulana Shaukat Ali :** There you are. That makes all the difference.

**Sir Girja Shankar Bajpai :** That was the decision taken by the Court. I think, Sir, that is all I have got to say in answer to the large number of charges made of an attempt on the part of the Government to interfere with the discretion of the Court. I submit that this particular amendment instead of restricting the power of the Court actually enlarges the power of the Court and is in the best interests of the University.

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

"That clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

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

"That clause 1 stand part of the Bill."

The motion was adopted.

Clause 1 was added to the Bill.

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

"That the Title and the Preamble stand part of the Bill."

The motion was adopted.

The Title and the Preamble were added to the Bill.

**Sir Girja Shankar Bajpai :** Sir, I beg to move :

"That the Bill, as passed by the Council of State, be passed."

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

"That the Bill, as passed by the Council of State, be passed."

**Sir Muhammad Yakub (Rohilkund and Kumaon Divisions : Muhammadan Rural) :** Mr. President, I have also the honour of being an old boy



[Sir Muhammad Yakub.]

of Aligarh. I have also been a member of the Board of Trustees of the M. A. O. College, Aligarh, since 1913. I am also one of the foundation members of the Aligarh Muslim University. I was also a member of the Committee which drafted the constitution of the Muslim University. I am also one of those lovers of my dear *alma mater* who ran away from Moradabad to Aligarh in 1920 when a horde of rebels went to Aligarh to destroy our mother University and wanted also to set fire to the buildings that were in existence. Therefore, I can claim as much love for my *alma mater* as anybody else in this House. Sir, I am very sorry, extremely sorry indeed, that a little heat has been introduced in this purely non-controversial Bill. It is not right to say that a particular gentleman alone has the right to speak in the name of Muslims.....

**Maulana Shaukat Ali :** As if a Knight has the right to speak in the name of the Mussalmans even when he does not know the subject and even when he has done no service for the community.

**Sir Muhammad Yakub :** I do not wish to wash dirty linen in the public.

**Maulana Shaukat Ali :** They ought to be washed in the public if they are dirty and deserved to be cleaned.

**Sir Muhammad Yakub :** I am afraid that Mr. Shaukat Ali has provoked me and probably I will have to say something now before the House about this affair.

**Maulana Shaukat Ali :** Do so with pleasure.

**Mr. President** (The Honourable Sir Abdur Rahim) : The Honourable Member should not enter into personalities.

**Sir Muhammad Yakub :** Very well, Sir, I will act according to the Persian proverb :

“*Jawab Jahelân Bashad Khamoshee.*”

“Silence is the proper answer to a rustic.”

I will not produce any more heat, but I will briefly show whether the amendment that is intended to be introduced in the Bill is for the benefit of the institution or not. As has been pointed out, the idea of abolishing the post of Pro-Vice-Chancellor was mooted on account of financial stringency. We borrowed the services of a Pro-Vice-Chancellor from the Government and we were paying him about Rs. 3,500 a month, on account of pension rights and all those things. Then, Sir, we had a Registrar whose services also were borrowed from another University and we were paying him about Rs. 1,200 or Rs. 1,400 a month. Then we had to pay about Rs. 2,000 a month as honorarium to our Vice-Chancellor. This was a burden of about Rs. 7,000 a month on the exchequers of our University. I also happen to be a Member of the Finance Committee of the Muslim University and we found that some retrenchment was extremely necessary in order to make the budget balance. We had deficit budgets for over two years and therefore a Retrenchment Committee was appointed. No doubt that Retrenchment Committee recommended that, as a measure of retrenchment, the post of Pro-Vice-Chancellor should be abolished. Now, Sir, what I want to lay stress upon is the fact that the abolition of the

post of Pro-Vice-Chancellor was recommended as a measure of retrenchment and not because the post was not needed. Sir, we know that the case of denominational Universities is quite different from that of Government Universities. The Vice-Chancellor of a Government University has nothing to do with the public outside. He can work as the Principal of the Colleges. While the Vice-Chancellor of a denominational University stands on quite a different footing. On one side, he has to deal with the public outside, send deputations, collect money, raise subscriptions and do a lot of things. On the other hand he has to manage a very big educational institution. Now, Sir, in India there are only two denominational Universities.

**Mr. President** (The Honourable Sir Abdur Rahim) : Order, order. It being four of the Clock, the motion for adjournment will be taken up now.

### MOTION FOR ADJOURNMENT.

DESPATCH OF TROOPS FROM BRITISH INDIA TO ADDIS ABBABA (ABYSSINIA).

**Pandit Nilakantha Das** (Orissa Division : Non-Muhammadan) :

4 P.M.

Sir, I move that the House do now adjourn. My motion is in connection with the sending out of troops from British India to Abyssinia. This morning, fortunately, my friend and colleague, Mr. Satyamurti, asked some short notice questions on the subject, and, by now, we know that the Indian Government, in their anxiety, it appears, to protect the Indian nationals in Abyssinia, asked the British Government to do their duty by sending some troops to Abyssinia. And, as troops were better available in India and it was to protect the Indian nationals, Indian troops were sent, His Majesty's Government agreeing to pay for them. There can be no objection so far as it goes. It is our duty to protect Indian nationals, and, as it is also the duty of the Empire, they will pay for it. But the object of my motion today is quite different. My objection is based on our experience that our troops have in the past been frequently sent out to foreign lands. Very often they were, first of all, sent out from this land under some pretext or other, either to protect our own financial interests, or to guard our fiscal policy or sell our opium, and things like that. Now, undoubtedly, it appears that a war is imminent, it is on the horizon. If Abyssinia can be made somehow to come to her knees, there may not be war. That is the only chance. The high-sounding League of Nations, we know what it is, . . . .

**Mr. J. G. Acheson** (Foreign Secretary) : Sir, on a point of order, the Honourable Member appears to me to be referring to a matter affecting the relations of His Majesty's Government with foreign powers.

**Mr. President** (The Honourable Sir Abdur Rahim) : The Chair would warn Honourable Members that in this discussion no matter should be brought in which is likely to affect the foreign relations of the Government.

**Pandit Nilakantha Das** : I should like to clear this position that our troops should in no way be utilised for purposes other than protecting the interests of Indian nationals.

**Maulana Shaukat Ali** (Cities of the United Provinces : Muhammadan Urban) : And not for Abyssinia ?

**Pandit Nilakantha Das :** No. And when Abyssinia is going to be the theatre of war most probably very soon, contingencies may arise when our troops may be compelled to join this side or that. In that case, what I press today is that, before any such steps are taken, this House should be consulted, and all the cards should be put on the table. We shall be the judge....

**Major Nawab Ahmad Nawaz Khan** (Nominated Non-Official) : If the House is not sitting, what then ?

**Pandit Nilakantha Das :** There will be a special and emergent meeting, for it is not such an affair where things should be done behind our back. In fact, my Resolution was that Indian opinion was not consulted, and I press that Indian opinion should be consulted ; for it is quite likely that Imperial interests may demand that our troops should be utilised in some way, and, as it is quite evident, we may require it in some other ways. In spite of all our European dresses and dinners and other paraphernalia, all the words and phrases of the European constitution sticking all around us like peacocks' feathers, we are what we are. We are among the black and brown races, and we have heard what Mussolini said the other day....

**Mr. J. G. Acheson :** Sir, I again rise to a point of order.

**Mr. President** (The Honourable Sir Abdur Rahim) : The Honourable Member ought to refrain from making any comments on foreign powers.

**Pandit Nilakantha Das :** I am not intruding upon the foreign relations of the Government of India or His Majesty's Government. What I mean to say is this. Our sympathies naturally go towards Abyssinia, and it may be that when Italy is to be fought by people who are in charge of our troops....

**The Honourable Sir Nripendra Sircar** (Leader of the House) : Sir, I rise on a point of order. This matter was very elaborately discussed as to what is permissible, when a similar question was raised about sending troops to China, and I would draw your attention to the ruling which was given then. You will find it on pages 11 and 12 of the Collection of Rulings. Mr. S. Srinivasa Iyengar sought to move the adjournment of the House in order to discuss the question whether the Government of India were entitled to, or should send Indian troops to, China without consulting the Indian Legislature, whereupon objection was taken by Government that the motion could not be discussed without referring to questions of foreign policy, and, therefore, was out of order. The President's ruling was this :

" The Honourable the Home Member does not question that the motion now before the House raises a definite matter or a matter of urgent public importance. I take it, therefore, that the subject matter of the motion is a definite matter of urgent public importance. The main ground on which he objects to this motion is that it relates to a matter affecting the relations of the British Government with the Chinese Government. This Assembly is certainly not entitled to criticise or discuss the foreign policy of the British Government or of the Government of India, and any motion which directly or indirectly raises any discussion of that foreign policy would certainly be out of order. But the Honourable Member in charge of this motion has clearly indicated that his intention is to restrict this motion to a narrow issue, namely, that the Government of India should not have agreed to send Indian troops to China for military operations without reference to this Assembly."

And, now, I come to the important portion :

“ There is, therefore, no danger of the Assembly discussing or criticising the foreign policy of any Government. I fully appreciate the point of view of the Home Member that any discussion on the subject-matter of this motion at this stage would lead to disastrous consequences. But, as I have already pointed out to this Assembly, it is not a question for the Chair to consider. The Chair is bound by the rules and regulations, and if the motion does not raise any question of foreign policy of the British Government or of the Government of India and merely calls in question the action of the Government of India in agreeing to send Indian troops without any reference to this Legislature, I do not see how I can disallow it.”

That is the ruling that has been given before, and however much one may be sympathetic to Abyssinia, the making of such a declaration on the floor of this House is not permissible on a motion for adjournment.

**Mr. President** (The Honourable Sir Abdur Rahim) : Cannot the Honourable Member give his reasons why troops should not be sent out of India ?

**The Honourable Sir Nripendra Sircar** : He might as well say that the British Government should fight for Abyssinia and we can then discuss the whole foreign policy. It is for the President to draw a line, and, I submit, my friend is dangerously near the line, if he has not already overstepped it.

**Mr. President** (The Honourable Sir Abdur Rahim) : The Honourable Member cannot be too careful not to trench upon any question which may affect the foreign relations, because the situation is extremely delicate as Honourable Members know, and nothing should be said in this House that would complicate matters still further.

**Mr. S. Satyamurti** (Madras City : Non-Muhammadan Urban) : We want to avoid wars.

**Pandit Nilakantha Das** : I have been all along quite careful : I simply put some problematic propositions that some contingency might arise where....

**Mr. President** (The Honourable Sir Abdur Rahim) : The Chair wants to understand what is really the object of this motion : is it to censure the Government of India for sending troops from British India to Addis Abbaba ?

**Pandit Nilakantha Das** : Yes : my motion is that they have sent troops without consulting any public opinion in India, and I also make this point....

**Mr. President** (The Honourable Sir Abdur Rahim) : Then the Honourable Member can confine his motion to the right of this House to be consulted. If he does that, he can perhaps avoid all questions relating to foreign policy.

**Pandit Nilakantha Das** : I am simply explaining as to why consultation of the opinion of this House is necessary ; for it may be even now that our troops may be utilised in foreign theatres of war without our knowing it for purposes which are not conducive to Indian interests. That is my whole point : and I have made this point clear, I believe ; and I should like to hear what the Government have to say as to the attitude of Government in this matter and the purpose for which these troops have been sent out, and I should like to make it clear that we would like to be

[Pandit Nilakantha Das.]

assured that, without consulting this House, they should not be used for purposes of war. Sir, I move.

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

“ That the House do now adjourn.”

**Mr. G. R. F. Tottenham** (Army Secretary) : Sir, I should like to read to the House the actual terms of the notice of this adjournment motion, which was given by the Honourable Member opposite—“ to discuss a definite matter of urgent public importance, namely, the despatch of troops from British India to Abyssinia thereby putting a burden on Indian revenues....

**Pandit Nilakantha Das** : That is not my motion : that has not been moved. This is the other motion.

**Mr. G. R. F. Tottenham** : That is the copy I received....

**Pandit Nilakantha Das** : Mine is “ The despatch of troops from British India to Addis Abbaba ”.

**Mr. G. R. F. Tottenham** : I apologise. After what the Foreign Secretary said this morning, I think I can explain the whole position of Government in a very few sentences. It is perfectly true that over a year ago, speaking in this House on the Indian Navy Bill, I said that, with the approval of the Secretary of State for India, I was authorised to announce that “ it is the intention of the Government to consult the Indian Legislature, so far as may be possible, whenever any question arises of lending the Indian Navy to the Admiralty for operations other than in the defence of India ”. That undertaking applies by implication equally to the Indian Army as well as the Indian Navy : that is to say, we are under an obligation when any question arises of sending troops overseas for purposes other than the defence of India, to consult the Legislature beforehand whenever it is possible to do so. On this occasion we have not deviated in any way from that undertaking. The facts are simply as follows. There are in Abyssinia about 1,600 British subjects, of whom about 1,000 are Indians. There is already in Addis Abbaba a small legation guard of Indian soldiers, about 10 of them, who are well-known and popular in Addis Abbaba. We had been asked through the press and by receiving notice of a number of questions from Honourable Members opposite what steps Government were taking to protect Indian interests in Abyssinia. We were advised that if we were going to take any steps to protect Indian interests in Abyssinia we must do it at once. That was in the month of August. In the month of August the Legislative Assembly was not sitting. It was therefore impossible for us to consult the Legislature. We finally decided to send a small body of one hundred men to reinforce the legation guard at Addis Abbaba and His Majesty's Government are paying the cost of that reinforcement. I do not think it can be maintained that the despatch of a force of 100 men means that we in India are maintaining an army in excess of Indian requirements, and that is usually the argument that is brought against us when we send troops overseas. The number is extremely small, and if I were to venture to embark upon that topic, I do not think 100 men could make any difference in any possible larger war that may supervene. Those are the plain

facts. I admit it is perfectly open to this House to censure the Government on those facts, but I do honestly and most respectfully put it to them that by censuring Government for taking this action they would merely be calling ridicule upon their own heads.

**Maulana Shaukat Ali :** Sir, I have no quarrel with the Honourable Member who has just made the speech on behalf of the Government except on one matter—that the number of troops he has sent is much too few. Whatever relations we may have with foreign Governments, I say this that, if any Indian, even one single Indian's life is in danger at the hands of any power, friendly or unfriendly, it is the duty of the whole of the Indian army to go out and save that man. I do not want to make a speech : I only want to make an announcement that if the people of Abyssinia, who are under-dogs, are being treated disgracefully and are to be trampled down, then it is the duty of India to send out, not one hundred soldiers, but ten divisions, if necessary ; and if the Government ask for money, I hope I will be one who will persuade all my friends and the whole of India to sanction all the money and men needed to serve this noble country. Leaving that aside for the moment, I was just going to say that if Captain Sher Muhammad Khan was the Field Marshal willing to lead us, then, I, though a broken down athlete limping along, hardly able to stand and walk, I will be very glad to offer to be a soldier and work in that army that goes to defend the weak and the oppressed and fight unjust people out to rob others of liberty, hearth and house.

**Sardar Mangal Singh (East Punjab : Sikh) :** Sir, I support my Honourable friend, Maulana Shaukat Ali, that if and when the occasion arises to help Indian nationals in Abyssinia or to defend poor Abyssinia against European capitalism, the Indian Army should be allowed to go there and help those people. But this adjournment motion raises another important point from the point of view of the Indian Army. It is acknowledged that the Indian army is kept, trained and maintained here for Imperial purposes, and, from that point of view, we can, I think, rightly and legitimately claim a proper share of expenses from the British Government. It is true that the expeditionary force will be financed by the British Government. (*An Honourable Member :* "it is not an expeditionary force.") My point is that even in maintaining the Indian army, the British Government should pay something to the Indian Government.....

**Mr. G. B. F. Tottenham :** But the British Government already pay one and half million pounds.

**Sardar Mangal Singh :** That is not at all sufficient ; it is too little. I maintain, Sir, that the British Government should pay at least one-half of the expenditure incurred on the maintenance and the training of the European army in India.....

**Mr. President (The Honourable Sir Abdur Rahim) :** That has nothing to do with this motion. The Honourable Member must confine himself to the motion before the House.

**Sardar Mangal Singh :** Sir, this motion has raised a point relating to the employment of Indian army outside the frontiers of India.....

**Mr. President (The Honourable Sir Abdur Rahim) :** Without consulting ..... ?

**Sardar Mangal Singh :** From that point of view, Sir, I maintain that the British Government should pay at least 50 per cent. of the charges of the European army in India.

As regards the rights of this House, I am very glad that the Honourable the Army Secretary has agreed to a certain extent that, whenever possible, the Government of India would consult the wishes of this House, when the occasion arises, to send Indian troops outside India. Personally, Sir, I do not feel inclined to censure the Government of India on this account, because they have sent only 100 men to Abyssinia to protect the Indian nationals there. I hope that my Honourable friend, the Mover, will withdraw the motion after the discussion is over. (Applause.)

**Mr. Sami Vencatachellam Chetty** (Madras : Indian Commerce) : Sir, the view that every adjournment motion is a censure motion is a bygone view. That is not the only reason why adjournment motions are tabled. More often adjournment motions are tabled in order to bring to the notice of the Government the urgency, the importance and the necessity of the subject-matter of the motion. I believe it is in that view that my friend, Pandit Nilakantha Das, has tabled this motion. So far as the actual action of the Government in despatching so small a number of troops as 100 to Abyssinia is concerned, I do not think there is much difference of opinion. I would rather like to put it this way, that it is a matter on which we should feel satisfied that the Government took early steps in this matter ; but, as the Honourable the Army Secretary just mentioned, it would have been probably possible for the Government to consult the Legislature in this matter also if it had been in Session. Of course, it is easy enough to say that, in the month of August, the Assembly was not sitting, and that the Government were compelled, owing to urgency, to send this small contingent to Abyssinia. But does he mean, therefore, to say, Sir, that a similar situation is not still on the tapis of the Government, that there are not yet certain matters in which the Assembly could be consulted in regard to the Italo-Abyssinian trouble ? It may probably be said by the time when we meet next that the Assembly was not again in Session, and, therefore, there was no opportunity to consult the Legislature. So what the Government have promised in spirit in regard to matters concerning the Legislature will not be given effect to, though they may even now be in possession of information in regard to which they can even now consult the Legislature. But it is very difficult for persons sitting on this side of the House to say whether Government have got any such questions under consideration. But what I would like to say is that the promise that has been made by the Government today that they would consult the Legislature in respect of the despatch of troops to other countries should be scrupulously carried out in actual practice. The reason as to why we are anxious that the Legislature should be consulted in regard to this matter is, even according to Government, that India is put upon a status somewhat equal to that of the dominions, that every other dominion Government consults its own Legislature or its own Parliament in regard to despatch of troops for action outside their own dominions. We expect, though it will not be incumbent under this Constitution or under the coming Constitution for the Government to consult the Legislature, some voluntary response in regard to this matter and they would consult the Legislature, so that they may carry the people with them in acts such as these involving the peace of this

country as well. It is from that view, Sir, that I think my friend, Pandit Nilakantha Das, has tabled this motion, and I rather think that carrying this motion will not mean that it is a censure on the Government, but it will only mean the urgency and necessity of consulting the Legislature in matters like these.

**Mr. Lalchand Navalrai** (Sind ; Non-Muhammadan Rural) : Sir, I would just like to ask a question from the Honourable the Army Secretary. He said that, as the Assembly was not in sitting in the month of August, the Legislature could not be consulted before the troops were sent to Abyssinia. May I know from him whether he will agree to the appointment of a Standing Committee to be associated with the Army Department just as other Departments have, so that, in cases of such urgency, that Standing Committee could be summoned and consulted ? Because, whenever things are done without consulting this House, shelter is always taken under the plea that the Legislature was not in Session, and so they could not consult the House. I would like to know from the Honourable Member whether he would like to appoint a Standing Committee to advise his Department and to consult on such matters as these when the Legislature is not in Session.

**Mr. G. B. F. Tottenham** : Sir, I obviously cannot answer on behalf of the Government a question such as that put to me on the spur of the moment, but it seems to me that there is a good deal in it. We will certainly take the matter into consideration and see whether anything can be done in that direction. (Applause from all sides of the House.)

**Pandit Krishna Kant Malaviya** (Benares and Gorakhpur Divisions : Non-Muhammadan Rural) : (The Honourable Member who was not in his own seat rose to address the House.)

**Mr. President** (The Honourable Sir Abdur Rahim) : If the Honourable Member wishes to address the House, he must address it from his own place.

**Pandit Krishna Kant Malaviya** : I am sorry, Sir. (The Honourable Member then took his own seat.)

**Sardar Sant Singh** (West Punjab : Sikh) : May I point out, Sir, that we on this side are labouring under a very great disadvantage in that we are not able to follow the proceedings of the House properly as we cannot hear what is said on that side ? That is why we from this side have often to go to a place from where we could hear speeches properly.

**Pandit Krishna Kant Malaviya** : Sir, I entirely agree with the proposition laid down by my friend, Pandit Nilakantha Das, that the House should be consulted before Indian troops are sent for action overseas. At the same time, I am not prepared to censure the Government for having done a right thing at the proper time. I think, during the last ten years, if Government have ever acted rightly, they have done so on this occasion. I go further and say this. I feel, Sir, like my friend, Maulana Shaukat Ali, that the Government of India should have forced the hands of His Majesty's Government also to enter the war, instead of wavering, and help the Abyssinian Government. It is said, Sir, that we are the original members of the League of Nations, which I have always called "League of Robbers", and, as such, I think we have a right to say that we should go to war to protect a weak nation, to prevent a war



[Pandit Krishna Kant Malaviya.]

of aggression ; otherwise it is no use our being members of the League of Nations.....

**Mr. J. G. Acheson** : I rise to a point of order. I would point out that the Honourable Member is going beyond the scope of the motion and discussing international policy.....

**Mr. President** (The Honourable Sir Abdur Rahim) : The Honourable Member is speaking of the League of Nations and not about foreign policy.

**Pandit Krishna Kant Malaviya** : I think, Sir, as members of the League of Nations, which is constituted to prevent wars of aggression, we, as representatives of the people of India, have a right to have our say. We do feel that His Majesty's Government is not doing what it should do. We feel that it is only interested in the water of the Blue Nile.....

**Mr. J. G. Acheson** : On a point of order, Sir. I apologise for giving trouble to the Chair, but it is my duty to point out that the Honourable Member is dealing with international affairs.

**Some Honourable Members** : Why not ?

**Mr. President** (The Honourable Sir Abdur Rahim) : Order, order. The Honourable Member cannot criticise the foreign policy of the British Government or of the Government of India.

**Pandit Krishna Kant Malaviya** : I bow to your ruling, Sir. I was trying to obey your orders, but let me say this much that I was not criticising the foreign policy of His Majesty's Government. What I wanted to urge was that if Indian troops have to be sent there, they should be sent to protect the interests of Abyssinia, and not merely the flow of the Blue Nile. We are not interested in making a motor road from Lake Tsana to Sudan. That is what we want to say. As I said, Sir, we are not interested in the flow of Lake Tsana, we want to protect the tap, the reservoir, the territory of Abyssinia. If we had any voice in the affairs of our own country, if our opinion was asked as to what was the right thing to do, we would say that our opinion is, as representatives of this country, and a member of the League of Nations, that we want to go to help Abyssinia and we want to go to war with Italy in order to show her that she has no right to invade Abyssinia. I think I am expressing the opinion of my Honourable friends present here. I request you, and through you, the Honourable Members on the Government Benches, to communicate to His Majesty's Government that the opinion of the Legislature of this country is that we want that His Majesty's Government and the Indian Government combined should go to help Abyssinia in her distress. We are entitled to make this request. We, as representatives of this country, are fully entitled to request Honourable Members sitting on the Treasury Benches here to communicate to His Majesty's Government .....

**Mr. J. G. Acheson** : Sir, once again I must rise on a point of order to point out that the observations of the Honourable Member .....

**Mr. President** (The Honourable Sir Abdur Rahim) : The Chair thinks the Honourable Member is not in order. He must not pursue that line of argument.

**Pandit Krishna Kant Malaviya** : But the line of argument is ..

**Mr. President** (The Honourable Sir Abdur Rahim) : The Honourable Member is aware that the wording of the Rules and Standing Orders is so wide and sweeping on that point that there is really no room for discussing any aspect of the foreign policy.

**Pandit Krishna Kant Malaviya** : In our own country, we are not entitled to express our opinions ; in our own country, we are not to say when our troops are sent out, whether they should be sent out or not, and for what purposes they should be used.

**An Honourable Member** : We are a subject race.

**Pandit Krishna Kant Malaviya** : I know that, I know that we are a subject race, and that is why I want that Abyssinia should not be subjugated. All the same, I would request Honourable Members to express the opinion of this House that we do want that His Majesty's Government should go in for war .....

**Some Honourable Members** : Order, order.

**Pandit Nilakantha Das** : I have achieved my object. I have got an assurance from the Government, and I do not want to press my motion.

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

“ That leave be granted to withdraw the motion.”

The motion was adopted.

The motion was, by leave of the Assembly, withdrawn.

#### THE ALIGARH MUSLIM UNIVERSITY (AMENDMENT) BILL— *continued.*

**Mr. President** (The Honourable Sir Abdur Rahim) : Discussion on the Aligarh Muslim University Bill will now be resumed.

**Sir Girja Shankar Bajpai** : I do not think that it is necessary for me to say anything more.....

**Maulana Shaukat Ali** : Is the debate going to be closed now ?

**Mr. President** (The Honourable Sir Abdur Rahim) : Of course.

**Maulana Shaukat Ali** : I wanted to speak.....

**Mr. President** (The Honourable Sir Abdur Rahim) : The Chair gave a chance to Honourable Members, if they wanted to say anything, to rise in their seats, and nobody did so. Sir Girja Shankar Bajpai.

**Sir Girja Shankar Bajpai** : I have nothing to add to what I said when the second clause was being discussed. Most of what my Honourable friend, Sir Muhammad Yakub, was saying was really, if I may presume to say so, an elaboration of what I had said already in defence of the attitude of Government, and I have nothing more to say. I hope the House will pass the Bill.

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

"That the Bill further to amend the Aligarh Muslim University Act, 1920, for a certain purpose, as passed by the Council of State, be passed."

The motion was adopted.

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

### AMENDMENT OF SECTION 51.

**The Honourable Sir Henry Craik** (Home Member) : Sir, I move :

"That the Bill further to amend the Code of Civil Procedure, 1908, for certain purposes (Amendment of Section 51), be referred to a Select Committee, consisting of Mr. Sham Lal, Qazi Muhammad Ahmad Kazmi, Mr. M. Asaf Ali, Mr. M. Ananthasayanam Ayyangar, Mr. Muhammad Azhar Ali, Mr. M. Ghiasuddin, Mr. Lalchand Navalrai, Mr. T. Chapman-Mortimer, Captain Rao Bahadur Chaudhri Lal Chand, Mr. A. G. Clow, Mr. J. M. Chatarji, and the Mover, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

This is the Bill which seeks to abolish imprisonment for debt except for the dishonest or recalcitrant debtor, that is, for the debtor who is able to pay but refuses to pay, or for the debtor who has dishonestly concealed or removed part of his assets. The House will remember that towards the end of last Session I moved that this Bill should be circulated for the purpose of eliciting public opinion. There was some criticism and I was pressed that the Bill should be proceeded with at once, and in deference to that criticism I promised that I would arrange, if possible, that circulation should be completed so that the Bill could be taken up at the beginning of the present Session. That circulation has been completed and the opinions received are in the hands of Honourable Members. I do not propose to analyse the opinions in any detail but I think I am justified in saying that they make it clear that there is a very considerable body of opinion in favour of the principle of the Bill. At the same time, the opinions received do disclose a certain amount of opposition to the principle of the Bill and a certain amount of criticism of its details. However, they are there and I think that the opinions received undoubtedly require the careful consideration of the Select Committee. That is all I have got to say. Sir, I move.

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

"That the Bill further to amend the Code of Civil Procedure, 1908, for certain purposes (Amendment of Section 51), be referred to a Select Committee, consisting of Mr. Sham Lal, Qazi Muhammad Ahmad Kazmi, Mr. M. Asaf Ali, Mr. M. Ananthasayanam Ayyangar, Mr. Muhammad Azhar Ali, Mr. M. Ghiasuddin, Mr. Lalchand Navalrai, Mr. T. Chapman-Mortimer, Captain Rao Bahadur Chaudhri Lal Chand, Mr. A. G. Clow, Mr. J. M. Chatarji, and the Mover, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

**Mr. Sri Prakasa** (Allahabad and Jhansi Divisions : Non-Muhamadan Rural) : Mr. President, this Bill, so far as I am able to find out, seeks to protect debtors from being imprisoned and seeks particularly to protect Government servants.

**The Honourable Sir Henry Craik** : The Honourable Member is mistaken. It covers all debtors.

**Mr. Sri Prakasa :** It says " Government servants in receipt of "...

**The Honourable Sir Henry Craik :** The Honourable Member is mixing up two Bills. That provision is in a different Bill.

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) vacated the Chair, which was then occupied by Mr. Deputy President (Mr. Akhil Chandra Datta).]

**Mr. Sri Prakasa :** It seeks to protect persons in receipt of salaries. (Voices : " No, no ".)

**The Honourable Sir Henry Craik :** May I explain to the Honourable Member ? It is rather puzzling. There are two Bills. One deals with the attachment of salaries. This Bill does not deal with that subject at all. This Bill merely abolishes imprisonment for debt except in certain circumstances.

**Mr. Sri Prakasa :** The Statement of Objects and Reasons says :

" This Bill is the outcome of the recommendations of the Royal Commission on Labour in India to the effect that in the case of industrial workers in receipt of wages less than Rs. 100 a month ".....

and so on.

**The Honourable Sir Henry Craik :** Nothing about Government servants....

**Mr. Sri Prakasa :** Cannot Government employ industrial workers ?

**The Honourable Sir Muhammad Zafrullah Khan** (Member for Commerce and Railways) : Which particular clause are you referring to ?

**Mr. Sri Prakasa :** I am referring to the whole Bill.

**The Honourable Sir Muhammad Zafrullah Khan :** It is confined to industrial workers.

**Mr. Sri Prakasa :** Cannot there be industries run by Government ? Of course, there are ; and will not those employed in that industry be protected ?

**The Honourable Sir Henry Craik :** If the Honourable Member will only read the whole of the Statement of Objects and Reasons, at the end he will see that it refers to all judgment debtors. No distinction is made between Government servants and any one else. It merely abolishes the system of imprisonment for debt for every kind of debtor.

**Mr. Sri Prakasa :** I will confess that I was not expecting that the Bill would come up today for discussion and, therefore, I have not read its provisions carefully. The unfortunate withdrawal of a very important motion for adjournment has resulted in this confusion. I think that has also resulted in the House being deprived of a delightful speech from Maulana Shaukat Ali. In any case as the Bill is not likely to last beyond this day, I should like to say only one thing and that is that personally I am against imprisonment for anything. (Laughter.) If it were a consolidated Bill for the abolition of all imprisonment, I should be very glad. Most of us on this side of the House have had experience of what prisons are and we can say that they serve no useful purpose. If that is so in the case of imprisonment for what are regarded as criminal offences it stands to reason that this is also true in the case of civil offences. What I am most anxious about

[Mr. Sri Prakasa.]

is just this. We must not forget that to be able to borrow money at an emergency is a very important factor of domestic economy. Many occasions can arise where we find ourselves suddenly in need of money and we have not the necessary amount in our coffers. We have to go to some one who lends that money. What I am afraid of is this, that people, if they are deprived of the means of recovering their money, may not lend money to persons in emergencies. That is a serious point. It is all very nice to say that people who have no money should not spend it or people who have no money should be in no need of it ; but there are occasions of illness ; of litigation that may be forced upon us ; of marriages which are rather important social functions in Indian life ; when money is necessary. Persons in receipt of wages less than Rs. 100 a month are not likely to be able to save much against a wet day. Therefore they need the money-lender or banker or by whatever name you may call the person who gives them money ; and he gives them that money in the hope that he will be able to realise it. If you want to make this Bill effective, I think you will have to add a clause—I do not know whether that clause is here, I am going to study it tonight—making it a penal offence for any banker or money-lender to refuse to lend money (Laughter) to persons who are in need of it, because I assure you that, however much you may dislike the money-lender—you apparently do not dislike those who are in charge of Reserve Banks and Imperial Banks—he forms an important part of village economy ; and he comes to the rescue of many unfortunate men who are in straits. Therefore you must not have a law which will make it impossible for persons in need of money in emergencies to be able to borrow the money at all. The money-lender will say to the man in need : “ I cannot give you money because I am not sure of getting it back, you are not penally bound to repay it, I am not going to give you money ”. Therefore I say, if you are honest, if you are earnest, have that additional clause, namely, that all persons who carry on the trade of money-lending and of banking shall be obliged under threat of imprisonment themselves to lend out money to any person who needs the money. I think this Bill was introduced in the last Session of the Assembly. It was at that time circulated for opinion and a mass of opinion has been obtained upon it. I cannot pretend to have read all the volumes that have been sent out by the Department to me, but I have glanced through many opinions and I find that opinion is sharply divided. In any case I stand by the opinion I originally formed, namely, that you should either allow money-lenders and bankers some effective means of getting their money back or you must force them to lend out money. I can see no other way. It is possible that Government may have their own banks from which wage-earners may be able to get money. I have known of the operations of Co-operative Societies in my own province. No law applies to them and they can take hold of their debtors' goods without much ado. All the trouble falls on the non-official who carries on this trade or any other trade. I do not like this one-sided procedure, and I personally cannot support this Bill unless you make adequate provision for persons who are in need of money and who cannot find it in any other way. I have no objection to Government making that provision. When Government wants to collect its own dues, which it

calls fines, or revenue demands, it does not care to see whether the man whose goods it is attaching is in receipt of an income of less or more than one hundred rupees per month.

**The Honourable Sir Muhammad Zafrullah Khan :** What has "one hundred rupees" got to do with this Bill?

**Mr. Sri Prakasa :** In supporting the motion to send this Bill to a Select Committee, I suggest that it should find some way out of the difficulty that I have mentioned. You will create, to my mind, a great deal of confusion if you pass laws which are impractical. It is no use having counsels of perfection and talking very big in this House when the effect of the law you enact will react badly on the man and the woman in the cottage and the factory.

**Mr. T. S. Avinashilingam Chettiar (Salem and Coimbatore cum North Arcot : Non-Muhammadian Rural) :** Sir, while accepting the principle of this Bill, I would like to offer one or two suggestions. The issue of a notice before arrest for civil debts is not quite new. It is provided that notice may be given to show cause why he should not be arrested. But what this Bill seeks to do is to substitute the word "shall" for the word "may", that is, to make it compulsory that notice shall be issued to every debtor to show cause why he should not be arrested for the debt; and if the civil authority is satisfied that the judgment-debtor is likely to abscond, or that he has alienated a certain property, then he can be arrested and put into jail. What I would suggest is that one clause more may be added,—that is,—“provided the money was not borrowed either for speculative purposes or for immoral purposes”. My reason is that this may encourage people who have no money to borrow money and employ it for speculative purposes, and, when the money is lost, it is the creditor's money that is lost, and, when he gains, then it is for himself; and this he does without any loss to himself, because he cannot be put into jail, he is a pauper and has no money, he neither absconds nor alienates. I would, therefore, like that a clause should be added that, even when he borrows money, it should not be utilised for purely speculative or immoral purposes, for he can easily prove that he neither means to abscond or to alienate property, and, in those circumstances, when he consciously borrows money and employs it for speculative purposes, the risk is to the creditor and not to himself. I would therefore suggest that this provision of protecting men from arrest should be given only to *bonâ fide* debtors—people who borrow money and invest it in proper and legitimate purposes, and not for purposes which are either immoral or speculative. This is a provision which, I think, will be useful to the Select Committee in considering this proposal, for, Sir, it is dangerous to allow people to borrow for speculative purposes and still not to allow them to suffer for the sins that they commit.

**Mr. B. Das :** The money-lenders, when they lend, know the sins of these borrowers and their sins equally.

**Mr. T. S. Avinashilingam Chettiar :** Sir, the consequences of such a Bill may be that creditors, when they find that they may be asked to lend to people who may engage in lucrative business, but who have no stake in

[Mr. T. S. Avinashilingam Chettiar.]

the matter, may stop such credit altogether, which is available to the ordinary merchants and traders today. I, therefore, would like that, along with (a) and (b) in clause 2 of this Bill, another clause should be added, thus :

" unless it is proved that it is borrowed either for speculative or for immoral purposes ", etc., etc.,

and that is the only suggestion I would like to offer to the Select Committee in this matter.

The Assembly then adjourned till Eleven of the Clock on Wednesday, the 4th September, 1935.