

Friday, 11th September, 1931

THE
LEGISLATIVE ASSEMBLY DEBATES
(Official Report)

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(7th to 22nd September, 1931)

SECOND SESSION

OF THE

FOURTH LEGISLATIVE ASSEMBLY
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CONTENTS.

VOLUME V.—7thth September to 22nd September, 1931.

MONDAY, 7TH SEPTEMBER, 1931—	PAGES.
Members Sworn	1
Questions and Answers	1—29
Unstarred Questions and Answers	29—55
Deaths of Mr. Alexander, Mr. Sahani and U Tok Kyi	56—59
Governor General's assent to Bills	60
Nomination of the Panel of Chairmen and the appointment of the Committee on Petitions	60
Statement laid on the Table <i>re</i> Recruitment of Muslims on the North Western Railway	60—61
Statement of Business	61
Election of Members to the Standing Committee for the Department of Industries and Labour	61
The Indian Press Bill (Old Bill)—Withdrawn	61—65
The Indian Press Bill (New Bill)—Introduced	65—66
The Indian Mines (Amendment) Bill—Introduced	66
The Indian Succession (Amendment) Bill—Introduced	66—67
The Sheriff of Calcutta (Powers of Custody) Bill—Introduced	67
The Aligarh Muslim University (Amendment) Bill—Introduced	67
The Land Customs (Amendment) Bill—Introduced	67
The Foreign Relations Bill—Introduced	68
The Heavy Chemical Industry (Protection) Bill—Introduced	68
The Provisional Collection of Taxes Bill—Introduced	69
The Ancient Monuments Preservation (Amendment) Bill—Introduced	69
 TUESDAY, 8TH SEPTEMBER, 1931—	
Death of Mr. K. C. Roy	71—76
 WEDNESDAY, 9TH SEPTEMBER, 1931—	
Questions and Answers	77—110
Statement laid on the Table <i>re</i> Report of the Committee on the purchase of the Bengal and North Western and Rohilkund and Kumaon Railways	111—112
The Indian Income-tax (Second Amendment) Bill—Discussion on the Motion to refer to Select Committee adjourned	113—50
 THURSDAY, 10TH SEPTEMBER, 1931—	
Member Sworn	151
Questions and Answers	151—99

THURSDAY, 10TH SEPTEMBER 1931—<i>contd.</i>	PAGES.
Resolution <i>re</i> Civil Court Decrees and proceedings against Agriculturists—Withdrawn	199—218
Resolution <i>re</i> Agricultural Distress—Negatived	218—54
FRIDAY, 11TH SEPTEMBER, 1931—	
Member Sworn	255
Questions and Answers	255—99
Statement of Business	299—300
The Indian Press Bill—Discussion on the Motion to refer to Select Committee, not concluded	300—340
MONDAY, 14TH SEPTEMBER, 1931—	
Address by His Excellency the Viceroy to the Members of the Council of State and the Legislative Assembly	341—46
The Indian Press Bill—continued	347—382
TUESDAY, 15TH SEPTEMBER, 1931—	
Questions and Answers	383—426
Unstarred Questions and Answers	427—38
The Code of Criminal Procedure (Amendment) Bill—Amend- ment of section 144)—Motion to refer to Select Committee, negatived	439—73
WEDNESDAY, 16TH SEPTEMBER, 1931—	
Questions and Answers	475—529
Election of Members to the Standing Committee for the De- partment of Industries and Labour	529
The Indian Press Bill—Referred to Select Committee	529—62
The Indian Mines (Amendment) Bill—Passed	562—63
The Indian Succession (Amendment) Bill—Passed	563
The Sheriff of Calcutta (Powers of Custody) Bill—Passed.	563—64
The Aligarh Muslim University (Amendment) Bill—Passed	564—65
The Land Customs (Amendment) Bill—Passed	565—66
THURSDAY, 17TH SEPTEMBER, 1931—	
Questions and Answers	567—615
Motion for Adjournment—Riots at Dera Ismail Khan and at Chittagaong—Ruled out of order	615—17
Statement of Business	617—18
Election of Members to the Standing Committee for the Depart- ment of Industries and Labour	618
Statement laid on the Table <i>re</i> Purchase of Stores by the High Commissioner for India	618—25
Resolution <i>re</i> High Courts—Adopted	626—42
Resolution <i>re</i> Powers of the Governor General under the New Constitution—Withdrawn	643—52
Resolution <i>re</i> Control of Money Lending and Rates of Interest— Discussion not concluded	652—63

	PAGES.
MONDAY, 21ST SEPTEMBER, 1931—	
Member Sworn	665
Questions and Answers	665—704
Unstarred Questions and Answers	704—12
Motion for Adjournment—Shooting of Detenus at the Hijli Detention Camp—Negatived	713, 744—64
The Indian Press Bill—Presentation of the Report of the Select Committee	713
Statement on the Financial Position	713—15
The Heavy Chemical Industry (Protection) Bill—Passed as amended	715—35
The Provisional Collection of Taxes Bill—Passed	735—36
The Foreign Relations Bill—Discussion on the Motion to con- sider not concluded	736—43
TUESDAY, 22ND SEPTEMBER, 1931—	
Questions and Answers	765—825
Motion for Adjournment—Pronouncement <i>re</i> the Exchange Ratio—Disallowed by His Excellency the Viceroy and Governor General	825—26, 839
Resolution <i>re</i> Control of Money Lending and Rates of Interest— Withdrawn	826—55
Message from His Excellency the Viceroy and Governor General	839
Resolution <i>re</i> Rebellion in Burma—Withdrawn	855—64
Resolution <i>re</i> The Imperial Bank of India—Discussion adjourn- ed for want of a quorum	864—66

LEGISLATIVE ASSEMBLY.

Friday, 11th September, 1931.

The Assembly met in the Assembly Chamber at Eleven of the Clock, Mr. President in the Chair.

MEMBER SWORN.

Hony. Captain Rao Bahadur Chaudhuri Lal Chand, M.L.A. (Nominated Non-Official).

QUESTIONS AND ANSWERS.

TRANSFER FROM THE MILITARY DEPARTMENT TO THE POSTS AND TELE- GRAPHS DEPARTMENT OF CERTAIN POST OFFICES.

168. ***Mr. S. C. Mitra** : (a) Is it a fact that the management of certain telegraph and telephone offices which were being maintained by the Military Department was taken over by the Indian Posts and Telegraphs Department from 1st April, 1927, as has been mentioned in the Annual Report of the Department for the year 1927-28 ?

(b) Is it a fact that the Indian Posts and Telegraphs Department had to pay a sum of Rs. 3,74,000 on account of capital value of the telephone system of the North-West Frontier Province in the same year ?

(c) Is it a fact that the Department was safeguarded against loss on working those telephone lines ?

(d) Will Government please submit a statement showing the income year-by year from the year 1927-28 up to year 1930-31 of the telegraph and telephone systems separately with the actual expenditure to maintain those offices ?

(e) What amount was paid by the Military Department in each year to make good the losses ?

(f) If the reply to part (e) be in the negative, do Government propose to credit the amount to make up the deficit ?

Sir Hubert Sams : (a) Yes.

(b) Yes.

(c) Yes, by guarantees both on account of the telephone and telegraph lines and systems.

(d) and (e). Statements are being sent separately to the Honourable Member. The Accountant-General, Posts and Telegraphs, reports that it is not possible to separate the actual expenditure incurred separately on these systems. The guarantee figures, therefore, which have been calculated on the basis of estimated expenses, have been given.

(f) Does not arise.

POSTS AND TELEGRAPH OFFICES MAINTAINED FOR POLITICAL PURPOSES.

169. *Mr. S. C. Mitra : (a) Will Government please state the number of combined post and telegraph offices in India and Burma which are maintained for political purposes ?

(b) Will Government please submit a statement showing the income and expenditure of those offices in the year 1930-31 ?

(c) What amount has been paid by the Foreign and Political Department to compensate the loss in maintaining those offices ? If not, do Government propose to credit the amount now ?

Sir Hubert Sams : It is regretted that the information is not available and could not easily be collected. The general rule is to obtain contributions from the interested parties to cover losses involved in the maintenance of unremunerative offices.

EMPLOYMENT BY THE RAILWAYS OF STAFF TO RECEIVE AND DELIVER LETTERS TO RAILWAY OFFICIALS.

170. *Mr. S. C. Mitra : (a) Is it a fact that according to Post Office Act No. 4 no one is allowed to maintain any system of receiving or delivering letters ?

(b) Is it a fact that the Railways of India and Burma maintain such a system of their own, i.e., they employ certain number of staff to receive and deliver letters addressed to railway officers or railway officials ?

(c) Will Government please state why the Railways are allowed this concession, when this concession is not granted to any other agency, and thus the Postal Department is deprived of a decent income ?

(d) Is it a fact that this concession was granted to the Railways on their consenting to issue free card passes to certain supervising officers of the Posts and Telegraphs Department who are required to travel for inspection and other supervising duties ?

(e) Is it a fact that the system of issuing free passes has since been discontinued by the Railways ?

(f) Will Government please also state what amount was expended in the year 1930-31 for the travelling expenses of the officers who used to get free passes from Railways ?

Mr. J. A. Shillidy : (a) No.

(b) Yes.

(c) The question is under investigation.

(d) No.

(e) No.

(f) It is regretted that the information is not available and could not easily be collected.

MILEAGE RUN BY MESSRS. GARAGE, CALCUTTA, LIMITED, IN THE CONVEYANCE OF MAILS IN CALCUTTA.

171. *Mr. S. C. Mitra : (a) What is the minimum mileage to be run by Messrs. Garage (Calcutta), Limited, according to their agreement to convey mails in Calcutta ?

(b) How were mails actually run in each month in the year 1930-31 ?

(c) Is it a fact that there were some schedules of regular motor despatches at the time of contract ?

(d) Is it a fact that since then many despatches have been changed owing to the altered situation and mileages decreased but this fact is not taken into consideration at the time of counting mileages ?

(e) Is it a fact that mileages run for extra despatches are taken extra without taking into consideration whether the minimum mileages were run in a month or not ?

(f) Is it a fact that in the course of a certain enquiry it was found out that although monthly regular mileage was far below the contract mileage still full mileage was paid in addition to the mileages which were run extra for extra conveyance of mails without totalling the actual mileages run for regular and extra despatches together ?

(g) Do Government propose to institute a thorough inquiry into this affair and will they please intimate the result to the Assembly ?

(h) Who is responsible for this waste of public money ?

Sir Hubert Sams : (a) The contract does not provide for any minimum mileage. Extra remuneration is payable to the contractor when the mileage done in a month exceeds 28,750 miles.

(b) It is presumed that the Honourable Member wishes to know the actual mileage run in each month during 1930-31. A statement on that basis is placed on the table.

(c) Yes.

(d) Changes occurred which made for increased mileage, but actually mileage was reduced by a revision of arrangements. The latter part of the question does not therefore arise.

(e) No.

(f) The facts are not as stated.

(g) and (h). Do not arise.

Statement of total mileage run by the vans of the Calcutta Motor Mail Service contractor during the year 1930-31 referred to in part (b) of the reply to Mr. S. C. Mitra's starred question No. 171, dated the 7th September, 1931.

	Miles.
April, 1930	28,406.5
May, 1930	29,308.2
June, 1930	27,866.1
July, 1930	29,460.0
August, 1930	28,453.8
September, 1930	27,580.3
October, 1930	27,735.5
November 1930	28,041.6
December, 1930	30,891.0
January, 1931	28,134.2
February, 1931	25,617.8
March, 1931	27,933.8

**PAY OF POSTMASTERS-GENERAL AND DEPUTY DIRECTORS-GENERAL OF
THE POST OFFICE.**

172. ***Mr. S. C. Mitra** : (a) Is it a fact that from the 1st March 1930 the pay of the Postmasters-General has been revised by which the pay of the Postmasters-General of Bengal and Assam and Bombay and of the Senior Deputy Director-General has been specially raised ?

(b) Is it a fact that when Mr. J. R. T. Booth, Deputy Director-General, went on leave, the Postmaster-General, Bengal and Assam was appointed to act in his place, then the Postmaster-General, Central Circle, was transferred from Nagpur to Calcutta to hold over charge there and the Electrical Engineer-in-Chief was transferred from Calcutta to Nagpur to officiate as Postmaster-General, Central Circle ?

(c) Are not all these changes due to the fact that the Senior Deputy Director-General and Postmaster-General, Bengal and Assam Circle happen to draw special pays ?

(d) What amount has been expended for their travelling allowances ?

(e) Are Government prepared to fix one scale for all the Postmasters-General and Deputy Directors-General, so that in case of leave or retirement of any officer so much travelling may be avoided ?

Mr. J. A. Shillidy : (a) The fact is not as stated by the Honourable Member. The pay of all Postmasters-General was raised and a special pay sanctioned for the Postmasters-General in charge of the two most important Circles, viz., Bengal and Assam and Bombay, while the pay of the Senior Deputy Director-General was fixed at a special rate.

(b) Yes.

(c) Yes.

(d) Rs. 2,753.

(e) The scales of pay of the officers named were fixed in 1930, with reference to the nature of the duties and responsibilities of the respective posts and Government as at present advised see no reason to make a change.

**PAY OF POSTMASTERS-GENERAL AND THE SENIOR DEPUTY DIRECTOR
GENERAL OF THE POST OFFICE.**

173. ***Mr. S. C. Mitra** : (a) Is it a fact that provision was made in the Budget for 1930-31 under demand No. 23 increasing the scales of pay of the Postmasters-General and the Senior Deputy Director-General ?

(b) Is it a fact that in the despatch, in which the sanction of the Secretary of State for India to this revision was asked for, it was suggested that the requisite funds for it would be available out of the savings effected by certain proposed retrenchments in the ministerial staff in the offices of the Director-General of Posts and Telegraphs and the Postmaster-General, Bengal and Assam ?

(c) Is it a fact that considerable retrenchment has since been made in the staff of both the offices mentioned above ? If so, will Government please give details of the retrenchment so far made and contemplated ?

(d) What were the considerations that led Government to incur heavy additional expenditure for revising the pay of the Postmasters-General and the Senior Deputy Director-General simultaneously with the retrenchment of ministerial establishment at a time of heavy deficit in the Department ?

Mr. J. A. Shillidy : (a) Yes.

(b) The case is not as stated. Mention was made of certain past and prospective savings. No mention was made of any in the Postmaster-General's office.

(c) Ministerial staff found surplus was reduced to the extent of 25 posts in the Director-General's office and 9 in the Postmaster-General's office, while 23 further surplus posts in the former office await abolition.

(d) The considerations for revising the pay of officers were their increased duties and responsibilities. For the rest, the Honourable Member's attention is invited to the replies to part (b) above and to part (p) of Mr. Amar Nath Dutt's starred question No. 311 in the Legislative Assembly on the 18th July, 1930.

DUTIES OF THE FINANCIAL ADVISER, POSTS AND TELEGRAPHS.

174. ***Mr. S. C. Mitra :** (a) Will Government be pleased to state what the duties of the Financial Adviser, Posts and Telegraphs are ?

(b) Is it a fact that Mr. Coburn, while he worked as Financial Adviser, Posts and Telegraphs, used to detain cases abnormally on account of which the Senior Deputy Director-General, Mr. J. R. T. Booth, issued orders to maintain a statement of cases submitted to him and to note the dates of their return ?

(c) Is it a fact that at the time of his going on leave to England he took with him a large number of cases which he could not dispose of in due course ?

The Honourable Sir George Schuster : (a) The Financial Adviser, Posts and Telegraphs, is the representative of the Finance Department and exercises the powers of that Department in financial matters relating to the Posts and Telegraphs Department under the general control of the Finance Member. He is responsible for giving financial advice to the Director-General, Posts and Telegraphs, and to the Department of Industries and Labour in respect of Posts and Telegraphs and Stores Department business, for supervising the preparation of the Posts and Telegraphs Budget and for assisting financial control in the Posts and Telegraphs Department generally.

(b) There is no official record to show that any cases were *abnormally* delayed by Mr. Coburn or that Mr. Booth issued the orders referred to by the Honourable Member.

(c) Mr. Coburn took with him only three difficult cases, two of which he returned from Marseilles, and the third soon after his arrival in England.

EMPLOYMENT OF A TELEGRAPH MASTER-GENERAL AT THE GOVERNMENT TELEGRAPH OFFICE, LUCKNOW.

175. *Mr. S. C. Mitra : (a) Will Government please state the number of telegraphists, clerks, and Telegraph Masters employed in the Government Telegraph Office, Lucknow ?

(b) Is it a fact that there is an official designated as Telegraph Master-General, in the above office, whose only duties are to keep an account of casual leave cases, to make arrangements for the men on leave and to prepare a weekly watch list ?

(c) Is it a fact that the Superintendent of the office recommended replacement of the Telegraph Master-General, by a Head Clerk on a lower pay, on the ground that the latter would be quite competent to do the work for which a Telegraph Master was too expensive and quite unnecessary ?

(d) Is it a fact that the recommendation was finally rejected by the Director-General of Posts and Telegraphs ? If so, why ?

Sir Hubert Sams : (a) 43, 18 and 5, respectively.

(b) No, Sir.

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

NUMBER OF MEMBERS OF VARIOUS COMMUNITIES EMPLOYED IN TELEGRAPH OFFICES.

176. *Mr. S. C. Mitra : (a) Will Government please lay on the table a statement showing the number of Hindus, Muhammadans and Anglo-Indians or Domiciled Europeans recruited for appointment as telegraphists in the departmental telegraph offices in the years 1928-29, 1929-30 and 1930-31 ?

(b) Will Government please further state how many Hindus, Muhammadans and Anglo-Indians or Domiciled Europeans are there working as General and Station Service Telegraphists ?

(c) Will Government please lay on the table a statement showing the number of Hindus, Muhammadans, Anglo-Indians or Domiciled Europeans, who were recruited in the years 1927-28, 1928-29, 1929-30 and 1930-31 for appointment as Engineering Supervisors in General, Electrical and Telephone Engineering Branches ?

(d) Will Government please state how many Europeans, Anglo-Indians, Hindus and Muhammadans are there amongst the gazetted officers and Engineering Supervisors of the Engineering Branch of the Telegraph Department ?

Sir Hubert Sams : (a) A statement is laid on the table.

	Hindus.	Muhammadans.	Anglo-Indians or Domiciled Europeans.
(b) General Service ..	567	51	1,586
Station Service ..	430	37	65

(c) A statement is laid on the table.

	Europeans.	Anglo-Indians.	Hindus.	Muhammadans.
(d) Gazetted Officers ..	51	107	23	2
Engineering Supervisors	1	174	93	12

Statement showing the number of Hindus, Muhammadans, Anglo-Indians or Domiciled Europeans appointed as Telegraphists in Departmental Telegraph Offices in the years 1928-29, 1929-30 and 1930-31.

Community.	1928-29.	1929-30.	1930-31.
Hindus .. .. .	.. .. .	3	121
Muhammadans .. .. .	.. .. .	2	12
Anglo-Indians or Domiciled Europeans	35	12	23
Total	35	17	156

Statement showing the number of Hindus, Muhammadans, Anglo-Indians or Domiciled Europeans appointed as Engineering Supervisors in 1927-28, 1928-29, 1929-30 and 1930-31.

Community.	1927-28.			1928-29.			1929-30.			1930-31.		
	General.	Electrical.	Telephones.	General.	Electrical.	Telephones.	General.	Electrical.	Telephones.	General.	Electrical.	Telephones.
Hindus .. .. .	.. .. .	.. .. .	2	1	.. .. .	1	1	1	.. .. .	28	5	6
Muhammadans .. .. .	.. .. .	.. .. .	.. .. .	1	.. .. .	.. .. .	.. .. .	.. .. .	.. .. .	1	.. .. .	1
Anglo-Indians or Domiciled Europeans.	4	3	2	5	2	1	2	2	.. .. .	2	3	1

HOUSE RENT AND ALLOWANCES PAID TO TELEGRAPH AND POSTAL STAFF.

177. *Mr. S. C. Mitra : (a) Will Government please state the rate of house-rent and other allowances paid to the Telegraph Traffic and Engineering staff and the total amount expended under these heads in the years 1929-30 and 1930-31 ?

(b) Is any house-rent or other allowance paid to the Postal staff employed in places where such allowances are paid to the Telegraph Traffic or Engineering staff ?

(c) If the reply to part (b) be in the affirmative, what is the rate of allowance ? If reply to part (b) be in the negative, will Government please state why no allowance is paid to them ?

Sir Hubert Sams : (a) to (c). Various kinds of allowances are granted to various classes of officials in the Indian Posts and Telegraphs Department according to localities or nature of duties or on other

considerations. If the Honourable Member will kindly specify the particular "other allowances" and classes of officials in the Traffic, Engineering and Postal Branches of the Department with the names of localities which he has in mind, it may be possible to furnish information.

SHORTAGE OF SUPERVISORY POSTS IN POST OFFICES AND THE RAILWAY MAIL SERVICE.

178. *Mr. S. C. Mitra : (a) Will Government be pleased to furnish a statement showing (a) the number of (i) Telegraphists, (ii) Telegraph Masters, and (iii) gazetted officers in the Central Telegraph Offices of Calcutta, Bombay and Madras, and (b) the number of time-scale clerks and selection grade officials respectively in the Calcutta, Bombay and Madras General Post Offices ?

(b) Is it a fact that the number of selection grade posts is 16 per cent. of the total staff in the Telegraph Branch, while it is only 6 or 7 per cent. in the post offices and Railway Mail Service ?

(c) If the reply to part (b) be in the affirmative, will Government please state the reasons for such an invidious distinction ?

(d) Is it not a fact that the post office or Railway Mail Service officials have to deal with money and other valuable articles for which close supervision is necessary ?

(e) Is it a fact that Mr. G. V. Bewoor, I.C.S., in his report on the Time Test has noticed the shortage of supervisory posts in the Post Office and Railway Mail Service and has emphasised the urgent need of adequately increasing their number ?

(f) If so, what action has been taken or is proposed to be taken by Government in the matter ?

Sir Hubert Sams : (a) The statement will be sent to the Honourable Member separately.

(b) The facts are not as stated.

(c) Does not arise.

(d) Yes.

(e) The facts are not as stated. What Mr. Bewoor stated was that the provision of adequate supervisory staff as contemplated by his scheme was essential ; and in applying his proposed test in certain cases found that the results worked out to more staff than existed at the time.

(f) Attention is invited to part (c) of the reply given to Mr. C. S. Ranga Iyer's unstarred question No. 378 in the Legislative Assembly on the 23rd March, 1931.

PREPONDERANCE OF ANGLO-INDIANS IN THE DEPARTMENTAL TELEGRAPH SERVICE.

179. *Mr. S. C. Mitra : (a) Is it a fact that the Anglo-Indians are considered as a "minority community" for the purpose of recruitment in the post office and it has been ordered by the Director-General that they should be provided in every fourth vacancy ?

(b) If so, has the Director-General issued any orders for the recruitment of the telegraphists on the same line ?

(c) Is it a fact that the present number of Anglo-Indians in the Departmental Telegraph service is more than 70 per cent. of the total strength? If not, what is the exact proportion?

(d) What are the reasons for the present preponderance of Anglo-Indians in the Departmental Telegraph service?

Sir Hubert Sams : (a) The reply to the first part is in the affirmative and to the second part in the negative.

(b) Does not arise.

(c) The reply to the first part is in the negative. The percentage on the whole Departmental Telegraph service from clerical grades upward is 39.

(d) The ranks of telegraphists were filled in the past mainly by Anglo-Indians.

CONVERSION OF DEPARTMENTAL TELEGRAPH OFFICES INTO COMBINED * OFFICES.

180. ***Mr. S. C. Mitra :** (a) Is it a fact that the Posts and Telegraphs Departmental Committee presided over by Mr. Ryan strongly recommended the rapid conversion of departmental telegraph offices into combined offices for effecting economy?

(b) How many offices have been thus converted since the report was accepted by Government?

(c) In view of the present financial stringency in the Department, do Government propose to accelerate the process of conversion and to convert at least 50 per cent. of the existing departmental offices in course of the next two years? If not, what are the difficulties?

Sir Hubert Sams : (a) Yes.

(b) Sixty. In 5 others departmental telegraphists have been replaced by Post Office signallers.

(c) The process of conversion is being pressed on as and when conditions render it feasible. There are at present 81 Departmental Offices of which 42 are Zone and Area Centres and the remaining 38 are Group Centres and Minor Offices. The case of 16 of these is being examined. The remainder will be considered as soon as possible.

PAY OF TELEGRAPHISTS AND POSTAL CLERKS.

181. ***Mr. S. C. Mitra :** (a) Is it a fact that the pay of General Service Telegraphists is Rs. 80—250 *plus* house-rent allowance or free house and compensatory allowance in certain towns?

(b) Is it a fact that their pay was increased in consideration of the fact that they are liable to transfer to any place in India and Burma?

(c) Will Government please state how many General Service Telegraphists were transferred in the years 1928-29, 1929-30 and 1930-31 and what is the percentage of such transfers?

(d) Is it not a fact that the post office clerks are also liable to frequent transfer?

(c) Is it a fact that the Station Service Telegraphists are not liable to any transfer at all ?

(f) Is it a fact that in England there are no differential scales of pay for Telegraphists and Postal clerks ?

(g) Are Government aware that an Arbitration Court in England has held that the work performed by Telegraphists is in no way superior to that performed by Postal clerks and as such there should not be differential scales of pay for them ?

(h) Will Government please furnish a statement showing respectively the time-scale of pay for (i) General Service Telegraphists, (ii) Station Service Telegraphists, and (iii) Postal and R. M. S. clerks working in Rangoon, Bombay, Madras and Calcutta ?

(i) What are the reasons justifying differential scales of pay as between Telegraphists and Postal clerks in India ?

Sir Hubert Sams : (a) Yes.

(b) Yes.

(c) 889, 814 and 564 ; percentages 39.98, 38.94 and 25.56.

(d) The case is not as stated.

(e) Ordinarily, yes.

(f) and (g). Government have no information.

(h) The statement is being sent to the Honourable Member.

(i) The different scales of pay were sanctioned in consideration of different kinds and conditions of work. All these questions, however, are embraced by the examination which is being made by the Retrenchment Advisory Committee.

PARTICIPATION OF THE GOVERNMENT OF INDIA IN THE WORLD DISARMAMENT CONFERENCE.

182. ***Mr. S. C. Mitra :** (a) Will Government please state whether, as a member of the League of Nations, they have been invited to participate in the World Disarmament Conference to be held in February, 1932 ?

(b) If the reply to part (a) be in the affirmative,

(i) have they undertaken any preparation or preliminary investigation or consultation in connection with the matter ;

(ii) has any correspondence passed between them and His Majesty's Government on the subject ; and

(iii) have they received any request from the League to furnish particulars with regard to the position of their armaments and, if so, what reply have Government sent ?

Mr. G. M. Young : (a) Yes.

(b) Information with regard to armaments in India has been called for by the League, through the Secretary of State for India, and has been supplied to the League, through the same channel, in accordance with the instruction contained in the Draft Disarmament Convention.

USE OF TROOPS FROM THE INDIAN ARMY OUTSIDE INDIA.

183. ***Mr. S. C. Mitra** : (a) With reference to section 1, paragraph 3 (iii) of Field Service Regulations, Volume I (1930), will Government please state whether any agreement or understanding, formal or informal, exists between His Majesty's Government and the Government of India with regard to any contingents of troops to be furnished by the latter, in any circumstance, for service outside the limits of India and Afghanistan ?

(b) If the reply to part (a) be in the affirmative, what are the circumstances in which they are to be furnished and what is the strength of the contingents which Government have taken upon themselves the responsibility to furnish ?

Mr. G. M. Young : (a) The Government of India have entered upon no undertaking or commitment to send troops out of India, nor could they do so, as it is impossible for them to say whether at any given time any troops could be spared.

(b) Does not arise.

USE OF TROOPS FROM THE INDIAN ARMY OUTSIDE INDIA.

184. ***Mr. S. C. Mitra** : (a) Will Government please state whether, between 1921 and the present date, any requests or proposals were received by them from His Majesty's Government, or the War Office, or any other authority in the United Kingdom, for the prospective or immediate employment of any part of the Army in India for service outside India and Afghanistan ? If so, on how many and what occasions ?

(b) Will Government please lay on the table the correspondence which led to the despatch of a contingent of Indian troops to China in 1926-27 ?

Mr. G. M. Young : (a) Only one occasion has arisen since 1921 on which the Government of India were asked actually to send troops out of India. That is the occasion referred to in part (b).

(b) The Government are not prepared to lay the correspondence on the table. The circumstances leading to the despatch of the contingent were, however, fully stated by Lord Irwin in his speech to this Assembly on the 24th January, 1927.

Mr. K. Ahmed : Is it not a fact that only the other day troops were despatched to China in the regime of Lord Reading for the protection of British subjects ?

Mr. G. M. Young : So far as my recollection goes, it was in the time of Lord Irwin.

DIRECT COMMUNICATION BETWEEN THE ARMY AUTHORITIES AND THE WAR OFFICE.

185. ***Mr. S. C. Mitra** : (a) Will Government please state whether His Excellency the Commander-in-Chief, or any of the principal staff officers under him have the right to communicate directly on any subject with the Secretary of State for War, the Army Council, Chief of the Imperial General Staff, or any other authority at the War Office ?

(b) If the reply to part (a) be in the affirmative,

- (i) what are the subjects on which such correspondence takes place ; and
- (ii) whether it is submitted to the Government for information or decision ?

Mr. G. M. Young : (a) and (b) (i). The Commander-in-Chief has the right of corresponding direct with the War Office personally, or through his Principal Staff Officers, on questions relating to intelligence, training, preparation for war, routine and other matters not requiring the decision of Government, and the supply of military information required by the Chief of the Imperial General Staff. The right does not extend to important questions involving principle or policy or expenditure from Indian revenues. These are dealt with by the Army Department of the Government of India in correspondence with the Secretary of State for India.

(b) (ii). Under existing orders, copies of all direct communications between the Commander-in-Chief and the Chief of the Imperial General Staff are furnished to the Government of India, the India Office and the War Office. Routine correspondence with the War Office is not ordinarily submitted to Government for information : but the Secretary to the Government of India in the Army Department can call for and examine the papers on any subject dealt with at Army Headquarters.

NATURE, EXTENT AND SCOPE OF INTERNAL SECURITY SCHEMES.

186. ***Mr. S. C. Mitra :** In connection with their answer to starred question No. 195, dated January 29th, 1931, will Government please refer to paragraphs 11, 12 and 13, and to Appendix XXIX of the Regulations for the Army in India and explain the scope, extent and nature of :

- (a) the internal security schemes prepared by the Director of Military Operations, the General Officer Commanding-in-Chief the commands and the District Commanders, under the regulations ;
- (b) the measures for the support and maintenance of the civil power taken by the Director of Military Operations at the Army Headquarters under the same authority ; and
- (c) the responsibility imposed under paragraphs 11 and 12 of the Army Regulations upon the General Officer Commanding-in-Chief and the District Commanders in respect of the security of internal areas under their command ?

Mr. G. M. Young : It would not be in the public interest to disclose the scope, extent or nature of internal security schemes.

ARTILLERY ALLOTTED FOR INTERNAL SECURITY.

187. ***Mr. S. C. Mitra :** With reference to their answer to starred question No. 191, dated the 29th January, 1931, will Government kindly give the following information :—

- (a) the date from which medium artillery ceased to be allotted to internal security ;

- (b) the number of field artillery sections which, in the event of the mobilization of the Field Army, will be left behind at different stations in India and be "classed among Internal Security Troops";
- (c) how many of these will be on full establishment and how many on a lower establishment;
- (d) whether it is possible to bring the sections on a lower establishment on to their full complement of driving and gunner personnel if need arises to reinforce the artillery of the Field Army; and
- (e) the number of Field Brigades and batteries, complete in equipment and personnel, which in the event of the mobilization of the Field Army, will remain at the disposal of the Army Headquarters or the subordinate commands or districts as a reserve, unless allotted to the Field Army in excess of the sanctioned war establishments?

Mr. G. M. Young : (a) and (b). It would not be in the public interest to furnish this information.

- (c) All on a lower establishment.
- (d) Yes.
- (e) None.

HORSE-BREEDING IN THE JHELUM CANAL COLONIES.

188. ***Sardar Sant Singh :** (a) Will Government be pleased to state the number of acres allotted in the Jhelum Canal Colonies on horse-breeding conditions?

(b) What was the number of mares belonging to the Ghoripals in both the colonies in the years 1928-29 and 1930?

(c) How many of the breedings of these mares have been purchased by the Army Remount Department?

(d) How many of these, including fillies kept for breeding purposes, have been purchased during the last seven years, over the age of 18 months?

Mr. G. M. Young : (a) Approximately 2,25,120 acres.

(b) The number of horse breeding mares in 1928-29 and 1929-30 was 4,502 and 4,346, respectively.

(c) 407 young stock horses were purchased in 1928-29 and 478 in 1929-30.

(d) 720. These were purchased at the expressed wish of their owners.

BRANDING OF MARES IN THE JHELUM CANAL COLONIES.

189 ***Sardar Sant Singh :** (a) Is it a fact that some mares in the Jhelum Canal horse-breeding colonies are branded with J. C. and others are branded as G. I. J.?

(b) What is the number of mares branded J. C. ? What is the number of mares branded G. I.|J. in both the colonies ?

(c) Is it a fact that Army Remount Department decides to brand mares as J. C. or G. I.|J. at its discretion ? If the reply of the above question be in the affirmative, will Government be pleased to state the rules which govern the discretion of Army Remount Officers ?

Mr. G. M. Young : (a) Yes.

(b) In 1930-31, 4,131 mares were branded JC and 293 were branded GI|J.

(c) No, Sir. The JC brand is used for mares kept by breeders holding land on horse breeding terms. The GI|J brand is used for mares of unbound breeders and a mare is so branded only at the request of the owner.

BRANDING OF MARES IN THE JHELUM CANAL COLONIES.

190. ***Sardar Sant Singh :** (a) Is it a fact that J. C. brand is used for the mares kept under the condition on which the land has been allotted in the Jhelum Canal colonies ?

(b) If so, why has G. I.|J. brand been introduced ?

Mr. G. M. Young : (a) Yes.

(b) To distinguish unbound from bound mares and to enable the owner of an unbound mare to have the use of a Government stallion.

BRANDING OF MARES IN THE JHELUM CANAL COLONIES.

191. ***Sardar Sant Singh :** (a) Is it a fact that grantees of land in Jhelum Canal colonies who keep a spare mare are forced to get their spare mare branded with J. C. ? If so, why has this practice been allowed to prevail ?

(b) Are Government aware that keeping of such spare mare has inflicted great hardship upon the grantees of land ?

(c) Is it a fact that a regular record of spare mares is also kept ? If so, why ?

(d) Is it a fact that in case of breach of rules the spare mares are also subjected to fines and penalties ?

Mr. G. M. Young : (a) No, Sir. There is no compulsion as regards maintenance or branding.

(b) No, Sir. Spare mares are kept at the option of the owners.

(c) Yes. In the interests of the owners, a record of coverings and foalings is maintained. This enhances the value of the stock.

(d) No, Sir.

Khan Bahadur Malik Allah Bakhsh Khan Tiwana : Is it not a fact that the grant of the concession of furnishing a record of the coverings and foalings of mares is greatly appreciated by the colonists for the reason that they have the services of superior colony stallions and also get a good price for their young stock from Government ?

Mr. G. M. Young : That is undoubtedly a fact, Sir.

BRANDING OF MARES IN THE JHELUM CANAL COLONIES.

***Sardar Sant Singh** : (a) Is it a fact that mares, both with J. C. and G. I.|J. brands can be covered by Army Remount Department stallions ?

(b) If the reply to part (a) be in the affirmative, will Government be pleased to state why spare mares are branded as J. C. instead of G. I.|J. ?

Mr. G. M. Young : (a) Yes, but owners of GI|J mares have to pay a covering fee of Rs. 5.

(b) The Honourable Member is referred to the answer which I have just given to the two previous questions.

HORSE-BREEDING IN THE JHELUM CANAL COLONIES.

193. ***Sardar Sant Singh** : (a) Will Government be pleased to lay a statement on the table showing an average annual result of coverage in the Jhelum Canal horse-breeding colonies during the last two decades ?

(b) How many fillies have been purchased by the Army Remount Department during this period ?

(c) What is the number of fillies made over to Ghoripals for breeding purposes ?

(d) What is the number of Army thorough-blood mares branded by the Remount Officer and purchased by the Ghoripals during the last 5 years ? What are their ages ? What is the total price paid by the Ghoripals for the same ? In case, the answer to this question be in the negative, is it a fact that Army Remount Department interferes with the free purchase and sale of Ghoripal mares ?

Mr. G. M. Young : I am afraid that I cannot furnish information for the last two decades. I lay on the table, however, a statement which covers the last five years in respect of parts (a), (b) and (d) of the question and the last 25 years in respect of part (c).

The answer to the last part of question (d), in so far as I have been able to understand it, is in the negative.

(a) 1926-27	..	..	..	..	..	3,787
1927-28	..	..	..	..	..	3,976
1928-29	..	..	..	..	..	4,066
1929-30	..	..	..	..	..	3,885
1930-31	..	..	..	..	..	3,736

(b) 238, during the last five years.

(c) 10,925 since 1905-06.

(d) 97 thorough bred English mares. The total price paid by Ghoripals was Rs. 80,349. The ages of these mares were :

2	..	..	..	..	..	..	4 year old.
11	..	..	..	..	..	..	5 year old.
12	..	..	..	..	..	..	6 year old.
14	..	..	..	..	..	..	7 year old.
18	..	..	..	..	..	..	8 year old.
10	..	..	..	..	..	..	9 year old.
15	..	..	..	..	..	..	10 year old.
8	..	..	..	..	..	..	11 year old.
3	..	..	..	..	..	..	12 year old.
4	..	..	..	..	..	..	13 year old.

HORSE-BREEDING IN THE JHELUM CANAL COLONIES.

194. *Sardar Sant Singh : (a) Is it a fact that during the last 18 months there have been cases where the Army Remount Officer declined to purchase a foal in the first instance and soon after either purchased it or permitted its sale for breeding purposes ? If so, why ?

(b) Do Government know that such instances have led to corruption in the office of the said Army Remount ?

Mr. G. M. Young : (a) It frequently happens that stock are presented for purchase in poor condition, and are subsequently bought after the owner has conditioned them.

(b) Government are not aware of any corruption in this connexion. If the Honourable Member will quote a specific case I will inquire into it.

COMPLAINTS OF HORSE-BREEDING GRANTEES OF LAND AGAINST THE ARMY REMOUNT OFFICER, SARGODHA.

195 *Sardar Sant Singh : (a) Are Government aware that the present Remount Officer has been in the Army Remount Office, Sargodha, for the last nine years ?

(b) Is it a fact that grantees of land have been complaining against this officer ? If so, why has he not been transferred from this place ? Do Government intend to transfer him ? If not, why not ?

(c) Are Government aware that this officer has been employing agents who have abused their position ? Have Government received any complaint that illegalities have been committed by this officer ?

(d) Is it a fact that on the 6th December, 1928, the Revenue Member of the Punjab held a *Durbar* at Sargodha in order to explain away the alleged illegalities committed by this official ?

(e) Is it a fact that the same Revenue Officer, prior to holding this *Durbar*, made enquiries into the conduct of this official and heard the complaints of the grantees ?

(f) Is it a fact that a committee of enquiry was formed in the same *Durbar* to go into the grievances of the grantees ?

(g) Is it also a fact that this very Remount Officer was included as a member of that Committee ?

(h) Is it also a fact that the grantees refused to do anything with this committee and so no committee sat ?

Mr. G. M. Young : (a) The officer has been at Sargodha for 7 out of the last 8 years.

(b) Some complaints have been made : but they proved to be without foundation. There was consequently no reason to transfer the officer before his tenure would otherwise have expired. He would normally be transferred on November 1st, 1931. Orders to that effect issued last February.

(c) The answer is in the negative.

(d) to (h). The matter concerns the Local Government, to whom a copy of this question will be sent.

Khan Bahadur Malik Allah Bakhsh Khan Tiwana : May I ask if it is the policy of Government to keep District Remount Officers at Sargodha for a pretty long time ?

Mr. G. M. Young : Yes, Sir. It is the policy of Government to keep Remount Officers in horse-breeding areas for a considerable time.

Sardar Sant Singh : May I know what is the longest period for which such an officer can remain in one station ?

Mr. G. M. Young : There is no fixed rule ; one officer was there for about 9 years so far as I remember.

Mr. B. E. Puri : May I know on what basis this period is fixed ? Why not 11 years or any other figure ? Where is the special virtue in 9 years ?

Mr. G. M. Young : There is no fixed rule, Sir.

Mr. K. Ahmed : Is there not a Committee at Sargodha where matters can be complained of with a view to the grievances being removed ?

Mr. G. M. Young : I think, Sir, the Honourable Member will receive an answer to the question that he is asking now, if he listens to the answers to be given to the next 20 or 25 questions.

Sardar Sant Singh : Can the Honourable Member quote any other instance where an officer was allowed to remain in one station for this period of 9 years ?

Mr. G. M. Young : I have already stated that one officer was in this particular station for 9 years.

HORSE-BREEDING IN THE JHELUM CANAL COLONIES.

196. ***Sardar Sant Singh :** (a) Will Government be pleased to state the number of Army Remount Department stallions in the Sargodha Circle for each year during the last 20 years ? How many of them were thorough-bred ? How many Arab ? How many Nuggar Arab, Marwari, etc. ?

(b) Will Government be pleased to state the number of stallions sanctioned for the Jhelum Canal Colonies ?

(c) What is the percentage result of coverage for each variety of stallions during the last 20 years ? What is the percentage of the progeny of thorough-bred Arab ?

(d) Is it a fact that previously mares used to be covered twice in a single day ? If so, when was this practice stopped ?

(e) Will Government kindly give the reasons for stopping this practice ? Is it a fact that, for some time, stallions have not been allowed to cover daily but only after intervals of two to four days ? If so, do Government know that allottees on horse-breeding conditions suffer in consequence of these long delays in covering ?

(f) Is it a fact that if the mares are not covered in season the keepers of mares have to undergo a good deal of trouble in coming to the stables every day till the next season ?

Mr. G. M. Young : (a) The figures for the last 20 years are not readily available, but the average for one year would be approximately 90 stallions. The present percentage by classes are :

Thorough-bred English	..	..	40 per cent.
Arab	..	..	40 per cent.
Other breeds	..	..	20 per cent.

(b) 101 in April last since when it has been raised to 107.

(c) The full information desired by the Honourable Member is not available. The average percentage of foals to coverings for the past 3 years is 38.76.

The average foaling percentage of Arab stallions for the last 3 years is 44.39.

(d) Yes. The practice was discontinued in 1919.

(e) I do not suppose, Sir, that the House will wish me to enter deeply into biological details. The reforms to which the Honourable Member alludes were introduced as much in the interests of the owners of mares as of the stallions themselves. They cause no hardship so far as Government are aware, and they are common to all countries where high class stock is raised.

(f) I understand that a very few habitually defaulting tenants have been treated in this way.

HORSE-BREEDING IN THE JHELUM CANAL COLONIES.

197. *Sardar Sant Singh : (a) Is it a fact that after covertures mares are required to be tested by rules four or five times during 6 weeks ?

(b) Is this rule observed ? If so, will Government kindly state the number of mares that have been so tested during the last 5 years ?

(c) Is it a fact that the Army Remount Department has given orders to Ghoripals to bring the mare for testing or for inspection by the Army Remount Officer in person ?

(d) Is it a fact that in some cases Ghoripals have to travel about 20 miles a day in the hottest months of the year for this purpose ?

(e) Do Government propose to cancel such orders if they exist ?

(f) Do Government propose to put a stop to the testing of the mares before and after the covertures and leave it to the Ghoripals themselves ?

(g) Is it a fact that in the statement of conditions on which the land was granted no such test is mentioned ?

Mr. G. M. Young : (a) Yes.

(b) Yes. 17,963 mares have been tested during the last five years.

(c) Only in the case of very few grantees who have failed to get their mares in foal over a very long period.

(d) No, Sir.

(e) Does not arise.

(f) No, Sir.

(g) The test is not specifically mentioned, but is covered by the terms of the grant.

Sardar Sant Singh : What objection can the Government have to its being sent instead of being brought by the owner himself ?

Mr. G. M. Young : I do not know of any objection to that procedure.

HORSE-BREEDING IN THE SARGODHA CIRCLE.

198. ***Sardar Sant Singh :** (a) What is the total area of land allowed to all the stallion stables in Sargodha Circle, including the land in the control of Army Remount Department, Sargodha Circle ?

(b) What has been the gross income from these lands during the last ten years ?

(c) What has been the annual expenditure of the Army Remount Department during the last ten years ?

(d) What has been the annual maintenance charges, excluding the income from the allotted land, for the last 20 years ? Does it include the price paid for purchasing the stallions or not ? If not, from what fund are stallions purchased ?

(e) What has been the cost of stallions purchased during the last 20 years ?

Mr. G. M. Young : I lay a statement on the table.

(a) 1,120 acres, 4 killas and 3 kanals of land are attached to the Stallion Stables of the Shahpur Area. In addition, the old 8th Cavalry run (approximately 1,500 acres) is administered by the District Remount Officer, Shahpur Area.

(b) The land attached to the Stallion Stables is for the supply of fodder to the stallions.

The 8th Cavalry run has been administered for 9 years only. During this period the gross income has been Rs. 4,86,171-14-7.

(c) The expenditure on the Shahpur Area has been as follows :

	Rs.
1921-22	1,50,804
1922-23	1,32,870
1923-24	1,17,988
1924-25	1,28,771
1925-26	1,18,571
1926-27	1,30,230
1927-28	1,32,547
1928-29	1,23,450
1929-30	1,51,008
1930-31	1,56,331

(d) The Hon'ble Member is referred to the statement laid on the table in reply to parts (a) and (b) of starred question No. 204. The figures given therein do not include the purchase price, as stallions are purchased from a separate fund on all-India basis.

(e) Figures for the Shahpur Area as a separate entity are not available.

HORSE-BREEDING IN THE JHELUM CANAL COLONIES.

199. ***Sardar Sant Singh :** (a) Is it not a fact that the Revenue Officer does not give any reason when he discharges the mare for not fillying ?

(b) Is it a fact that the Remount Officer at the time of discharging the mare destroys the covering certificate containing the history of the mare ?

(c) Is it not a fact that instances have happened where the mare thus discharged was found to be with a foal later on and was re-entered ?

(d) Is it a fact that a copy of the record of the history of the mare is not given to the Ghoripal ? If so, why ?

Mr. G. M. Young : (a) I have not been able to understand this question.

(b) No, Sir.

(c) A very few instances have occurred.

(d) No, Sir.

Khan Bahadur Malik Allah Bakhsh Khan Tiwana : Is it not a fact that the Revenue Officer has nothing to do with the discharge of the mare ?

Mr. G. M. Young : That is one of the reasons why I was unable to understand that part of the question.

Sardar Sant Singh : Part (a) of my question means this that the Revenue Officer strikes off the mare from the list of the branded mares if it does not filly for a particular period.

Mr. G. M. Young : Sir, I am afraid I do not understand the meaning of the verb to "filly".

HORSE-BREEDING IN THE JHELUM CANAL COLONIES.

200. ***Sardar Sant Singh :** (a) Will Government be pleased to state the annual expenditure on medicines given free for brood-mares to Ghoripals during the last 5 years ?

(b) What is the number of mares and their youngsters that have been treated during this period ?

(c) Is it a fact that such medicines are not given free to all the Ghoripals who come for treatment of their mares ?

(d) Have Government received any complaint on this point ? If so, do Government propose to remove this complaint ?

Mr. G. M. Young : (a) and (b). The information is not available.

(c) Free medicines are distributed as far as resources permit.

(d) No, Sir.

HORSE-BREEDING IN THE JHELUM CANAL COLONIES.

201. ***Sardar Sant Singh :** Is it a fact that Ghoripals have been compelled to grow oats as fodder for the bound mares ? If so, under what law ? Is it in the conditions on which land in the Jhelum Canal Colonies has been granted ?

Mr. G. M. Young : No, Sir, they have been advised to do so in their own interests. It is not in the conditions on which the land was granted.

Khan Bahadur Malik Allah Bakhsh Khan Tiwana : Does the Honourable Member know that only last year on the special representation of the present District Remount Officer the canal closure did not take place merely to allow the colonists to cultivate their oats ?

Mr. K. Ahmed : I submit, Sir, that that question does not arise in this form.

Khan Bahadur Malik Allah Bakhsh Khan Tiwana : The question is relevant because it has been alleged that oats cultivation is forced upon the colonists. My question shows that the colonists approached the District Remount Officer and he represented the matter to the Irrigation Department and got the closure stopped for oats cultivation.

Mr. G. M. Young : I am prepared to take the information from the Honourable Member.

HORSE-BREEDING IN THE JHELUM CANAL COLONIES.

202. ***Sardar Sant Singh :** Is it a fact that Ghoripals are compelled to take their mares to the horse races and cattle fares by the Remount Officer ? If so, will Government please state under what conditions has this order been passed ?

Mr. G. M. Young : No, Sir, mares are not raced. Fillies maturing in the breeding area are inspected from time to time. These inspections are arranged to coincide with race meetings at Headquarters. After inspection, owners of selected fillies are advised to race them, as this is considered beneficial to their development. There is no question of compulsion.

HORSE-BREEDING IN THE JHELUM CANAL COLONIES.

203. ***Sardar Sant Singh :** Will Government kindly define the duties of the Indian Officer, Army Remount Department, Sargodha, so far as these duties concern the Ghoripals ?

Mr. G. M. Young : The Indian officer comes directly under the orders of the District Remount Officer. His duties generally are to assist in the administration of the horse-breeding Area and also to bring to notice all matters affecting its efficiency.

HORSE-BREEDING IN THE JHELUM CANAL COLONIES.

204. **Sardar Sant Singh :** (a) Will Government kindly state the average annual expense of a stallion ?

(b) What has been the average expense of a stallion per year during the last 10 years ?

(c) Will Government be pleased to state the average expense which the Ghoripals incur on one mare and one foal ?

Mr. G. M. Young : (a) and (b). A statement giving the information is laid on the table.

(c) Government have no information.

					Rs.	A.	P.
1921-22	..	..	..	..	641	0	0
1922-23	..	..	..	..	411	10	0
1923-24	..	..	..	..	319	7	2
1924-25	..	..	..	..	321	8	5
1925-26	..	..	..	..	321	6	5
1926-27	..	..	..	..	322	1	3
1927-28	..	..	..	..	323	7	7
1928-29	..	..	..	..	389	3	0
1929-30	..	..	..	..	422	0	5
1930-31	..	..	..	..	413	14	3

HORSE-BREEDING IN THE JHELUM CANAL COLONIES.

205. *Sardar Sant Singh : (a) Will Government kindly give the total number of youngsters supplied in a year by all the Ghoripals of Sargodha Circle during the last 20 years ?

(b) What has been standard price of a youngster on an average during the last 5 years ?

(c) What was the standard price of the youngster during 10 years prior to the last 5 years ?

(d) By what standard is the price of a youngster fixed ?

Mr. G. M. Young : A statement is laid on the table.

(a) 1911	..	..	..	..	..	411
1912	..	..	..	..	..	376
1913	..	..	..	..	..	400
1914	..	..	..	..	..	417
1915	..	..	..	..	..	292
1916	..	..	..	..	..	238
1917	..	..	..	..	..	399
1918	..	..	..	..	..	404
1919	..	..	..	..	..	374
1920	..	..	..	..	..	432
1921	..	..	..	..	..	305
1922	..	..	..	..	..	526
1923	..	..	..	..	..	487
1924	..	..	..	..	..	518
1925	..	..	..	..	..	500
1926	..	..	..	..	..	509
1927	..	..	..	..	..	351
1928	..	..	..	..	..	414
1929	..	..	..	..	..	526
1930	..	..	..	..	..	438

(b) Rs. 224.

(c) The average price of a colt during the four years before the last five years was Rs. 225. Information prior to this is not available.

(d) Age, measurements, condition and general merit.

Khan Bahadur Malik Allah Bakhsh Khan Tiwana : May I know, Sir, what is the meaning of "youngsters" ?

Mr. G. M. Young : I am myself unfamiliar with the term as applied to horses. I assumed that the Honourable Member was referring to colts.

HORSE-BREEDING IN THE JHELUM CANAL COLONIES.

206. *Sardar Sant Singh : (a) Is it a fact that some Army Remount areas for the purchase of remounts have been abolished after the Great War ?

(b) If so, how many, and for what reasons ?

(c) Will Government be pleased to state the reasons for retaining the Army Remount Depot at Mona ?

Mr. G. M. Young : (a) and (b). I presume that the Honourable Member refers to breeding areas. The Amritsar and Baluchistan breeding

areas have been abolished since the war, as it did not pay Government to retain them.

(c) The Depot is retained for maturing young stock horses and mules bred in India, and acclimatizing mules from overseas.

HORSE-BREEDING IN THE JHELUM CANAL COLONIES.

207. *Sardar Sant Singh : (a) Do Government intend to sell proprietary rights of the lands granted on horse-breeding conditions ?

(b) If so, what price per acre has been fixed ?

(c) Do Government intend to sell proprietary rights to the non-Ghoripals as well ? If so, at what price ?

(d) Will Government kindly give the estimated price the Government will realise from the Ghoripals by selling proprietary rights to them and to non-Ghoripals as well ?

(e) What amount are Government likely to get by selling lands under Mona and Sargodha Depots ?

Mr. G. M. Young : (a) No, Sir.

(b) Does not arise.

(c) and (d). The matter concerns the Local Government.

(e) Government have no intention of selling the sites of these depots.

HORSE-BREEDING IN THE JHELUM CANAL COLONIES.

208. *Sardar Sant Singh : What is the average price per mare paid by the Army Remount Department, when purchasing mares from the Ghoripals ?

Mr. G. M. Young : Government do not purchase mares.

HORSE-BREEDING IN THE JHELUM CANAL COLONIES.

209. *Sardar Sant Singh : (a) Is it a fact that the Remount Officer, Sargodha Circle, inflicts fines on the Ghoripals ? If so, under what law has such power been conferred upon him and by what authority ? If not, did the Remount Officer exercise these powers during the last five years ?

(b) From what date have these powers been withdrawn ?

(c) How much fine has so far been inflicted by the Army Remount Department during the last 15 years ?

Mr. G. M. Young : The matter concerns the Local Government, to whom a copy of this question is being sent.

HORSE-BREEDING IN THE JHELUM CANAL COLONIES.

210. *Sardar Sant Singh : (a) Is it a fact that there is a Horse-Breeding Society in Sargodha Circle ? If so, is it a body of non-officials or a body created by Government ?

(b) Is it a fact that subscriptions for this Society are realised by the Zilledars of the Army Remount Department and the Zaildars and Naib-Tehsildars of the Revenue Department ?

(c) Is it a fact that a Government official is the President of this society ?

(d) What amount of subscriptions has annually been collected from 1925 to 1930 ?

(e) Has the Society effected any improvements in horse-breeding ?

Mr. G. M. Young : (a) Yes. It is a private Society.

(b) Subscriptions are not realised through the medium of the Zilladars of the Army Remount Department. The Government of India are not concerned with the latter portion of the question.

(c) Yes. The Deputy Commissioner, Shahpur District.

(d) Government have no information.

(e) The Society is a new one, but I am informed that it has already done much useful work in the interests of the breeders and breeding generally in the Shahpur Area.

Mr. Gaya Prasad Singh : Is it not a fact that there is a horse-breeding society in the Punjab to which the Government of India make an annual contribution ?

Mr. G. M. Young : I must ask for notice of that question.

HORSE-BREEDING IN THE JHELUM CANAL COLONIES.

211. ***Sardar Sant Singh :** (a) Is it a fact that some rules for the punishment of Ghoripals have been framed ? If so, by whom and under what authority ?

(b) Will Government be pleased to lay a copy of the rules, as framed, on the table ?

(c) Who were the members of the sub-committee which framed these rules ?

(d) Was the Punjab Legislative Council or Legislative Assembly consulted ?

(e) Were the Ghoripals given any chance of sending their representative before the framing of the rules ? If so, what is the name of that representative ? If not, why not ?

Mr. G. M. Young : Rules have been framed by the Local Government, to whom a copy of this question is being sent.

HORSE-BREEDING IN THE JHELUM CANAL COLONIES.

212. ***Sardar Sant Singh :** (a) How much area, originally allowed to the Ghoripals, has been temporarily resumed by Government ?

(b) How much area has been permanently resumed ?

(c) How much money has been realised by Government on account of the lease of these temporary resumptions ?

(d) Has the attention of Government been drawn to the ruling of the Financial Commissioner in the case of Dhian Singh of Chack No. 90 N. B. vs. Crown ; case No. 33 of 1919-20—Revenue ?

(e) If the reply to part (d) be in the affirmative, is it a fact that the principles laid down in the above ruling have not been applied to the cases of the Ghoripals so far? If not, why not?

(f) Has this ruling been over-ruled? If so, by what authority and when?

(g) Is it a fact that the lease money of the lands belonging to the minors has not been paid to them on their attaining majority? If not, why not?

Mr. G. M. Young : A copy of this question is being sent to the Local Government.

HORSE-BREEDING IN THE JHELUM CANAL COLONIES.

213. ***Sardar Sant Singh :** (a) Is it a fact that the Deputy Commissioner of Sargodha inflicts fines on the Ghoripals on the complaint of the Remount Officer?

(b) How many cases were sent up by the Remount Officer to the Deputy Commissioner for punishment during the last 10 years?

(c) In how many cases was punishment inflicted and in how many cases were the Ghoripals let off?

(d) Is it a fact that Ghoripals have produced defence in these cases?

(e) In how many cases these defences were accepted?

(f) What is the total amount of fine thus realised annually during the last 10 years?

(g) Are Government prepared to consider the question of appointing a committee to go into the questions of complaints of the Army Remount Department in order to check the arbitrary use of power by the executive in such cases?

Mr. G. M. Young : A copy of this question is being sent to the Local Government.

Sardar Sant Singh : May I know, Sir, if the Remount Officers are not governed by the Army Remount Department of the Government of India? Do not the Government of India in the Army Department control the actions of their officers and the conditions on which the loan has been granted and the breaches of those conditions?

Mr. G. M. Young : The Remount Officers are under the Army Department of the Government of India, but it is not their action that is complained of but the action of the Deputy Commissioner, Sargodha.

Sardar Sant Singh : Are the Government of India aware of the rules framed by the Local Government? If so, under what authority have they framed those rules?

Mr. G. M. Young : The Government of India are aware that there are rules framed by the Local Government.

Mian Muhammad Shah Nawaz : Why cannot the Government of India lay a copy of the rules on the table of the House?

Mr. G. M. Young : I think they probably could do so.

Sardar Sant Singh : Have ever the Government looked into the legality of these rules framed by the Local Government in this respect ?

Mr. G. M. Young : I do not know whether the legality of the rules has ever been challenged.

Mian Muhammad Shah Nawaz : Will the Honourable Member kindly lay a copy of these rules on the table of the House ?

Mr. G. M. Young : I will consider that.

Mian Muhammad Shah Nawaz : There is no question of consideration.

Mr. G. M. Young : I have not yet studied the rules.

Mian Muhammad Shah Nawaz : Is the Honourable Member going to consider whether he should place the rules on the table or not ? If the Honourable Member would kindly see question No. 211 (b), it asks : " Will Government be pleased to lay a copy of the rules as framed on the table " ? Surely the Honourable Member must have considered that long ago.

Mr. Gaya Prasad Singh : Caught napping this time. (Laughter.)

Mr. K. Ahmed : Will the Army Secretary, in view of the fact that there are so many complaints, kindly forward these questions to the local authorities so that they may take proper steps to remove the grievances and in that case the Honourable Member may probably withdraw his question ?

Mr. G. M. Young : I have already said that I will forward these questions to the Local Government.

Mr. K. Ahmed : My suggestion under the circumstances to the Honourable Member who put this question is that he should withdraw his interpellations, so that more useful work may be done. Will he kindly withdraw his question ? In view of the fact that the Army Secretary has assured him that the question will be forwarded to the Local Government and that steps will be taken to remedy the grievances ?

Sardar Sant Singh : I am not withdrawing my question.

HORSE-BREEDING IN THE JHELM CANAL COLONIES.

214. ***Sardar Sant Singh :** (a) Will Government be pleased to state the amount of takavi loan granted to the Ghoripals for the purchase of brood-mares during the last four years ?

(b) Is it a fact that the price of mares is fixed by the Remount Officer ?

(c) Has the Ghoripal any voice in fixing such prices ?

(d) What provision is made for arbitration or otherwise in the case of difference of opinion between the owner of the mare and the Army Remount Officer ?

Mr. G. M. Young : (a) Rs. 4,91,035.

(b) Only when the seller and purchaser cannot agree and ask the Remount Officer to act as medium.

(c) Yes, and he is encouraged to do so.

(d) The Honourable Member is referred to the reply given to part (b) of the question. An Arbitration Committee is provided for under the orders of the Local Government.

HORSE-BREEDING IN THE JHELM CANAL COLONIES.

215. ***Sardar Sant Singh** : What expense do Government incur on a youngster which enters the Depot at the age of 10½ months and what is their expense till it attains the age of 5 years ?

Mr. G. M. Young : Young stock are usually purchased as yearlings and not at 10½ months. Young stock horses are issued at 4½ years. The total cost including purchase price is about Rs. 1,000.

NON-TRANSFERENCE OF THE INDIAN OFFICER OF THE ARMY REMOUNT DEPARTMENT, SARGODHA CIRCLE.

216. ***Sardar Sant Singh** : (a) Is it a fact that the Indian officer of the Army Remount Department, Sargodha, is a native of the district ?

(b) To what family does he belong ?

(c) How long has he been in Sargodha Circle ?

(d) Will Government kindly state the rules prescribing the period after which the Indian officer of the Army Remount Department should be transferred from one place to another ?

(e) Why has not that rule been applied to him ?

(f) Is it a fact that he belongs to the well-known Tiwana family and he is kept there on that account ?

(g) Is it a fact that he interferes at the time of elections to the Local Council and the Assembly ?

Mr. G. M. Young : (a) Yes.

(b) Tiwana.

(c) Since March 1924.

(d) No rules are laid down. The interests of the State govern the length of tour of duty in one place.

(e) Does not arise.

(f) I have already answered the first part of the question. The answer to the second part is in the negative.

(g) So far as Government are aware there is no truth in the suggestion.

Khan Bahadur Malik Allah Bakhsh Khan Tiwana : Is it a fact that K. B. Gul Sher Khan, the Indian officer was in this colony from 1903, that is, the date of his appointment till 1912, that is the date of his death.

Mr. G. M. Young : Yes, Sir. I believe so.

Khan Bahadur Malik Allah Bakhsh Khan Tiwana : Is it not a fact that there had been several Indian officers in this colony who do not belong to this district before the present incumbent ?

Mr. G. M. Young : I should have to verify that, but I see no reason to doubt the statement.

Sardar Sant Singh : Is it not in the interests of discipline in the Department that no officer belonging to the district should be posted there ?

Mr. G. M. Young : No, Sir.

EMPLOYEES OF THE ARMY REMOUNT DEPARTMENT, SARGODHA CIRCLE.

217. *Sardar Sant Singh : (a) Will Government kindly lay on the table the number of persons employed in the Army Remount Department, Sargodha, during the last five years ?

(b) How many employees belong to the Shahpur District ?

Mr. G. M. Young : (a) The authorised establishment is 244 : there has been little variation during the last five years.

(b) The information is not available.

RELEASE OF POLITICAL PRISONERS IN THE PUNJAB.

218. *Sardar Sant Singh : (a) Will Government be pleased to state whether all the political prisoners, not convicted of violence have been released under the agreement between His Excellency Lord Irwin and Mahatma Gandhi ?

(b) How many such prisoners have not been released in the Punjab and for what reasons ?

The Honourable Sir James Crerar : (a) Yes.

(b) The total number of prisoners undergoing sentence in the Punjab for offences in connection with the Civil Disobedience Movement on the 5th March last was 1,858. Of these, 85 were still undergoing imprisonment on the 15th August 1931. They were not released because their cases did not come within the terms of the Settlement.

EMPLOYMENT OF SIKHS ON THE NORTH WESTERN RAILWAY.

219. *Sardar Sant Singh : (a) Will Government kindly state which community out of Hindus, Muhammadans and Sikhs is the minority community in the Punjab ?

(b) Is it a fact that the Sikhs are a distinct minority community in the province ?

(c) Is it a fact that the Sikhs are not adequately represented in the services of the North Western Railway ?

Mr. A. A. L. Parsons : (a) and (b). According to the latest figures available, the Sikhs are numerically the smallest of the three communities mentioned by the Honourable Member in the Punjab.

(c) I do not think the suggestion in the Honourable Member's question could be substantiated. According to an estimate based on the census figures of 1921, the percentage of Sikhs in the area served by the North Western Railway was 7.80. In the subordinate service of that Railway the percentage of Sikhs is 8.39. It is not possible to make a similar comparison with regard to Sikhs in the superior services, since officers in those services are liable to transfer to any of the State-managed Railways. But taking the superior services of those Railways together,

out of 363 Indian officers, 13, or 3.6 per cent. are Sikhs. If all these Sikh officers were posted to the North Western Railway, they would represent 10.4 per cent. of the Indian officers on that Railway.

SAFEGUARDING THE INTERESTS OF SIKHS IN RETRENCHMENTS ON THE NORTH WESTERN RAILWAY.

220. *Sardar Sant Singh : (a) Has the principle of safeguarding the interest of minority communities been followed in the case of recent retrenchment on the North Western Railway ?

(b) Is it a fact that the Agent of the North Western Railway has issued instructions to safeguard the interest of the Sikhs when deciding to reduce or retrench posts on the North Western Railway ?

(c) If so, has that principle been actually put into practice ?

Mr. A. A. L. Parsons : (a) to (c). Yes.

SAFEGUARDING THE INTERESTS OF SIKHS IN RETRENCHMENTS ON THE NORTH WESTERN RAILWAY.

221. *Sardar Sant Singh : (a) Is it a fact that the percentage of Sikh officers on the North Western Railway comes to 3.32 and in the Engineering Department it is only 4.62 ?

(b) Is it a fact that after the retrenchments that have been carried out the percentage of Sikh officers on the North Western Railway has been reduced to 2.69 on the whole and to 3.98 in the Engineering Department only ?

Mr. A. A. L. Parsons : (a) and (b). The percentage of Sikh officers on the North-Western Railway, after the retrenchment so far carried out, is 2.58 as against 2.54 on the 1st March 1931. The corresponding figures for the Engineering Department are 4.09 and 4 per cent., respectively.

RETRENCHMENT ON THE NORTH WESTERN RAILWAY.

222. *Sardar Sant Singh : (a) Will Government be pleased to state from what date retrenchment began on the North Western Railway and what departments have been affected thereby ?

(b) What is the number of persons that have come under retrenchment and what is the saving effected thereby ?

(c) Will Government kindly place the figures in a tabular form showing the number of Hindus, Muhammadans, Sikhs, Anglo-Indians and Europeans brought under reduction in various departments of the North Western Railway together with their pay and allowances ?

(d) What was the total strength of each community in these departments before retrenchment ?

Mr. A. A. L. Parsons : (a) From March 1931—All departments have been affected.

(b), (c) and (d). A statement giving all the information that is available is being sent to the Honourable Member. The total saving in a full year is estimated at about Rs. 32 lakhs.

ABOLITION OF TRAVELLING TICKET EXAMINERS ON THE NORTH WESTERN RAILWAY.

223. *Sardar Sant Singh : (a) Is it a fact that Travelling Ticket Examiners of the North Western Railway form a separate cadre in the Traffic Department on the Audit List ?

(b) If so, what salaries are paid to the members of this cadre and what are the rates of allowances paid to them ?

(c) Is it a fact that the Travelling Ticket Examiners' cadre of the North Western Railway has been abolished altogether ?

(d) If so, how many of them have been brought under reduction and how many of them have been forced to accept posts of Special Ticket Examiners ?

(e) Will Government be pleased to state the number of Europeans, Anglo-Indians, and Indians employed in the above cadre ?

Mr. A. A. L. Parsons : (a) No.

(b) Does not arise.

(c) Yes.

(d) All have been brought under reduction. None of them have been forced to accept posts of Special Ticket Examiners, but some have accepted such posts.

(e) Government have no information.

NON-RETRENCHMENT IN THE SALARIES OF GUARDS AND DRIVERS ON THE NORTH WESTERN RAILWAY.

224. *Sardar Sant Singh : (a) Will Government be pleased to state the number of Europeans employed in A, B, C, or special class as guards and drivers on the North Western Railway ?

(b) Will Government be pleased to give the number of Indians employed as such on the North Western Railway ?

(c) Has the retrenchment touched this department of the North Western Railway ? If so, to what extent ?

(d) Are Government aware that an impression is abroad that on account of the majority of the Europeans being in this cadre, retrenchment has not been effected in this department ?

(e) Will Government kindly state the reasons why retrenchment in the salaries and allowances of guards and drivers has not so far been carried out ?

Mr. A. A. L. Parsons : (a) and (b). A statement giving the required information is laid on the table.

(c) Yes. 115 guards and 121 drivers have been brought under reduction.

(d) No.

(e) Staff retrenchment has hitherto been in the direction of cutting out surplus posts, but actually the allowances earned by guards and drivers have decreased as a result of the reduction in train mileage.

Statement showing the number of European and Indian guards and drivers in the various grades on the North Western Railway.

	Grade IV.	Grade III.	Grade II.	Grade I.	Total.
European Guards ..	65	22	3	..	90
Indian Guards	107	321	673	76	1,177
European Drivers ..	113	16	..	..	129
Indian Drivers	30	40	59	491	620

SPECIAL AND TRAVELLING TICKET EXAMINERS ON THE NORTH WESTERN RAILWAY.

225. *Sardar Sant Singh : (a) Is it a fact that Travelling Ticket Examiners have been an earning department of the Railway, whereas the Special Ticket Examiners have been a burden to the Railway Administration ?

(b) Will Government be pleased to lay on the table letter No. 501-P.S.T.-31-Comml., dated the 16th May 1931, from the Agent, North Western Railway, to all Divisional Superintendents, inquiring as to the earnings of each Special Ticket Examiner and the replies received from each Divisional Superintendent ?

(c) Is it a fact that the Divisional Superintendent, Lahore, has abolished Special Ticket Examiners' posts on account of their being unprofitable ?

(d) Will Government kindly state the reason why the Special Ticket Examiners' posts which form a temporary cadre, have not been abolished in place of the Travelling Ticket Examiner's cadre which is a permanent cadre ?

(e) What is the total cost of the Special Ticket Examiner's cadre and what will be the savings effected by abolishing it ?

Mr. A. A. L. Parsons : (a) No.

(b) Government do not propose to lay the correspondence on the table.

(c) No.

(d) The posts of Travelling Ticket Examiners were abolished as they were considered superfluous.

(e) The total average cost including Travelling Allowance of Special Ticket Examiners prior to the abolition of the cadre of Travelling Ticket Examiners was approximately Rs. 8,000 per mensem.

CONVERSION OF TRAVELLING TICKET EXAMINERS INTO SPECIAL TICKET EXAMINERS.

226. *Sardar Sant Singh : (a) Is it a fact that by conversion of Travelling Ticket Examiners into Special Ticket Examiners there is a loss

of 50 to 70 per cent. in emoluments and privileges to each member of the cadre ?

(b) Is it a fact that strong representations have been made by influential gentlemen and bodies against this action of the Railway authorities ?

(c) If so, what steps have Government taken so far in removing these grievances ?

Mr. A. A. L. Parsons : (a) The emoluments of Special Ticket Examiners are undoubtedly lower than those of Travelling Ticket Examiners, but the difference is not as large as the Honourable Member suggests.

(b) Yes.

(c) The representation is under consideration.

REDUCTION OF ALLOWANCE OF TRAIN RUNNING STAFF TO PRE-WAR RATES.

227. ***Sardar Sant Singh :** (a) Will Government kindly state the savings that would be effected on the North Western Railway by bringing the allowances of all the members of the train running staff to the pre-war rates ?

(b) Are Government prepared to take the above step ? If not, why not ?

Mr. A. A. L. Parsons : (a) and (b). The question of revising the allowances of the Running Staff is under investigation. In the meantime Government do not think it would serve any useful purpose to collect the information required.

PAY OF TICKET EXAMINERS ON THE NORTH WESTERN RAILWAY.

228. ***Sardar Sant Singh :** (a) Is it a fact that according to Fundamental Rules, no combination of duties of Government employees can be effected which adversely affect the emoluments of employees until and unless they are guaranteed at least the same salaries and allowances which were enjoyed by them before the combination ?

(b) If so, is it not a fact that Travelling Ticket Examiners on the North Western Railway have been forced to perform the combined duties of Travelling Ticket Examiners and Special Ticket Examiners with the same rates of pay and allowances as are paid to the Special Ticket Examiners ? If so, does it not contravene the above Fundamental Rule ?

(c) If so, do Government propose to remove such breach of rule ?

Mr. A. A. L. Parsons : (a) No.

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

REDUCTION OF FREIGHT ON WHEAT FROM THE PUNJAB TO CALCUTTA.

229. ***Seth Haji Abdoola Haroon :** (a) Will Government be pleased to state whether they are aware of any agitation in the Punjab, or any application made for reduction in freight on wheat from Punjab to Calcutta ?

(b) If the reply to part (a) be in the affirmative, did the Railway Board give any consideration to those and reduce the freight ?

(c) If the reply to part (b) be in the negative, was it not in consequence of this that Calcutta was compelled to get Punjab wheat through Karachi by sea, rather than from the Punjab direct by railway ?

(d) Are Government prepared to direct that the Railway Board should reduce the freight on wheat from the Punjab to Calcutta ?

Mr. A. A. L. Parsons : (a) Representations for a reduction in railway freight rates on wheat from the Punjab to Calcutta were received by the Railway Board.

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

(c) and (d). Railway freight rates on wheat from the Punjab to Karachi were reduced from the 15th May 1931, and a further reduction was made from the 20th June 1931, in both cases to stimulate exports out of India. Large stocks of wheat have been railed to Karachi at these reduced rates, for which no markets outside India could apparently be found. Selling pressure to reduce stocks at Karachi and a lowering of the sea freight from Karachi to Calcutta have enabled wheat importers at Calcutta to obtain supplies from Karachi, and as the reduced rates on wheat from the Punjab to Karachi operate only up to the 14th September, 1931, it is not considered that a reduction in railway freight rates from the Punjab to Calcutta would arrest the movement of wheat from Karachi to Calcutta.

Mr. K. Ahmed : Will Government be pleased to state the difference in price per maund of wheat sold in the market of Lahore and the Australian wheat sold in the town of Calcutta ?

Mr. A. A. L. Parsons : I am afraid I must ask for notice. I have not got the figures with me.

Mr. K. Ahmed : In view of the fact that the Honourable Member representing the Railway Department did not enter into the question and has not got the figures as is admitted by him, will Government be pleased to take up the matter seriously and give relief to the people of India and see that Punjab wheat is sold cheaper in Calcutta than Australian wheat by reducing the freight if possible, and thereby making a profit for the Indian exchequer ?

Mr. A. A. L. Parsons : I can assure the Honourable Member that the Department I am representing does take the question very seriously and the possibility of stimulating both our traffic and the sale of wheat is constantly under our examination.

Mr. G. Morgan : Will the Honourable Member kindly state whether Calcutta is buying wheat from Karachi by sea as against railway import ?

Mr. A. A. L. Parsons : That is what I said in answer to the main question.

Seth Haji Abdoola Haroon : Will the Honourable Member kindly repeat his answer to clause (d) ?

Mr. A. A. L. Parsons : I said, it is not considered that a reduction in railway freights from the Punjab to Calcutta would arrest the movement of wheat from Karachi to Calcutta.

We left it to the Agent of the East Indian Railway in consultation with the Agent of the North Western Railway, to decide whether any reductions which we could make would have the result of getting more wheat moved over the East Indian Railway from the Punjab to Calcutta. After consultation, the Agents came to the conclusion that no feasible reduction would actually effect that result.

ACCOUNTANTS APPOINTED TO THE STATE RAILWAY ACCOUNTS
DEPARTMENT.

230. *Seth Haji Abdoola Haroon : (a) Will Government be pleased to state the total number of accountants grades I and II (permanent, temporary and officiating) appointed to the State Railway Accounts Department to date ? (The number should include men appointed in the East Indian Railway Accounts Branch and in the Railway Clearing Accounts Office from the time these offices came under the control of Financial Commissioner of Railways and should exclude passed accountants taken from the Railway and other Audit Departments.)

(b) How many of these men appointed by the Accounts Department were passed accountants at the time of their appointment ?

(c) How many of those not qualified have, since their appointment, passed Part II of the Railway Audit Examination or Appendix D examination of the Accounts Department ?

(d) What was the total number on the 1st April 1931 of accountants grade I and II (permanent, temporary and officiating) in all offices under the Financial Commissioner, Railways, who had not passed either the Appendix D examination or Part II of the Audit Department examination ?

(e) Will Government please state if it is a fact that in Civil Audit and Accounts Offices under the control of the Auditor General and in Military Accounts Offices, the appointment as accountant of a person who has not passed the Subordinate Accounts Service examination is a very rare occurrence ?

(f) Will Government please state if the appointment of a large number of unpassed accountants in the Railway Accounts Department and the continued retention of these unpassed men has in any way impaired the efficiency of the Department ?

Mr. A. A. L. Parsons : (a) 164.

(b) 60.

(c) and (d). 93 have been exempted from passing the examination either because they have been working as Accountants under the rules in force on the Great Indian Peninsula, East Indian and Burma Railways during the days of Company-management or because they were actually holding posts of accountants before the separation was adopted as a permanent measure. Of the remainder, one has passed Appendix D examination of the accounts department and 10 have not passed yet.

(e) Yes.

(f) No.

**APPOINTMENT OF MUSLIMS AS ACCOUNTANTS IN THE STATE RAILWAY
ACCOUNTS DEPARTMENT.**

231. *Seth Haji Abdoola Haroon : (a) Will Government be pleased to state if it is a fact that there are some Muslims who have passed the highest departmental examination, namely, Appendix *D examination of the State Railway Accounts Department, but that they have not been made grade I accountants, while there are a large number of Hindu accountants who have not passed the examination ?

(b) Do Government propose to appoint passed Muslims to the posts of accountants in preference to unpassed Hindus ?

(c) Is it a fact that in the Railway Accounts Department a large number of unpassed men have been appointed as accountants grade I and II ? Are Government prepared to follow that precedent and to relax the condition about the examination in favour of Muslims and appoint them as accountants ?

Mr. A. A. L. Parsons : (a) Some Muslims who have passed the Appendix D examination have not yet been promoted to grade I of accountant. This is also true of Hindus. The position is that there are other classes of men eligible for such appointment besides those who have passed the Appendix D examination, viz., employees of the old companies of the Great Indian Peninsula, East Indian and Burma Railways, who have risen to the position of Accountants under the rules formerly in force on those railways ; men recruited as temporary accountants in the separated accounts offices during the experimental period of the separation scheme ; probationary accountant recruited from outside ; and men who have passed from the Calcutta Training School.

(b) and (c). As I have explained, the passing of the examination is not the sole avenue for appointment as accountant. Government are not prepared to alter the existing arrangements.

**APPOINTMENT OF MUSLIMS AS ACCOUNTANTS AND AUDITORS IN AUDIT
AND ACCOUNTS DEPARTMENTS.**

232. *Seth Haji Abdoola Haroon : (a) Will Government be pleased to state if it is a fact that Muslim clerks are available in Railway, Civil, Posts and Telegraphs and Military Accounts Offices who have passed the examination qualifying for promotion to the rank of accountant ?

(b) Are Government prepared to consider the question of appointment of passed Muslims to the posts of accountants and auditors in the Audit and Accounts Departments in preference to passed Hindus and thus remove the existing preponderance of the majority community in these services ?

(c) Are Government prepared to order that in all Audit and Accounts Departments a reasonable percentage of the posts of accountants shall be reserved for qualified Muslims ?

The Honourable Sir George Schuster : (a) Yes.

(b) and (c). Promotion to the accountants' grade of clerks who have passed the prescribed examination is governed by seniority and merit, and not by communal considerations. It is not consistent with this policy to accord preferential treatment in the matter to any particular community.

EMPLOYMENT OF MUHAMMADAN CLERKS IN THE ENGINEERING BRANCH
OF THE POSTS AND TELEGRAPHS DEPARTMENT.

233. *Honoury Lieut. Nawab Muhammad Ibrahim Ali Khan :
(a) With reference to the information supplied to me by Government in reply to my starred question No. 923, on the 13th March 1931, will Government be pleased to state how many Muhammadan clerks have been employed in the Engineering Branch of the Posts and Telegraphs Department since 1924 up to the end of 1930 ?

(b) Is it a fact that out of the total number of 300 clerks, there is a very small number of Muhammadans ?

(c) Are Government prepared to pay due consideration to the case of the Muhammadan clerks in the said Department, in the coming retrenchment ?

Sir Hubert Sams : (a) and (b). The recruitment in the period 1924—1930 was, as previously intimated to the Honourable Member, 42 Muhammadans and 300 others.

(c) Yes.

ABOLITION OF THE POST OF PUBLIC HEALTH COMMISSIONER WITH THE
GOVERNMENT OF INDIA.

234. *Rai Sahib Harbilas Sarda : (a) Will Government be pleased to state if the Inchcape Committee had recommended the abolition of the post of the Public Health Commissioner with the Government of India ?

(b) If so, will Government be pleased to state why the post has not yet been retrenched and also why the grade of the post has been raised from that of a Colonel to that of a Major-General with its higher emoluments ?

The Honourable Khan Bahadur Mian Sir 'Fazl-i-Husain : (a) The Inchcape Committee recommended the amalgamation of the post of Public Health Commissioner with that of the Director-General, Indian Medical Service.

(b) The recommendation was not accepted, in view of the very great importance of the duties of the post of Public Health Commissioner, which were considered to necessitate its continuance as a separate post. It is not a fact that the post has been raised from the grade of Colonel to that of Major-General with higher emoluments. It carries a rate of pay which was fixed in March, 1921, and has not been altered since, though the present incumbent was promoted in 1929 to the supernumerary rank of Major-General, with consequent title to higher pension, as it would otherwise have been necessary to make him available for the post of Surgeon General, Bombay, which carries with it Major General's rank.

Rai Sahib Harbilas Sarda : Does the present gentleman, who is a Major General, draw the same pay as a Colonel would have been entitled to draw ?

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain : I am afraid I must ask for notice. I do not very well know the pay of these officers.

ATTENDANCE OF THE PUBLIC HEALTH COMMISSIONER WITH THE GOVERNMENT OF INDIA AT CONFERENCES OUTSIDE INDIA.

235. *Rai Sahib Harbilas Sarda : Will Government be pleased to state :

- (a) how often the Public Health Commissioner has gone out of India, either on deputation or otherwise, during the years 1929 and 1930, respectively, giving the period of his absence out of India on each occasion and the reason thereof ;
- (b) whether his duties in India are not likely to be interfered with by his frequent absence out of the country ; and
- (c) whether this officer's frequent absence out of India extends to in all over several months in the course of the year, and if so, whether Government have considered the question of retrenching his post as recommended by the Incheape Committee ?

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain : (a) A statement giving the information is laid on the table.

(b) The Public Health Commissioner's attendance at certain international conferences is a necessary part of his duties. During his absence his duties in India are attended to by an Assistant Director-General, Indian Medical Service, who is a senior officer with special sanitary qualifications, in consultation with the Director-General, Indian Medical Service.

(c) The Honourable Member is referred to the answer to part (a) above and also to the reply given to his question No. 234. Government do not consider it feasible to retrench the post.

Statement showing the deputations of the Public Health Commissioner out of India during the years 1929 and 1930.

Year.	No. of deputations.	Period of absence on each occasion.	Place of deputation.	Reasons for absence.
1929	2	(1) 28 days ..	America ..	To arrange (in America) on behalf of the Secretary of State for India for the Rockefeller gift of 17 lakhs towards the Public Health Institute, Calcutta.
		(2) 20 days from 8th February, 1929 to 27th February, 1929.	Singapore ..	To attend a meeting of the Advisory Council of the Eastern Bureau, Singapore (as Chairman).

Year.	No. of deputations.	Period of absence on each occasion.	Place of deputation.	Reasons for absence.
1930	3	(1) One month and 8 days from 6th February, 1930 to 13th March, 1930.	Java ..	To attend, as Chairman, a meeting of the Advisory Council of the Eastern Bureau, Singapore, which took place in Java at the invitation of the Dutch East Indies Government.
		(2) 2 months and 25 days from 17th April, 1930 to 11th July, 1930.	Paris, Geneva and Algiers.	Deputation to the Office International d'Hygiene Publique in Paris, and Health Committee, Geneva, and to the International Malaria Conference at Algiers.
		(3) One month and 4 days from 28th November, 1930 to 31st December, 1930.	Bangkok and Singapore.	Deputation to Far Eastern Association of Tropical Medicine Congress, the Leprosy Commission of the League of Nations at Bangkok and to the Advisory Council, Singapore.

Note.—1930 was exceptional in that two annual meetings of the Singapore Advisory Council were held in one calendar year (January and December); the International Malaria Conference and the two meetings at Bangkok were all extraordinary meetings. These were timed to follow each other so as to allow of attendance within as short a period as possible.

ATTENDANCE OF THE PUBLIC HEALTH COMMISSIONER WITH THE GOVERNMENT OF INDIA AT CONFERENCES OUTSIDE INDIA.

236. *Rai Sahib Harbilas Sarda : Will Government be pleased to state :

- (a) if it is absolutely necessary for the Public Health Commissioner personally to attend various International Conferences outside India, which he has been doing at present ;
- (b) whether it is not possible to depute officers either under Central or Local Governments, or local bodies, or members of the independent medical profession, to attend such Conferences in the same way as is the case in the matter of the Indian representation at the annual sessions of the League of Nations or of the International Labour Conference at Geneva ; and
- (c) whether Government propose to consider the advisability of not deputing the same officers to the International Conferences and of deputing members of the independent medical

profession to attend the international conferences on health matters ?

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain : (a) The Public Health Commissioner's presence at certain International Public Health Conference is very desirable in the interests of the continuity of India's representation, and is from time to time essential in the case of Committees of which he is personally a member.

(b) Officers other than the Public Health Commissioner already from time to time attend these Conferences.

(c) The Honourable Member is referred to the reply which I have already given to (a) and (b). I would add that at meetings at which local Governments are represented, the representatives chosen are not always the same. There is nothing to prevent any accredited organisation of the Indian Medical profession from sending members to such conferences, when the invitations which have been issued regarding them admit of such a step.

Rai Sahib Harbilas Sarda : Will Government consider the advisability of sending along with the Health Commissioner members of the independent medical profession also to these conferences ?

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain : Does the Honourable Member ask that question on the assumption that private institutions will be prepared to pay their own expenses ?

Mr. K. Ahmed : In view of the fact that non-official medical practitioners with all-India experience are not available for the purpose, and in view of the fact that the answer has already been given by the questioner himself in this question, do Government consider that his question No. 235 is superfluous for the purposes of the questioner ?

(No answer was given.)

CONSTITUTION OF THE GOVERNING BODY OF THE INDIAN RESEARCH FUND ASSOCIATION.

237. ***Rai Sahib Harbilas Sarda :** (a) Will Government be pleased to state (i) if they have come to any conclusion with regard to the constitution of the Governing Body of the Indian Research Fund Association, and (ii) if not, whether they intend to give due weight to the recommendation in this connection of the Conference held at Simla on the 21st and 22nd July, 1930, of the representatives of Government, the Central Legislature, the Medical Faculties, the Indian Medical Association and non-medical scientists, and enlarge the representation of the Medical Faculties, the independent medical profession and of non-medical scientists on that body as recommended at that Conference ?

(b) Will Government be further pleased to state when they intend to bring the matter up for the consideration of this House ?

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain : (a) (i). Government have not yet reached final decision on the recommendation made by the Conference held at Simla in July, 1930, with regard to the constitution of the Governing Body of the Indian Research Fund Association.

(ii) Very considerable weight is bound to be attached to the recommendations made by the Conference on this subject.

(b) The question of principle being settled, it seems hardly necessary to have the details of constitution of the Governing Body of the Indian Research Fund Association discussed by the House.

HORSE-BREEDING IN THE SARGODHA CIRCLE.

238. *Sardar Sant Singh : Are Government prepared to appoint a non-official committee to inquire into the grievances of the grantees of land of Sargodha Circle ?

Mr. G. M. Young : The answer is in the negative. The matter was fully enquired into by the Punjab Government in 1929 through a Committee consisting of three officials and of one non-official member of the Legislative Council representing the Shahpur district. As a result of this enquiry, rules were framed by the Local Government in 1930, for the guidance of officers in dealing with breaches of the conditions on which the horse breeding tenancies were held. Government are not aware of any grievance among the horse breeding grantees in the Shahpur area, since these rules were framed.

Sardar Sant Singh : If I supply the Honourable Member with affidavits of the persons who have suffered at the hands of this Remount Officer, will he agree to hold an inquiry into these grievances ?

Mr. G. M. Young : If the Honourable Member supplies me with such documents, I will give them the fullest consideration.

HORSE-BREEDING IN THE SARGODHA CIRCLE.

239. *Sardar Sant Singh : (a) Is it a fact that some grants of Ghoripals have been temporarily resumed by Government in Sargodha Circle ?

(b) If so, were any arrangements made for the maintenance of the Ghoripals ?

(c) Was any punishment, other than resumption, inflicted to the defaulters previous to resumption of grants ?

(d) Is there any case where the whole grant of land was temporarily resumed at the instance of the District Remount Officer ? Who passed the final orders ? If so, under what rule ?

Mr. G. M. Young : (a) A few partial resumptions have been effected by the Local Government.

(b) Yes. In cases of partial resumption half the grant is retained by the grantee.

(c) Yes. It is the practice to issue many warnings and, generally, to inflict fines, before resorting to partial resumption.

(d) There is no record of any such case in the Shahpur Area.

HORSE-BREEDING IN THE SARGODHA CIRCLE.

240. *Sardar Sant Singh : (a) Are the Ghoripals of Sargodha Circle entitled to get a copy of the report and the final orders of the Deputy Commissioner on the same ? If not, why not ?

(b) Is it a fact that Ghoripals are not given copies of remarks made by the District Remount Officer about their mares, when on inspection ?

Mr. G. M. Young : (a) Yes, on payment of the prescribed fees.

(b) Copies are not ordinarily given, as many of the breeders are illiterate ; but the remarks are always communicated to them.

Sardar Sant Singh : May I know why copies are not supplied to the person who suffers from that order ?

Mr. G. M. Young : I think that if he applied for a copy, probably he would get a copy ; as I say many of them are illiterates and there is no use providing them with copies.

Mian Muhammad Shah Nawaz : And if they apply for copies through their legal practitioner or any authorised person who is literate ?

Mr. G. M. Young : As I say, I think if he wishes for a copy he would probably get it.

Mian Muhammad Shah Nawaz : So far we have not got it, I know.

HORSE-BREEDING IN THE SARGODHA CIRCLE.

241. ***Sardar Sant Singh :** (a) Is it a fact that from one Chak on the Upper Jhelum Canal Colony, the District Remount Officer purchased all the mares from the Ghoripals at a nominal price ranging between Rs. 200 and Rs. 300, and sold the same at prices varying from Rs. 700 to Rs. 1,000 to other Ghoripals ?

(b) If so, who pocketed the profits on the sale of these mares ?

(c) Are there any rules authorising the District Remount Officer to purchase the mares of the Ghoripals and then sell them at profit ?

Mr. G. M. Young : (a) No, Sir, the Honourable Member has been misinformed. Certain horse-breeders had lost their standing crops through a hail storm and applied to the District Remount Officer for assistance. The only assistance that could be given was to allow them, as a special concession, to sell their branded mares to other breeders in the Shahpur area and to replace them by purchasing under-age fillies. This concession was much appreciated by the breeders. The average price realized for the mares was Rs. 460. The District Remount Officer had no concern whatever in the actual sales.

(b) The Ghoripals receive the proceeds.

(c) No, Sir. Nor does the District Remount Officer ever do so.

Sardar Sant Singh : Will the Honourable Member be pleased to consider the cases if I were to submit to him the affidavits of the parties who have suffered on this account ?

Mr. G. M. Young : Certainly.

HORSE-BREEDING IN THE SARGODHA CIRCLE.

242. ***Sardar Sant Singh :** (a) Is it a fact that the District Remount Officer of Sargodha Circle purchased a mare from one Quazi, a resident

of Chak No. 40-N. B. for Rs. 250 and sold the same 20 days later for Rs. 700 to Lal Khan of Chak No. 88-S. B. ?

(b) If so, what power had the Army Remount Officer to purchase and sell the mare ?

Mr. G. M. Young : (a) No, Sir.

(b) Does not arise.

Sardar Sant Singh : May I know the source of information of the Honourable Member when he says "No" to this question ? Did he get his information from the Remount Officer himself or from the person mentioned in the question ?

Mr. G. M. Young : From the District Remount Officer.

Sardar Sant Singh : When the grievance is against that gentleman, how can he be supposed to say "Yes" ?

Mr. G. M. Young : He is the only person from whom I have the means of inquiring. If the Honourable Member gives me further information on the subject, I will make further inquiry.

HORSE-BREEDING IN THE SARGODHA CIRCLE.

243. ***Sardar Sant Singh :** (a) Is it a fact that the Army Remount Department temporarily resumed the lands of Kartar Singh, minor of Chak No. 48-N. B. and Raja Mohd. Niwaz Khan of Chak No. 156-N. B., Sargodha Circle, and leased them while the cost of mare-breeding was borne by the above two gentlemen ?

(b) Who got the lease money in these two cases ?

(c) Is not the cost of breeding the mare a burden on the land ?

(d) If reply to part (c) be in the affirmative, why is not the lease money paid to the above two gentlemen ?

Mr. G. M. Young : (a) No, Sir. The Army Remount Department does not resume horse-breeding grants. In cases of temporary resumption, the cost of maintaining the brood mares is borne by the lessees and not by the persons whose grants have been partially resumed.

(b), (c) and (d). The case concerns the Local Government, to whom a copy of this question and answer is being sent.

HORSE-BREEDING IN THE SARGODHA CIRCLE.

244. ***Sardar Sant Singh :** (a) Is it a fact that the fillies of ages between 10 and 18 months are either purchased by the Army Remount Department or are permitted to be sold ?

(b) If so, why the fillies of mares belonging to Rahim Bux and Nur Din of Chak No. 40-S. B., Kehar Singh of Chak No. 34-S. B. and several others have neither been purchased by the Department nor have they been permitted to dispose of their fillies ?

Mr. G. M. Young : (a) Yes.

(b) The Honourable Member has been misinformed. The owners mentioned were given permission to sell their fillies on the 5th October, 1928.

Sardar Sant Singh : May I know again if the answer given in reply to part (b) of this question is based on information received from the Remount Officer himself or from the persons aggrieved?

Mr. G. M. Young : It is taken from the records of the Circle.

HORSE-BREEDING IN THE SARGODHA CIRCLE.

245. ***Sardar Sant Singh :** (a) Will Government kindly state the number of mares sold by Dhira Singh of Chak No. 45-N. B., Aga Vosat Ali Khan, M. Alam Sher, Indian Officer and Assistant Superintendent of the Army Remount Department, Imam Din of Chak No. 98, Abdullah Khan of Chak No. 96 during the last five years?

(b) Wherefrom did these persons get all these mares?

(c) Is it a fact that these persons are acting as agents of the District Remount Officer for purchasing and selling mares and making profits out of them?

Mr. G. M. Young : (a) No such person as Dhira Singh of Chak No. 45 N. B. is traceable.

Risaldar-Major Malik Alam Sher is not a horse-breeder.

Khan Sahib Agha Woosat Ali Khan sold 30 mares, Imam Din 2 mares and Abdulla Khan none.

(b) 31 out of these 32 mares were bred in the horse-breeding grants of their owners.

(c) No, Sir.

HORSE-BREEDING IN THE SARGODHA CIRCLE.

246. ***Sardar Sant Singh :** (a) Is it a fact that instances have occurred where fines were inflicted on the Ghoripals without giving them a notice of the breach of conditions for which the fines were inflicted and without giving them an opportunity of being heard in defence?

(b) If so, will Government kindly state the rules or conditions on which such orders are based?

Mr. G. M. Young : (a) The matter concerns the Local Government, but the Government of India have no reason to suppose that the facts are as stated.

(b) Does not arise.

APPOINTMENT OF MOSLEMS AS INCOME-TAX OFFICERS.

247. ***Mr. M. Maswood Ahmad** (on behalf of Maulvi Muhammad Shafee Daoodi) : (a) Are Government aware that out of eighteen Income-tax Officers and three Assistant Income-tax Officers in the Province of Bihar and Orissa there are only two Moslem officers in the Province?

(b) Will Government be pleased to state the number of Income-tax Inspectors in the Province, and out of them how many are Moslems?

(c) Will Government also be pleased to state if there are any Moslem Assistant Commissioners of Income-tax in the Province of Bihar and Orissa?

(d) Are Government prepared to enhance the Moslem element ?

The Honourable Sir George Schuster : (a) Yes.

(b) There are eleven Inspector-Accountants, of whom two are Muhammadans.

(c) There are no Muhammadan Assistant Commissioners of Income-tax in the province.

(d) All heads of Departments are aware that the Government attach importance to the observance of their instructions regarding the necessity of securing that members of no community should have an undue preponderance in the services.

MUSLIM REPRESENTATION IN GOVERNMENT DEPARTMENTS IN THE NORTH-WEST FRONTIER PROVINCE.

248. ***Mr. S. C. Mitra** (on behalf of Maulvi Muhammad Shafee Daoodi) : (a) Will Government please state whether there are any orders to the effect that a minimum figure of 60 per cent. Muslim representation in the various Government Departments in the North-West Frontier Province will be maintained in view of the fact that they constitute over 95 per cent. of the whole population ?

(b) If so, will Government please state whether such orders have actually been brought into force in the North-West Frontier Province ?

(c) Will Government please lay on the table a statement of figures, according to Departments, showing in detail the total strength of Muslims, non-Muslims, superior and inferior, prior to these orders and after they had been in force in the North-West Frontier Province ?

Mr. E. B. Howell : (a) No such orders have been issued, but full consideration is being given to the claims of the increasing number of educated Muslim residents of the province.

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

MUSLIM REPRESENTATION IN PAY AND ACCOUNTS AND AUDIT OFFICES IN THE NORTH-WEST FRONTIER PROVINCE.

249. ***Mr. S. C. Mitra** (on behalf of Maulvi Muhammad Shafee Daoodi) : (a) Is it a fact that the Muslim representation in the ministerial staff of the Pay and Accounts and Audit Offices, North-West Frontier Province, is 43 per cent. ?

(b) If so, what measures are being adopted to raise this percentage to 60 ?

(c) Is it a fact that the scheme of re-amalgamation of Audit and Accounts will be operative in the North-West Frontier Province also ?

(d) If so, will Government please state whether any orders have been issued to revert, reduce or repatriate the non-Muslims only with a view to maintain the minimum figure of 60 per cent. Muslim representation ? If not, why not ?

(e) Will Government please state what steps have been or will be taken to safeguard the rights of Frontier recruits at the time of curtailment, reduction or reversion of establishment on the occasion of amalgamation of the Pay and Accounts and Audit Offices in the North-West Frontier Province ?

The Honourable Sir George Schuster : (a) The Muslim representation in the Pay and Accounts and Audit Offices is 45 per cent.

(b) When vacancies arise, larger recruitment is made from the Muslim community than from other communities.

(c) A combined audit and accounts office will shortly be instituted in the North-West Frontier Province.

(d) and (e). The question is under careful consideration, but no final action has yet been taken.

STATEMENT OF BUSINESS.

The Honourable Sir George Rainy (Leader of the House) : With your permission, Sir, I desire to make a statement as to the probable course of Government business in the week beginning Monday, September 14th. The time for Monday's sitting will be appointed by you, Sir. The first item will be the resumption of the debate on the motion to refer the Press Bill to a Select Committee if it is not disposed of to-day. Thereafter motions will be made to take into consideration, and if those motions are accepted, to pass the following Bills :—

- (1) A Bill further to amend the Indian Mines Act, 1923, for a certain purpose.
- (2) A Bill further to amend the Indian Succession Act, 1925, for a certain purpose.
- (3) A Bill to extend the powers of the Sheriff of Calcutta to hold persons in lawful custody.
- (4) A Bill to amend the Aligarh Muslim University Act, 1920, for certain purposes.
- (5) A Bill to amend the Land Customs Act, 1924, for a certain purpose.
- (6) A Bill to provide against the publication of statements likely to promote unfriendly relations between His Majesty's Government and the Governments of foreign States.
- (7) A Bill to provide for the protection of the heavy chemical industry.
- (8) A Bill to amend the Provisional Collection of Taxes Act, and
- (9) A Bill to amend the Ancient Monuments Preservation Act, 1904, for certain purposes.

On Wednesday, the 16th, the House will proceed to elect members to serve on the Standing Committee for the Department of Industries and Labour. Thereafter any business left over from Monday's list

[Sir George Rainy.]

will be taken, and this will be followed by the resumption of the discussion on the motion to refer to Select Committee the Indian Income-tax (Amendment) Bill, in connection with which the Honourable the Finance Member asks me to say that if that motion is accepted he does not propose to proceed further with the Bill this session. If time permits certain supplementary demands in connection with the resumption of the Round Table Conference will be placed before the House. Honourable Members are aware that Tuesday, the 15th, is a non-official day for Bills and Thursday, the 17th, a non-official day for Resolutions.

I am not yet in a position to say what day Government will ask the Governor General to allot for the non-official business which was on the agenda paper of Tuesday of this week. The decision will depend on the progress made by the House with Government business.

THE INDIAN PRESS BILL.

The Honourable Sir James Creer (Home Member) : Sir, I move that the Bill to provide for the better control of the Press be referred to a Select Committee consisting of Mr. B. R. Puri, Mr. C. S. Ranga Iyer, Mr. Arthur Moore, Sir Abdullah Suhrawardy, Dr. F. X. DeSouza, Mr. A. Hoon, Rao Bahadur S. R. Pandit, Sir Abdur Rahim and the Mover, with instructions to report on or before the 18th September, 1931, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five.

Sir, it is with a very deep sense of the gravity of the occasion and of the issues which it is my duty to lay before the House that I move this motion. I am confident that that will also be fully appreciated in every part of the House, that the proposals which I have to make will be carefully, calmly and impartially considered, and that the principles which I will ask the House to affirm will receive the greatest possible measure of support. There was no desire on the part of Government, so far as it could be avoided, to introduce any proposals which might involve serious controversy, and I hope that so far at any rate as the principles and the main purposes of this Bill are concerned they will not be regarded as controversial. The situation is one of great and increasing gravity. Public opinion has been deeply and justly shocked by the unhappy prevalence and the serious extension of terrorist crime. Public opinion is insistent in its demand for a remedy. That public opinion I hope and I am confident, will be fully reflected in the attitude and the decisions of this House. However that may be, Sir, the situation with which the country and the Government are confronted left Government no option. It was impossible for them to sit idle and inactive when they were confronted not only with this just and proper movement of public opinion, but what is even more important, with the essential facts of the situation themselves. It is on these grounds, Sir, that I found it my duty to move this motion, and I should like to remind the House that in times past when questions relating to the public security have come under its consideration, it has been our frequent experience on this side of the House to hear assurances from Honourable Members opposite that this House when approached by

Government will never fail to provide Government with powers adequate to the requirements of any emergency that may arise. To-day, Sir, and in the course of the discussion on this Bill I expect with confidence that Honourable Members opposite will give us a fulfilment of those assurances.

There are, Sir, two points which I wish to make perfectly clear at the outset, though I should have hoped there was not any very great possibility of misapprehension. And the first point which I wish to make is this, that this Bill does not constitute, is not intended in any way, as an indictment of the Press as a whole, or as any reflection upon a great and honourable profession. We have, Sir, several eminent journalists in this House. We have recently had occasion to deplore the death of one of them, and I desire to take this occasion to associate myself with the expressions of regret which recently found utterance in this House, and my particular regret is that the wisdom and experience of the late Mr. K. C. Roy will not be available for our discussions on this measure. Nevertheless, Sir, we have, as I said, the good fortune to have more than one member of that distinguished profession in our midst, and I desire, if any assurance is necessary, to give them my most sincere assurance, which I trust will be accepted by them with equal sincerity, that this Bill is in no way intended as any reflection upon their profession. (Applause.) The Press, Sir, discharges a function in the State which cannot be dispensed with. Whether it be the instruction of the public, the formulation of public opinion or the reasoned criticism of public activities or the policy of the Government, they perform an inestimable part in public life. At the present moment, more particularly, when great constitutional issues are under consideration we must look to the Press to discharge its function as the fourth estate in the realm. I trust, Sir, that I need say nothing further on that point. But I do desire to acknowledge the fact that many organs of the Press have taken reasoned and public spirited view of the issue which is really at the basis of my Bill to-day, have thrown their weight with justice, wisdom and sobriety upon the right side, and so far as the species of activity against which this Bill is directed are concerned, they have not only dissociated themselves from them but severely condemned them. I wish to make that acknowledgment here and now, because I frankly recognise that it is only certain sections of the Press which are likely to come within the danger of this measure. Nevertheless, it is an important illustration of the great power of the Press that even so small and in other respects so insignificant a section can constitute so great a public danger.

The second point which I wish to emphasise is that this Bill is very narrow and restricted in its range. The Government have not sought to go one inch beyond the actual necessities of the case. Though the emergency is grave, we have deliberately sought to restrict ourselves to the minimum requirements of the case. We have kept in view the immediate objective. We have not sought under colour of that objective to extend in any other way the scope of executive action, to restrain the liberty of the subject, or to endanger the freedom of speech or of writing. The Bill is restricted to incitements to and encouragement of murder and crimes involving violence, and nothing else.

[Sir James Crerar.]

I understand that some misapprehension has been caused by the common form of the Preamble of the Bill. That apprehension I hope I have now removed, but if it still remains, I should certainly be very glad to consider, indeed myself propose any necessary amendments in that part of the Bill which may be required to clear away that misapprehension.

Now, Sir, it is not my purpose now, nor have I the time to embark upon any elaborate survey of or disquisition upon the psychology of terrorist crime. I suppose that whenever there is any great movement of public opinion there are bound to be extremists on both sides. In the majority of cases it is perhaps not an unhealthy thing that there should be extremists on both sides, and their views may contribute to the resultant decision. There may be something constructive in extreme opinions of that kind. But the great misfortune of the kind of extremism which finds its expression in terrorism is that there is nothing constructive about it; it cannot possibly be constructive. It is solely destructive, it is entirely sterile. It is a form of destruction which is self-destructive. It is an impediment to progress, and it is a reflection upon the good name of any country in which it occurs. I think these are grounds on which we shall all agree.

Nor is it my intention to inflict upon the House any history of terrorist crime in India. I only want to recite a few somewhat essential facts.

There was hardly anything in the nature of terrorist crime proper in India till towards the end of the last century. It assumed very serious dimensions between 1900 and 1912. During the War, as Honourable Members are aware, action was taken, to a large extent under the special legislation then in force, which succeeded in reducing its limits, and after the termination of the War, that continued to be the case for two or three years. But Honourable Members will remember that in 1923 there was a recrudescence of this kind of crime. I will not recite the various measures which were taken and which have been taken since to combat it. I will ask the Honourable Members to consider the sequence of a few facts which I shall place before them.

During the course of the last three years there has been an alarming increase. In the year 1929 the number of crimes of a terrorist nature amounted to 19.

Sir Hari Singh Gour (Central Provinces Hindi Divisions : Non-Muhammadian) : What is the page please ?

The Honourable Sir James Crerar : Page 7. In the year 1930 it amounted to 74, and up to 31st August of this year, it is no less than 118. I need not remind Honourable Members of occurrences that have taken place only in the course of the last few weeks,—the attack on the life of the Governor of Bombay, the assassination of a young military officer on the 23rd July.

Sir Hari Singh Gour : I am very sorry to interrupt the Honourable Member. There is no page 7 in the copy supplied to us.

The Honourable Sir James Crerar : I am not aware of what the Honourable Member is referring to.

Sir Hari Singh Gour : It is a copy of the statement of terrorist crime compiled from January 1929.

The Honourable Sir James Crerar : The figures are as I have stated.

Mr. Gaya Prasad Singh (Muzaffarpur cum Champaran : Non-Muhammadan) : What page please ?

The Honourable Sir James Crerar : Page 7.

Mr. Gaya Prasad Singh : There is no page 7 here.

The Honourable Sir James Crerar : But I assure Honourable Members that they are the correct figures. Then, there are the murder of the late Mr. Garlick, District Judge, the attempt on the life of Mr. Cassells, the Commissioner of the Dacca Division on the 21st August, and the murder on the 30th August of Khan Bahadur Asanullah at Chittagong.

Now, Sir, that is a situation, as I say, of great and manifestly increasing gravity, and it cannot be doubted that a very important contributory cause, a factor of tremendous importance in these developments consists of incitements to murder and violent crime contained in the Press. That is a feature of the case by no means new. So long ago as 1921, the late Mr. Eardley Norton,—he was a former Member of this Assembly, and we must all deplore his death,—who had had great experience of conspiracy trials, referred in a debate in this House to the influence of the Press in securing recruits for the terrorist movement. He said :

“ I remember, when I was prosecuting for the Government of Bengal in the Alipur case, in which the pick and flower of the young, impassioned and misled Bengal youth were convicted—and justly convicted—for crimes into which they had been misled by their own Bengali Press—I well remember how youth after youth had eventually to confess that he had been practically debauched by the printed vernacular press of his own countrymen. And it was a pitiful spectacle to see those young men, who, if they were guilty, as they unquestionably were guilty, were at any rate actuated by honest motives of mistaken patriotism and succumbed to the teaching of Barindra Kumar Ghose, himself a victim to the misplaced energies of his own vernacular press.”

That aspect of the question has also found ample illustration in recent cases.

Now, I shall probably be told that Government ought to have resort to the ordinary law in the matter. It is because the ordinary law has proved entirely inadequate to deal with these forms of manifestation of crime that I am compelled to bring this measure forward before the House. I think the reasons of the inadequacy of the law have frequently been explained to Honourable Members and I do not need to recapitulate them. One point which I desire to make is this, that the ordinary law is almost entirely penal and punitive in its effect ; it is not preventive and therefore if we rely solely upon the application of the ordinary law, the mischief would be done before we apply the remedy.

There are one or two remarks which I wish to make upon the Bill itself. I do not propose at this stage to examine in detail its various provisions, because I hope that that important part of the discussion of this measure will take place most appropriately in the Select Committee

[Sir James Crerar.]

to which I have asked the House to refer the Bill, but I wish to make clear our point, and that is that the somewhat elaborate provisions of the Bill are due to two main causes. The first is that the Government were very anxious to avoid too drastic provisions. They were anxious to provide for a course of action which should attain the ultimate purposes of the Bill without too much hardship or too much inconvenience. Secondly the elaboration of the detailed provisions regarding the machinery of the Bill is to a considerable extent due to the provision of safeguards for those who might come within the operation of the Bill. What I should like to impress most strongly upon the House is that this is not a measure of repression, which it might conceivably be represented to be, but it is in essence a measure of protection. It is designed in the first instance to protect the public, to protect the officers of Government who are discharging their duties faithfully and courageously in constant peril of their lives. It is also to protect those young men themselves who are liable to be misled by the species of Press writings with which the Bill deals. It is a measure of protection to them and it is, I think, also a measure of protection to keepers of presses and editors because several times it has been urged upon my attention that in cases where objectionable matter is published, it is frequently published under duress and under intimidation. The existence on the Statute-book of this measure will at any rate afford to editors of newspapers and keepers of presses who do not desire to print such matter a good answer to those who desire to bring pressure to bear upon them. I should like to impress upon the House with all the emphasis that I can command that we are not seeking any invasion of the liberty of the subject or freedom of speech. I do not think that licence to preach or encourage murder can really come within any possible definition of liberty of the subject or freedom of speech. In truth, the activities against which the Bill is directed seem to me to be alien and repugnant alike to Indian and British tradition, to Indian and British civilisation, to the whole basis on which our joint and common conceptions of civic conduct and of the social order are profoundly based. It is sometimes said that,

“ East is East and West is West and never the twain shall meet ”.

I was never, Sir, a convinced advocate of that doctrine. There is much more common ground between us and will be in the future than the advocates of that doctrine are prepared to admit.

Mr. C. S. Ranga Iyer (Rohilkund and Kumaon Divisions : Non-Muhammadan Rural) : East plus West is much the best.

The Honourable Sir James Crerar : I am indebted to the Honourable gentleman for a confirmation of the view which I was endeavouring, much less aptly, to express. What I desire to say is that whatever divergences there may be, there is really far more common ground and in the present context I think the ground is entirely common. We have a common enemy to meet and I think that we ought to meet him together. I have already referred to the many signs which, I think, are evident of a growing feeling of indignation and condemnation of the activities against which this Bill is directed and I invite Honourable Members opposite to place themselves at the head of that feeling and,

in their capacity as representatives of the public, to give it expression and to take their part in translating it into action. Secondly, this is not a responsibility which can either be fairly thrown upon or fully discharged by any public authority alone and unaided. I should be the last to deny or question or in any way to derogate from the primary responsibility of Government, but I maintain that the Government are entitled to the amplest measure of support in other quarters. We are entitled to support from the public. That we shall get it I have no doubt. We are entitled to support from the Press. We have received a great deal in the past and I am confident that we shall receive a great deal more. But above all, we are entitled to support and co-operation from the Legislature. After all, political progress means a progressive transfer of responsibility, and it can only be expected to flourish in an atmosphere and under conditions where there is a genuine will and desire to accept and shoulder that responsibility. Political progress is not merely a transfer or enlargement of rights, powers and privileges, but it also means duties and responsibilities and burdens. I think there will be perfect agreement in this House when I say that in proportion to the desire to shoulder burdens and responsibilities as well as to acquire rights and privileges, to the extent to which that spirit is prevalent in India, the extent to which it finds expression, the extent to which it is interpreted into forms of action, it is in proportion to these things that the best prospects of India's future progress and political development now, in the immediate future and in the remoter future, must inevitably depend. I appeal, Sir, to the House to show their responsibility in that sense of the word and I take this occasion of reminding them once more of those assurances which we on these Benches have in the past so frequently received that if there is a good case for granting special powers to Government and if they approach the Legislature in the normal course of legislation to receive those powers, then those powers will not be withheld. The fulfilment of that assurance, Mr. President, was never more immediately required than on this occasion.

Mr. President : Before I allow the discussion to proceed, I should like to invite the attention of Honourable Members to the fact that to-day is Friday and, following the usual practice, I adjourn the House now to a quarter past two.

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

The Assembly re-assembled after Lunch at a Quarter Past Two of the Clock, Mr. President in the Chair.

Mr. S. C. Mitra (Chittagong and Rajshahi Divisions : Non-Muhamadan Rural) : Sir, I would like to add the names of Sir Hari Singh Gour and Mian Muhammad Shah Nawaz to the list of the names for the Select Committee that have already been proposed by you.

The Honourable Sir James Orerar : I have no objection to the inclusion of these names.

Mr. President : The names of Sir Hari Singh Gour and Mian Muhammad Shah Nawaz have been, by consent, added to the names of the Select Committee.

Mr. B. Das (Orissa Division : Non-Muhammadan) : Sir, I beg to move the motion standing in my name, namely, that the Bill be circulated for the purpose of eliciting opinion thereon. I did not fix the time-limit and I would now fix it " by the 2nd January 1932 ".

Sir, when I heard the Honourable the Home Member this morning, I felt that he does not stand on solid ground and therefore he seeks the assistance of the Assembly so half-heartedly and haltingly. But the Honourable the Home Member has thrown out a bait that we on this side of the House very often have assured the Government that we like to help them, to examine their measures and to assist them wherever possible. It is with that object in view that I gave notice of this motion. We want to assist the Government in the examination of the serious charges that they are laying against the Indian Press in India. Sir, first of all, I will oppose the fundamental idea which the Honourable the Home Member said was underlying the principle of this Bill. He said the underlying principle of the Bill is to suppress the terrorist movement. That might be one of the objects of the Bill, but the main object underlying the Bill is to suppress the Indian Press. Sir, this is not a new move on the part of the Government of India. It is a very old move and dates back from the days of the Montagu-Chelmsford Report. When the whole of India cried for reforms and when the reforms were going to be introduced, the Government of India constituted a Sedition Committee known as the Rowlatt Committee whereby they wanted to suppress the Indian Press. Sir, we are now on the eve of great constitutional changes and the Indian Press has helped the country to formulate their national demands for these great constitutional changes and naturally the Anglo-Indian Press is in a turmoil. The Anglo-Indian Press has solidly opposed the Indian aspiration to get Dominion Status and they have been goading the Government of India to that effect. Therefore, they want the Government to enact fresh press laws whereby the Indian Press will be suppressed. Sir, last January, when the Honourable the Home Member introduced the other Press Bill that he withdrew the other day with the consent of the House, he did not expect there would be a Gandhi-Irwin pact. So he wanted to introduce the Press Bill with the instigation of the Anglo-Indian Press whereby the activities of the Indian Press could be suppressed. If the Ordinance would have continued when the Gandhi-Irwin peace terms were concluded, the Press Ordinance would have lapsed. But the Government were wise and their Anglo-Indian advisers were wiser still. The Anglo-Indian Press always instigate the Government to take such measures ; they are business men and possess astute heads ; they not only interpret the views of the Europeans in India but also of the die-hards such as the Churchills and the *Daily Mail* of London. They instigated the Government to keep in their hands a measure which would completely bring the Indian Press under their control as the Ordinance was doing in the days of Civil Disobedience movement.

Sir, my Honourable friend, the Home Member, has paid a compliment to Indian journalists. He said some of them are very good men ; some of them have done very good work. He also paid his tribute to our late departed friend, Mr. K. C. Boy, and I also take this opportunity to mourn the loss of that great journalist and that great personal friend of mine by whose death the Indian nation has lost a great man and a great patriot. Sir, as a member of the Upper India Journalist Association, of

which my Deputy Leader, Mr. Ranga Iyer, is the President, I accept that tribute from the Honourable the Home Member that some of the journalists in India are good men, and I pay him back the compliment that as a private gentleman I have the highest respect for him and look upon him as my friend. But as a Member of the Government I have no respect for the repressive and oppressive policy and the system of administration to which he is a party. Sir, my friend the Home Member and the Governor General in Council have made a fundamental mistake in their diagnosis of the terrorist movement in India. They want to kill two birds with one stone. They think they will be able to suppress the terrorist movement, but they know they cannot do so. But that is a different consideration. They are out to suppress the Indian Press because in their heart of hearts they do not believe and they do not expect that the Round Table Conference will be a success. They do not expect that next year at this time there will be the transfer of power from the other side to this side. They expect that the present system will continue and they expect what my friend Sir Arthur Moore.....

Honourable Members : He has not yet been knighted.

Mr. B. Das : I hope he will soon be knighted and I will be the first man to congratulate him. Mr. Arthur Moore's paper instigated the Government to rule India with mailed fist and iron hand, to rule India as it was ruled even before the Morley-Minto Reforms. Sir, my friends on the Government Benches are so unwise that they do not, as was remarked by my friend Mr. Amar Nath Dutt yesterday, read the letters written on the wall. It is their sad mistake and they will rue it.

Sir, I said that they have applied the wrong diagnosis. It has always been their mistake to apply wrong diagnosis. They are out for the blood of the Indian Press. In 1924, they went after the Press, saying that the Indian Press was backing the communist movement in India. It is always the Indian Press, the poor Indian Press that is guilty of everything. They do not see the signs of the times, they do not see how the world thoughts have advanced. As Members of a civilised nation they must be aware that new ideas spring up every day and we are all heirs to them. How can the Government suppress spread of thought of the Bolshevik movement and the Communist movement in India? Every day vast masses of literature emanate from the communists and India must have access to this literature and these papers. How can the Government suppress by mailed fist and bayonets the Indian Press; how can they suppress great thoughts that Karl Marx and Lenin enunciated? In 1924 and in subsequent years the Government said that it was the communist ideas that were causing the terrorist movement in India and to-day, at the instigation of the Anglo-Indian Press, they say it is the Indian Press that is at the back of the terrorist movement. Can you suppress the terrorist movement by suppressing all the Indian Presses? You can never do that. I throw you a challenge. Those who are today carrying on terrorist propaganda have laughed at this House. They laugh at the non-officials who are here calling themselves moderates and who are trying to cooperate with the Government. They even laugh at Mahatma Gandhi and the great Congress. I repeat the words of Lord Irwin when he said the "great Congress". Everybody knows what happened when Mahatma Gandhi sailed from Bombay. What happened? Those who advocate terrorism, those who are members of the communist party have decried Mahatma Gandhi and they said that Gandhi was going with bended

[Mr. B. Das.]

knees to beg for peace and mercy from England. My Honourable friends on the Government Benches are reinforced in their ranks by a great public man like Sir C. P. Ramaswami Ayyar, who is also a Member of the Round Table Conference and who will go to London two months hence to put forward India's case in a proper manner. If in the Round Table Conference the Government are going to say that the Indian Press is behind the terrorist movement, I say that Government are going to be sadly disillusioned. Their diagnosis is very wrong. As I referred to the Round Table Conference, I take this opportunity to quote the views of a great Indian journalist, who is not here, and who was not originally a member of the Round Table Conference but who has gone there recently on the advice of the present Members of the Government of India. I refer to my old friend and colleague Mr. A. Rangaswami Iyengar, the Editor of the *Hindu* and who presided recently over the Indian Journalist Association. His message from London reads thus :

“Provisional Press Bill so far available impose securities on all Press and newspapers old and new alike whenever fresh declarations are even formally necessary. Bill is punitive measure against liberty, Press and freedom of opinion.”

Sir, Mr. Rangaswami Iyengar was not a satyagrahi leader ; he was never an extremist, he was a Member of the Swaraj Party, and today if I know his views, they are nationalist views, and I hope if Government want us to co-operate with them and to help them, they will respect the views of a sober and sedate leader like Mr. Rangaswami Iyengar. I hope my Honourable friend Sir C. P. Rangaswami Ayyar, when he goes to the Round Table Conference—I am sorry he will not be at the Federal Structure Committee—will justify the actions of his Government and as to how he advised his Government to introduce such a measure on the floor of this House.

An Honourable Member : His predecessors advised Government.

Mr. B. Das : His predecessors do not count with me. I hope Government have taken note of the incidents in the country during the last two months. The Honourable the Home Member himself said that public opinion is behind him in the matter of the suppression of the terrorist movement. I am behind him in the matter of suppression of the terrorist movement provided he proceeds in the right line and provided he follows justice and does not ask us to give him power that will take him back to the days of bureaucratic rule. What happened on the morrow of the assassination of Judge Garlick in Bengal ? Everybody deplored the event and Government began to lay charges against the Indian Press and said that, “It is the Indian Press which went on praising Bhagat Singh's bravery that has made the youth of India so violent as to strike such terror into the minds of high officials of Government”. When I read that beautiful article in the *Young India* by Mahatma Gandhi where he condemned such terrorist movements, I felt that Mahatma Gandhi had come to the succour of the Home Member, and the Government of India. What happened ? What was the situation in the country thereafter ? All sober minded members of the public have condemned such terrorist actions. In the Calcutta Corporation the Mayor withdrew a certain Resolution that was passed in the case of Bhagat Singh.

Honourable Members : No, no.

Mr. B. Das : Honourable Members will have their own turn to speak. I want my friends on the Government Benches not to lend their ears to the European Bench. I want the Government to do justice to the Indian Press. I ask a simple question of the Government. Have not the Indian Press come to the rescue of Government and the country to control the temper of the country? Nobody can deny that. Can my Honourable friends in the European Group say, or can anybody say that the Indian Press has not tried its best to control the temper of the country for the last two months? I see my friends of the European Group are silent. "Silence" means they agree to what I say. If the Indian Press have helped the Government in this movement, then what is the motive behind the back of the Government in bringing forward this Bill? It is the same motive that was behind the mind of Government in January last. They never expected the Gandhi-Irwin settlement. Today also they do not expect any settlement in London. They want to force matters at present so that die-hards like Churchill can rule India with their guidance.

Sir, I have spoken on the principle. The principle of the Bill is not suppression of terrorism but the suppression of the Indian Press. And I may remind the Honourable the Home Member that if he consults his friends in the Criminal Intelligence Department, he will probably find out the truth of what I say, that the actions of those who commit crimes and violence today are the results of the acts of oppression and repression during the days of the Ordinances that prevailed during the Civil Disobedience movement. I do not defend the criminal action of any young man who has committed a crime, but I say that the crime committed is the result of the serious high-handedness of the police and the district officials. If Gogate aimed a pistol at the Governor of Bombay, it was the result of the Sholapur crime and the Sholapur repression. My Honourable friend the Home Member knew that the Assembly was going to sit and he advised His Excellency the Viceroy to pass sentences of death on those four people; and I can say—the Anglo-Indian Press may not believe it, but the Indian Press believe—that these six men who went to the gallows from Sholapur were all innocent men. The Assembly was going to sit. The Home Member went and advised the Viceroy to sign their death sentence. That is not good will, that is not creating a peaceful atmosphere in the country. Sir, I was going to prove that terrorist actions are not at all inspired by the public leaders of India, by public men in India, by the Congress in India or by the Indian Press. During 1926 and 1927 those of us who were in the Assembly knew that Government had a pet theory of foisting it on leaders like Subhash Bose as leaders of the terrorist movement and the movement of crime in Bengal. I must give Government the credit of having learnt since then. They tried to foist it on the millhands of Bombay and they said that communism was spreading and causing the terrorist movement in India. The Meerut trial still continues; so far nobody has been found guilty and the terrorist movement by young men still continues and they know that it was Mahatma Gandhi's influence and Mahatma Gandhi's hope that this Government would see eye to eye with the popular leaders and call a round table conference by suppressing the Simon Commission that checked these wild youths. It was Mahatma Gandhi's influence that made these young men hold their hands back, but you have gone on hammering them; you have insulted their mothers and sisters, you have ill-treated their women.....

The Honourable Sir James Crerar : I object very strongly to that statement and I protest against it.

Mr. B. Das : I am not saying you did it but the Government did it. By these Ordinances and these repressive measures they tried to drive out these young men from their homes and these young men had no guidance from the Indian Press, from the so-called public leaders like ourselves, or even from the greatest leaders of India like Mahatma Gandhi. Today these young men are beyond our reach, beyond the reach of the Indian Press, beyond the reach of the advice of great leaders like Sardar Vallabhbhai Patel and Mahatma Gandhi. And no newspaper and no sane advice reaches them who work in darkness. You have to go and diagnose the reason why these young men run into the wildernesses and hills and commit these acts of violence. But as Government have to maintain law and order, let them devise means of suppressing and punishing these wrong-doers. But if in the guise of suppressing the terrorist movement they want to suppress the Indian Press, the whole of conscious India will rise and oppose the action of Government.

Sir, as I was going to prove, this is not a new movement on the part of the Government of India. It started in 1918 when the Rowlatt Committee sat. It went on from 1918, and today in the year 1931 when we are on the eve of great changes, Government still think they can suppress the national consciousness of the people of India by suppressing the Indian Press. Sir, I quoted a great journalist, Mr. Rangaswami-Ayengar. I will quote a telegram which is from Mr. Brelvi, the Editor of the *Bombay Chronicle* and the Secretary of the Indian Journalist Association.

"The Executive Committee of the Journalist Association of India views with grave concern and apprehension the introduction of the new Press Bill.

One of the terms of the Delhi Pact was the withdrawal of all the ordinances and but for the fact that Press Ordinance expired only a few months earlier it would have been one of the ordinances just withdrawn.

The new Bill is, therefore, virtually a violation of the pact. The Committee is not satisfied that the reason given, namely, the prevalence of terrorist propaganda in the Press is in accord with the facts. With insignificant exceptions the Indian press as a whole is pledged to non-violence and has condemned strongly the political murders and attempts. From past experience the Committee is certain that the Bill though intended to deal with murder propaganda will indiscriminately be applied to curtail the legitimate freedom of the press."

Sir, this is the opinion of the Executive Committee of the Indian Journalist Association. If Government respect the public opinion of Indians, I hope they will pay due deference to the opinion of these men. The underlying idea of this telegram is, what I was trying to intimate, that the introduction of the Bill is a breach of the Delhi pact. Sir, the Congress is not today represented on the floor of this House, but those of us who are still Congressmen and are friends of the Congress must as public men see that Government carry out the Delhi pact. I maintain the introduction of this Bill is a distinct breach of the pact on the side of the Government. ("Hear, hear" from the *Nationalist Benches*.) What is the opinion of the Indian Press? I hope the Honourable the Home Member is asking his Director of Information to give him from hour to hour and from day to day the opinions of the Indian Press. I am not

concerned with the Anglo-Indian Press, because I have already maintained that it is at the instigation of the Anglo-Indian Press that the Government have come to enact this measure. Here is the editorial of the *Daily Herald*—not of London, but of Lahore—edited by that great journalist who is a European—Mr. B. G. Horniman. The editorial is headed “Another Breach”. Everybody knows that the Congress and the country have pointed out to the Government and to His Excellency the Viceroy the various breaches that have taken place in the Delhi pact. The *Daily Herald* calls this another breach and it says that it is nothing short of legislative hooliganism. It says :

“The first objection to this Bill is, of course, that it provides the Executive with power to penalise newspapers and presses on this mere fiat of local officials—and power too of the most drastic. But it is when we come to the wording of the provisions of the Bill for the Better Control of the Press dealing with the ‘offences’ which will bring newspapers and presses within its gaping jaws that the mind of any one who is not hardened by bureaucratic indulgence in repression or” (*I want my friend, Mr. Arthur Moore, to note this particularly*) “unbalanced by racial panic, stands aghast at the rapacity of those who have concocted this specimen of legislative hooliganism.”

That is the opinion of a journalist who once belonged to the *Statesman*, as my friend, Mr. Arthur Moore, may recollect.

That is the view of a Lahore paper. I will give the view of one other paper—the *Hindustan Times* of Delhi. It characterises the intention of the Government as dishonest. It says :

“It is because the Government’s intentions are not honest and because the executive have grossly abused such extensive powers in the past that we think the Bill should be rejected by the Assembly.”

That is advice which we on this side strongly reciprocate, and I hope that advice will be taken by every non-official Member of this House.

This House is not constituted as it was before 1926. During the days of the great Pundit Motilal Nehru, the Government would not have dared to bring such a measure on the floor of this House. My friend Mr. Ranga Iyer reminds me that the Public Safety Bill was brought forward and was swallowed up, as my friend Mr. S. C. Mitra says.

It has been given out in the Press that some Members of this House present in Simla have been carrying on negotiations with the Government and they have consented that the Bill should be referred to Select Committee. (*Cries of “No, no.”*) I do not think—constituted as this House and the Opposition now is, composed of mostly moderates and liberals, because the Congress leaders and Nationalists are absent today from the floor of this House, because the Government at every turn made it impossible for those men to remain and render necessary assistance for the good government of this country—I say, Sir, if any moderate or any liberal who is a Member of this House has gone behind his party or behind his country to assure the Honourable the Home Member or the Government of India that the country is with the Government for the reference of such a Bill to Select Committee, I think that gentleman must have been suffering under some hallucination at the time when he gave such a promise. I refer to this only because it was commented on in the Press. I do not care—I never will care—and I do not mind what Honourable Members go and talk in the lobby or outside with Honourable Members opposite ; that is not my look out. I am here to interpret the spirit of the country, and to voice public opinion, and public opinion does not want to see today that the Indian Press should be suppressed. I want to refresh the mind of the Honourable the Home Member about the recent deliberations of the

[Mr. B. Das.]

Congress working Committee at Ahmedabad. Of course, my friend the Home Member's arm of secret service is very long and he may have got all the details that passed in Ahmedabad ; but the Press reports say that those great leaders of India that gathered at Ahmedabad are still doubtful of the success or utility of Mahatma Gandhi's going to London, and therefore they postponed consideration of certain important matters till November.

That brings me to my suspicion that the Government, who have been perhaps cheered by the appearance of Sir Samuel Hoare, Mr. Churchill and others, do not want the success of the Round Table Conference. They want from this day scenes of repression and oppression, so that if the Congress once again decides to revive the Satyagraha movement, they will start repression of the Indian Press and terrorism of the Indian Press—not by ordinances or special enactments—but by legislative measures presumably with the sanction of the non-officials on this side. Sir, I cannot be a party to that.

I want to draw the attention of the Home Member to one other point. What was the object, the underlying principle and the main principle of the Bill that he introduced in January last ? The object was to suppress the laudation of the Civil Disobedience movement. Government are very wise ; their advisers—I do not include my Honourable friend, Sir C. P. Ramaswami Iyer—he is too new to their game.....

An Honourable Member : He is too good.

Mr. B. Das : Today the Bill has come in another form and what is the main object ? To suppress laudation of the terrorist movement. The object of the Government is the same. They were afraid of the Civil Disobedience movement in January ; the Home Member of the Government ought to know more than non-officials on this side. We non-officials were expecting a truce and peace between the Government and Mahatma Gandhi ; but the Honourable Member did not ; he wanted to stop this Civil Disobedience movement by the suppression of the Indian Press. Today, the same Bill has come up in another disguise. It is apparently the suppression of the terrorist movement, but in fact it is the suppression of the Indian Press, so that, in case the Congress decide not to accept the results of the Round Table Conference, where my friends like Sir Cowasji Jehangir and Sir C. P. Ramaswami Iyer and others will deliberate and will try to bring something to India, then the Indian Press can be thrown out of action and the Government could go on in their art of repression on the lines formulated and enunciated by my friend, Mr. Arthur Moore, in the editorials of the *Statesman*.

Sir, my Honourable friend says that the Indian Press is inciting to violence, is inciting individuals to murder and terrorism, but what is the Anglo-Indian Press doing ? The other day I referred to incidents of the delicate negotiations that were going on between Mahatma Gandhi and His Excellency Lord Willingdon, and what was the Calcutta *Statesman* advising at the time ? It was inciting race hatred. Every Indian that read the *Statesman* felt no love for the British Government and British people, because the articles in that paper incited such race hatred. My Honourable friend wants to suppress, wants to catch hold of one single mad

young man who is running after a particular official to whom he bore a grudge, but what about this race hatred which the Anglo-Indian Press is rousing in the country, when the Anglo-Indian Press held that the Labour Party in England were failing and the Conservatives were coming and they saw glorious light, when they held that the Churchills would win and would rule India, would exploit India, as they have exploited the country for the last 150 years? Sir, we are willing to help you, but can the Government say that in their life history they have ever prosecuted a single Anglo-Indian paper that has roused race hatred, that has worked for racial discrimination? As an old Member of this House, I know how many pieces of legislation were undertaken by Government to see that no race hatred was roused, but I say, Sir, it is this Anglo-Indian Press, no doubt inspired by the Conservatives in England, by the die-hards and the Imperialists and the exploiters in England, by newspapers like the *Daily Mail* and by men like Lord Rothermere and others, that want to rouse the Indian nation to such a state of frenzied helplessness that they should revolt against the Government. As I said the other day, the agriculturists will soon revolt in their deep gnawing hungers. They want to rouse the Indian nation to such a state of revolt, so that the Imperialists can say that there is no other alternative for the Indian administration but to rule the country, as it was ruled before the introduction of the Montagu-Chelmsford Reforms.

Sir, I lay the serious charge against the Government that they are abetting, they are parties to the secret conspiracies of the Imperialists in England and the Imperialists in India, that India should not receive Dominion Status, that India should not become an equal member of the British Empire. I do not want to bring the other charge which many of us have occasionally mentioned that my friends are afraid because they would lose their powers, their little Governorships and Executive Councilorships—those little things do not weigh with me now. I do not impute those little motives to the Government, but I impute to them the motive that they have sided with the Conservatives, with the die-hards and the Imperialists in England and in India to make the situation worse and worse, so that somehow they can carry on their policy of ruling the country with an iron hand for a few years more. Sir, study the signs of the times, and what do you find? There are other forces working, and repressive measures calculated ostensibly to maintain law and order cannot suppress the world-wide consciousness for the freedom of a great nation like the Indian nation.

Sir, my Honourable friend the Home Member argued that the ordinary law is insufficient to deal with terrorists. I am no lawyer, but I have consulted many great lawyers in this House, and the leader of my party is one of the greatest lawyers in this country, and I am assured that the law gives ample power to punish the editors of those newspapers who incite people to violence or even to suppress or to punish those who are terrorists in their mind or in their intention. I want to judge the Government by their intentions and motives. Their intentions may be to arrest the terrorist movement, but their motive is to crush the Indian Press, the freedom of the Press, and it is on account of that that I want to oppose this measure. Sir, my own inclination is to oppose it, but as I said, I want the Bill to be circulated so that I may know whether any conscientious section of the Indian public is with the Government, is with the Honourable the Home Member and supports him in the view that such a measure as this is necessary for the country to help the Government at this juncture.

[Mr. B. Des.]

Sir, I warn the Government not to spoil the good atmosphere of the Round Table Conference. I warn the Government not to dream of dreams that they dreamt centuries ago that they will continue to exploit the whole of the Asiatic countries, not to dream what the business-men, what the Imperialists still think that India must be exploited for another century. I assure my Honourable friend that India would like to help England, to remain as an equal partner, when both England and India are on the verge of bankruptcy, and if India is on the verge of bankruptcy, it is not due to the fault of the Indians ; it is due to the fault of the Treasury Bench opposite who have squandered India's millions by their gambling policy. Sir, on behalf of India, I assure my friends opposite that we are willing to remain in the Empire and help the Government, but it is they who want to side with the Imperialists in England and India and forge measures of repression so that, after the failure of the Round Table Conference, they can go on ruling the country with an iron hand. If that is the idea of the Government, then I may tell them that they are entirely mistaken. Those of us, who are here and who did not go with Mahatma Gandhi and others in the Satyagraha movement at the famous Lahore Congress, those of us who remain on the floor of this House to give help to this Government to arrive at an amicable settlement, will be driven mad ; the Government by their mad policy will drive us to a camp where we will go and seek a solution whereby we will not only obtain the freedom of the Press of India, but we will obtain the freedom of India as a whole. (Hear, hear.)

Mian Muhammad Shah Nawaz (West Central Punjab : Muhammadan) : Sir, I rise to support the motion that this Bill be referred to a Select Committee, subject to the observations that I desire to make.

Mr. President, no one will deny that there is functioning in India a revolutionary party whose insane objective is to promote the overthrow of established Government and to create a state of terrorism and violence in this country. That this party has been responsible for the most dastardly and diabolical murders of public servants and attempts on the lives of the Governors of two of the provinces is a patent fact. This party, despite the denunciation of acts of violence by the Congress under the leadership of Gandhiji and despite the resolve of political India to bring about an everlasting settlement between Great Britain and India, is still carrying on their campaign of assassination. Therefore, it is the urgent and paramount duty of every right-minded Indian to remove what Lord Irwin described as " This malignant cancer in the life of India ".

Sir, I do believe that this House will co-operate with the Government if a reasonable and appropriate measure of legislation is enacted with a view to stem the tide of terrorism without interfering with the right of honest criticism and the independence of the Press. Honourable Members are aware that last winter Lord Irwin promulgated an ordinance which was worded very broadly and which I must say in some respects was abused by the executive. His Excellency delivered a memorable speech in this House on that occasion and added :

" Among other influences which have undoubtedly tended to the encouragement of such revolutionary methods and violent crime, are certain sections of the Press, whose reiterated laudation of false sentiment and of distorted patriotism lead all too often to the injection of deadly poison into a certain class of mind."

His Excellency then promised that the Bill which has now been withdrawn by the Honourable the Home Member would be introduced in the Legislature. The Bill was introduced on the 15th January, but then came the remarkable achievements of the Round Table Conference and the historic announcement of the British Premier promising to India Dominion Status subject to necessary safeguards for the period of transition. The Bill was therefore postponed. Now, a new Bill has been put forward by the Honourable the Home Member, and anybody who looks at this Bill and compares clause 4 thereof with that of the old Bill, will find that there is a vast difference between the two Bills. The present Bill has undoubtedly a limited scope, but I will presently point out that even so the wording is very wide.

Sir, this Bill is intended to arm the Government with powers against newspapers, which contain incitements to or encouragement of murders or other offences involving violence, or expressions of approval or admiration of any such offences. As Gandhiji has put it, these murderers are now in high favour owing to a mad worship of the murderers by a comparatively small section of the community and by a certain section of the Press. But I still maintain that the wording of clause 4 of this Bill is very wide and it can be made a weapon of repression in the hands of the executive as was the case with the old notorious Press Act of 1910. Clause 4 runs thus :

“ Whenever it appears to the Local Government that any printing press in respect of which any security has been deposited as required by section 3 is used for the purpose of printing or publishing any newspaper, book or other document containing (mark these words) any words, signs or visible representations which are likely or may have a tendency, directly or indirectly, whether by inference, suggestion, allusion, metaphor, implication or otherwise, to incite to or to encourage the commission of any offence of murder or any offence involving violence, or to express approval or admiration of any such offence (again mark these words), or of any person, real or fictitious, who has committed or is alleged or supposed to have committed any such offence. . . . ”

Honourable Members will at once see that, although this clause materially differs from the corresponding clause of the withdrawn Bill, it is still very wide in its scope, because it says, “ any words, signs, visible representations, metaphors, allusions ”, and so on and so forth, and even as regards the person, the murderer may not exist, it may be fictitious. Obviously the wording is very comprehensive and all embracing and requires considerable modification. As I have the privilege of going on the Select Committee, I will then put forward my own amendments.

Again, I maintain that there should be a right of appeal under clause 3. You will see, Sir, that a Magistrate can call upon any person who makes a declaration, or the Local Government may call upon any person who has already made a declaration to deposit security, but on what grounds, the clause does not say. I am of opinion that no arbitrary power should be given either to the Magistrate or to the Local Government and that the Magistrate and the Local Government should distinctly record their own reasons why they come to the conclusion that the deposit of security under the circumstances of the case is absolutely necessary. If that Magistrate or Local Government do come to the conclusion that the deposit of security is necessary, then, in my opinion there ought to be a right of appeal to the High Court to see whether a proper case was made out for the deposit of the security. Moreover, the amount of security is very excessive. In the first instance it ranges from Rs. 500 to Rs. 2,000. At the second offence it is double, and at the third offence it is treble, and the printing press is

[Mian Muhammad Shah Nawaz.]

also forfeited and the newspaper can file a new declaration only with the previous consent of the Local Government. These provisions are undoubtedly very wide and I have already said that they can be abused.

Now, Sir, there is no doubt that there exists in this country a small section of the Press which does in fact strive to glorify the names of those who resort to crimes of violence. There is also another section of the Press, comparatively small, which gives such a mixture of denunciation and praise to the murderers that ill-balanced youths are driven to a point where they come under the influence of those who make the organization of assassination their business. It is a matter of the deepest regret to everybody concerned that the Government are compelled to bring forward this measure of legislation under conditions of great emergency. I must say at once that responsible newspapers in this country and responsible persons among the vast majority of the Indian people have distinctly and clearly and emphatically denounced the murderers who have done harm to the fair name of India. The anarchical movement, I am happy to say, is limited to a small section of the people and India's heart is still very sound. India is willing to co-operate with Great Britain, provided that Great Britain also treats the Indian people with justice and fairness. In my opinion this Bill will eradicate to some extent the cult of murder, and it is the duty of every sane Indian to support it provided the Bill is modified appropriately and reasonably in the Select Committee. However I wish to make it clear that if it is not so modified, we will reserve the right of rejecting this Bill at the third reading if we so desire, but I do hope that the Select Committee will modify it so that it will be acceptable to the House. With these words I support the motion of the Honourable the Home Member. (Applause.)

Mr. Arthur Moore (Bengal : European) : I am glad to hear the declaration of my Honourable friend Mr. Shah Nawaz that he is in favour of the principle of the Bill. At the same time there is one observation I should like to make, and that is that as I understand it the debate to-day on the motion to refer the Bill to a Select Committee is confined to a discussion of the principle of the Bill. Therefore it seems to me to be an unfortunate precedent that a Member who is going to serve on the Select Committee should, as it were, before he has even had an opportunity of knowing the reasons why certain things are put in the Bill and what their exact meaning is, tie his own hands by going into the details, on his own reading of them.

Now, Sir, as I listened to the honeyed tones and the soft non-violent accents in which Mr. B. Das attacked what is known as the Anglo-Indian Press, and even permitted himself to go so far as to bring a monstrous accusation of outrages on women against the Government, I realised what prejudice the cause of law and order and the defence of the fabric of society has to encounter in certain quarters. With regard to Mr. Das's unfortunate observation, I will only say this, that after the Resolution of certain of his political associates eulogising the man who hacked to death Mrs. Curtis and who would, if he could, have hacked her children to death, the less he says upon the subject the better. With regard to his attack on the Anglo-Indian Press, I was particularly struck by the fact that in the past, and if my Honourable friend will search his memory he will know that I am speaking the truth, I have heard him in this House refer more

than once to a paper with which I am personally connected and to its sympathy with Indian aspirations. He is well aware of the support that it has given to the Round Table Conference, and to the effort to find an agreed and real self-governing constitution.

Mr. C. S. Ranga Iyer : What about the telegram that you sent to London about not permitting Mahatma Gandhi to go to London ?

Mr. Arthur Moore : I have no knowledge of such telegram.

Mr. C. S. Ranga Iyer : On behalf of the European Association, did not you send a telegram to London ?

Mr. Arthur Moore : Certainly not. No such telegram exists.

Mr. C. S. Ranga Iyer : Your telegram to Messrs. Baldwin, MacDonald and Lloyd George was published in the papers.

Mr. Arthur Moore : It may have been in some papers.

Mr. C. S. Ranga Iyer : In your own newspaper and in the *Madras Mail*.

Mr. President : Order, order.

Mr. C. S. Ranga Iyer : You sent a telegram to Mr. Baldwin.....

Mr. S. N. Roy (Government of India : Nominated Official) : Order, order.

Mr. Amar Nath Dutt (Burdwan Division : Non-Muhammadan Rural) : Is an Honourable Member entitled to call another Honourable Member to order in that tone, as if a District Magistrate ordering a *chaprasi* ?

Mr. President : It is only the President who has the right to call Honourable Members to order.

Mr. Arthur Moore : My Honourable friend was perfectly well aware of these facts. But just because there has been a tremendous outbreak of violence in which innocent men have been shot down, and because the paper supports this Bill, which is only intended to deal with terrorists—my Honourable friend forgets what he knows to be true. Turning round simply on the point of violence, he now says that we are reactionaries and that we stand for the policy of Mr. Churchill. He knows all that in his heart to be entirely contrary to the facts.

Now, Sir, I do not propose to waste much time over this preposterous charge that the Anglo-Indian Press has sponsored this Bill through some sinister motive. As I understand it, the argument which was brought forward the other day in a preliminary canter was that the Anglo-Indian Press has itself some privileged position, and has nothing to fear, and is therefore quite indifferent to the fate of its contemporaries. With regard to that, Sir, in the first place, there is no privilege ; not only that, but I will say this that no section of the Press has been so vexatiously harassed by those who have tried to use the intricacies and ambiguities of the law against it as has the Anglo-Indian Press in India. But the short answer to that charge is that it totally ignores the provisions of the Bill. This Bill suppresses no newspaper ; not even the most unutterable rag in the country is suppressed by it, or is even asked to pay an anna ; all that the Bill calls upon it in the first instance to do is to mend its manners and

[Mr. Arthur Moore.]

change its tone. (Ironical cheers from some of the non-official Benches.) If it still goes on with incitements to murder and violence, it is then called upon to deposit security, and if it repeats the offence, it forfeits the security. Now, Sir, what has any responsible paper to fear from that? Can anyone suggest that Indian dailies of great repute, like the *Hindu* of Madras or the *Leader* of Allahabad or the *Tribune* of Lahore, none of which I am quite sure have ever at any period incited to violence, or have believed in any way in violence, can any one suggest that such papers have anything to fear from this Bill?

Mr. Gaya Prasad Singh : But they have all condemned it.

Mr. Arthur Moore : As far as they themselves are concerned, Sir, they can view it with complete indifference. As far as their profession is concerned, I think that every decent journalist can only view with horror and disgust the state of things which exists in the country at the present moment, and must regretfully confess that not only is some such measure as the Government have introduced justified, but that it is long overdue. Sir, liberty and licence cannot long exist together. In the end, certainly, licence will drive out liberty, and that is what is happening. Where is the boasted liberty of the Press in India to-day? There is very little of it. I say, and I know, that the right wing of the Congress, the people who sincerely wish to observe Mr. Gandhi's teaching of non-violence, without reservation, and without eulogy of murderers,—I say that those men are intimidated by the left wing of the Congress, and they are terrorised by the political terrorists and by the revolutionary communists.

Mr. B. Das : On behalf of the Congress I protest.

Mr. Arthur Moore : I will give some proof.

Mr. B. Das : All right. Come forward.

Mr. Arthur Moore : I will read, Sir, from a Calcutta paper. It goes further than what I have said; for even those who are willing to preach revolution are intimidated unless they are willing to go to all lengths. (An Honourable Member : "Which is that Calcutta paper?") I said, a Calcutta paper, called *Sramik*. This paper wrote a few months ago (*vide* page 11 of the Collection issued by the Government) :

"Again does that cannon roar :

A secret letter from revolutionaries."

The Editor was compelled to publish this :

"To the Editor, *Sramik*,

COMRADE,

We could not help laughing as we realised the helplessness of your condition in publishing the 'Red pamphlet' last week. We exist and will certainly do so. You are afraid, but death is the companion of our youth. We will not be content with destroying the white-skinned English only, we want the destruction of the native black-skinned Englishmen too. (Laughter.) Further, we want the downfall of Gandhi who is religious-minded, a traitor to the nation and a patron of capitalists.

We send you only those portions of the 'red pamphlet' which you did not receive. We want the victory of the *Sramik*. 'Inqilab Zindabad'."

Now, Sir, after that it goes on to omit some extracts, for the next paragraph evidently referred to the necessity of armed dacoities; and was too much for the Editor. But it resumes :

"Then, if there is money in the hand, no difficulty is ever experienced in collecting arms and ammunition in sufficient quantities. Hence, money is needed first. If the

THE INDIAN PRESS BILL.

people of the country do not give money of their own accord, what alternative is there to snatching away money from the rich ? ”

Mr. K. Ahmed (Bajshahi Division : Muhammadan Rural) : Shame, shame !

Mr. Arthur Moore : It goes on further :

“ We should of course bear in mind that the fight for freedom in our case will not be an open fight. We shall take to guerilla warfare, for, following this method of fighting, a handful of men may weaken even a strong antagonist with the help of a small number of weapons. In an *open* fight, the English may very quickly put down the revolutionaries by means of their well-trained soldiers, cannon, aeroplanes, etc., but if war is waged according to the above-mentioned method, on whom shall the English exercise their military skill, and on whom will they have the best opportunity of ruthlessly raining their cannon-balls and bullets ? ”

It goes on further, Sir :

“ Many perhaps will ask whether it will be possible for us to bring freedom into the country by practising terrorism in the manner in which it is being practised now, that is, by the explosion of bombs and the firing of bullets anywhere and everywhere. This sort of sporadic terrorism is of course not of much use. What will have to be done is to start a *lasting and country-wide terroristic movement* ; here we shall have to consider why revolutionaries practise terrorism. If exactly at the time when ‘ goonda rule ’ is introduced into the country by some particular person or at the secret hint of somebody, *i.e.*, at the time when the people of the country, thoroughly put out by his behaviour, desire his death, somebody relieves the oppressor of the burden of life, it is but quite natural that the sympathy of the people of the country will be attracted to him and his ideal. It is exactly for this reason, *i.e.*, with a view to winning the sympathy of the countrymen that revolutionaries practise terrorism. Again, it may also so happen that, on the murder of the above-mentioned man, the successor to his post may, out of revenge, try to repress the people of the country more severely. ”

They want more repression :

“ But if somebody kills him and his successor too, and thus at least eight or ten persons are done to death, then..... ”

The editor had to leave something out here.

“ Those days are no more ; the emancipation of India will not be achieved by prayer to God. Draw out the sword. These demons are not of that type. ”

Mr. Lalchand Navalrai (Sind : Non-Muhammadan Rural) : Will the Honourable Member be pleased to say if any action was taken against this paper ?

Mr. Arthur Moore : Is the Honourable Member defending this paper ?

Mr. Lalchand Navalrai : I am not defending it at all ; but will he say if any action was taken against this paper ?

Mr. Gaya Prasad Singh : Why was it not prosecuted ?

Mr. Arthur Moore : I have given you an extract to show what an editor was compelled to do. Sir, we are told that this Bill is a danger to the respectable Press ; I say that it is not a danger to the respectable Press, but it is a fact that the other Press is a very serious reality. A great deal that is published is apparently published not under pressure but because that is what the paper stands for. Let me read out to you some more extracts. The same paper in April (page 18) publishes a poem entitled “ Ramkrishna and Dinesh ” in which the following lines occur :

“ I made an end of the family of the Czar at the point of the sword of Lenin. As long as there is oppression, my scimitar will be again and again dyed red with the warm blood of man. ”

[Mr. Arthur Moore.]

Another Calcutta paper contains the following poem :

‘ Yes, ‘ Rebellion ’, ‘ hot ’, ‘ fiery ’ and ‘ terrible ’ is my name.
 In whose possession is death, in whose wake follow a general massacre,
 Murder, brutality, roar, storm, ruin and warfare.
 With one gesture of my hands the entire world is overthrown.
 Like death I spread over the head of life.
 First of all I destroy the betrayers.
 Then with a graceful gait I advance towards the Rulers
 Spurning with contempt law and imprisonment.
 Seeing the havoc done by my bloody feet,
 The crown of the Ruler trembles.
 By yelling thus I infuse enthusiasm among the people.’

That, Sir, is the intention of that Press—to yell thus and infuse enthusiasm among the people. Here is another extract.

Mr President : Order, order : I should like to draw the attention of the Honourable Member to the fact that this publication has been circulated to all the Members. That being the case, I should like to ask whether the object of the Honourable Member would not be equally served if he made short quotations instead of reading the whole of the extracts and thus taking the time of the House ? I do not object to the Honourable Member reading only such parts as go to support his case. But I do not think it is proper that he should take up the time of the House by reading long extracts from document which is in the hands of every Honourable Member.

Mr. Arthur Moore : I will endeavour, Sir, to keep down my quotations as much as possible. I may point out that there are 66 pages and I have no intention of giving profuse quotations. But it seems to me quite evident from the speech of the Honourable Member who moved the circulation of the Bill that he appeared to me that he had possibly at least not read this book.

Mr. B. Das : I have read the whole past history.

Mr. Arthur Moore : May I just read an extract from the *Sramik* of the 1st May :

“ O, brother workers, see there the god of equality is coming overcome by the intoxication for blood. The Red Flag is fluttering in the sky and the god of destruction is coming. his sword quivers thirsty for the blood of the oppressor. O, brother workers, your sufferings will come to an end. May Day has come back again at your doors to remind you of the bloody, pleasant day. Strike the capitalists ; smash their houses of festivity and raze them to the dust. Let those satanic exploiters quake, difficulties are solved through blows—so wield the rod, not even that is the end. Piercing through the ribs of cowardly oppressor wield your scimitar recklessly to-day making the bubbling blood flow. Make them swim to-day in a current of blood four times as much as the quantity of blood they have sucked out from your breasts. Let that carnival of blood commence from to-day with blows of the hammer, crowbar and the plough on the path slippery with blood. Let this memorable day sound the triumphant flute of fire on behalf of the workers in the world.”

There are other passages on the same page but I do not wish to read them.

The *Sarbakara* (Calcutta) of the 13th June writes :

“ Your blood is mingled with that machinery, that palace, that conveyance, and yet why are you deprived of each of those things ? Who will answer, why ? The men who sitting in the palaces built by you are smiling a sardonic smile, who drive in motor cars and put lakhs of money in their pockets it is those men who have left you

destitute. Listen, there is in the atmosphere a call that you are to destroy those robbers ; the universe has to be awakened and you also are to awake. You should get what is your due. Come, let us swear under the open sky to carry the Red Flag, whether we fall down or die on the way. We do not fear the dark prison or death by execution, we do not fear anybody ; we fly the Red Flag."

A Dacca paper justifies political murders :

" If a number of English officials and traitorous Indians are murdered, India might not forthwith become free, but it can be easily stated that she advances far thereby on the path to freedom. Remaining in a disarmed condition Indians have come to feel that they are incapable of using arms. They have forgotten even that they have the capacity to fight, that they have the power to take the lives of their enemies. We find that there is very great need of this kind of political murders, etc., to rouse in the minds of this self-forgetful nation a belief in their own real capacity and to rouse in their minds a desire for vengeance."

Well, Sir, I will refer Honourable Members.....

Mr. President : Order, order : I should like to invite the Honourable Member's attention once again. He has quoted half a dozen extracts to show what has appeared in certain papers. It is not necessary that the Honourable Member should go over the whole document in supporting his argument. He has shown already by the extracts which he has read what his contention is and I now want him to continue his observations based on the extracts he has already read.

Mr. Arthur Moore : I am very glad indeed to have your confirmation of the fact that I have established the point.

Mr. President : The Honourable Member seems not to have understood what I said (Laughter). I want to make the position clear. I cannot allow elaborate extracts to be read in the course of the debate. I have no objection to his reading a few extracts to support the point of view which he holds. The Honourable Member has done that and I now want him to proceed with the arguments which he wishes to base on the extracts which he has read. (Hear, hear.)

Mr. Arthur Moore : I bow entirely to your ruling, Sir. I should like to make no further quotation. I should merely refer Honourable Members to page 33 where they will find an invitation to make a river of blood flow. I cannot help feeling that even those few quotations should be enough to convince any reasonable man that there is terrible violence in this country. Ten years ago, I was in Central Asia and I well remember the pan-Oriental Congress summoned by the Third International at Baku in 1920, and the subsequent decisions taken in Moscow by the Third International. In plain language it amounted to this : that while they had the very greatest contempt for Indian nationalism, Chinese nationalism and every nationalism throughout the East and for Mr. Gandhi's movement, and although they announced that ultimately they meant to crush all nationalism, and replace it by the dictatorship of the proletariat, nevertheless they decided that the enthusiasm for nationalism in the East should be deliberately exploited by them in the interests of revolutionary violence, and for the destruction of the existing order of society. Now that programme has been systematically followed ever since, and that is what is happening to-day. The Left wing of the Congress and the political terrorists in India are thus being used by the revolutionary communists to break down society. A whole generation of young men, many of them generous spirited young men, full of ideals, the very men who should be the material for making a new India, are being perverted and are being consecrated to destruction. Are we to sit idly by ? From every quarter

[Mr. Arthur Moore.]

of the land in papers like these the cry goes up about repression from the very men who are themselves clamouring for more bloodshed. In no Indian State, in no other civilised country in the world would such a thing be tolerated. In Russia itself, the answer to the merest hint of public criticism of the dictatorship of the proletariat would be death. I believe that the people of India and the people of Britain can still, by mutual trust and the spirit of good will which animates the Round Table Conference, save the country from the real enemies of Indian freedom, namely, the terrorists. We have to go forward without faltering in the pursuit of a true nationalism, the creation of a great self-respecting nation at peace with all the world. But it is quite evident that the poison has gone very deep, and I fear that many politicians who are not themselves prepared to resort to violence must bear their share of responsibility for the spirit of violence which reigns throughout the country. An Honourable Member yesterday referring to these Benches asked us, "Can we not read the writing on the wall?" He was good enough to tell us that we had no business to be here. I may be wrong, but I believe that I can read the writing on the wall. The British people desire that India should attain self-government, a large measure of self-government (Hear, hear) and that is definitely on the way. It is coming for India (Hear, hear). I fear that that may be the signal for an outbreak from these apostles of destruction, of violence in this country of such an extent as Honourable Members opposite have never had the misfortune to see. I would ask the Honourable Member, if those evil days come, on what is he relying for protection? He hates the English, he hates his own countrymen in the police. The terrorists will hate him, and will merely regard him as a coward. In a time of revolution and violence on all hands, when other men may wish to take his life and property, how is he to defend himself? I would say, let him begin to-day. If there is any sincerity and any loyalty to the teachings of Mahatma Gandhi, of non-violence, if there is, as I believe there is, a genuine response in the Indian heart to the noble and stirring appeal which Dr. Rabindranath Tagore issued in Bengal a few days ago, then, Sir, let us get on with this Bill as quickly as possible, and discuss it in the Select Committee. (Applause.)

Mr. A. H. Ghuznavi (Dacca cum Mymensingh : Muhammadan Rural) : Sir, I think this Bill which is before us now was long overdue. My Honourable friend, Mr. Moore, has attached a good deal of importance to the speech which my Honourable friend, Mr. B. Das, made to-day. My Honourable friend, Mr. Moore, perhaps did not know that Mr. B. Das was speaking to the gallery, because the next Congress, which is going to assemble in December, will be in his own district of Puri. Sir, one is amazed to find that some Honourable Members consider this Bill as gagging the liberty of the Press. The question is, is that so? From the speech that we listened to this morning of the Honourable the Home Member and from the Statement of Objects and Reasons, the answer completely is that it is not so. The only object of this Bill is to prevent the irresponsible Press, the irresponsible newspapers or news agencies, which constantly incite crimes of violence, and which day in and day out encourage terrorist outrages by their writings and by their eulogies showered on those guilty of such crimes, from doing so. We condemn the misguided youths, the perpetrators of these horrible crimes, but, Sir, the time has come when we should strongly condemn and take action against those who by

their action, by their speeches and by their writings extol these deeds of violence and eulogise assassins as saints, martyrs, heroes and patriots. Sir, these misguided youths read these eulogies of the heroism of the perpetrators of anarchical crimes and discuss them with their companions and are apt to pause and think whether or not they too should offer their lives at the altar of their motherland and earn immortal fame. If one studies the history of the anarchical movement and anarchical crimes, it will be found that it was Bengal in particular where anarchical crime was first started—which, so to say, was its birthplace. It will be seen that it originated with the agitation over the partition of Bengal in 1905; and in this connection, Sir, may I, with your permission, read a passage from a book entitled “ Causes of the decline of the British Empire in India ” ?

“ Lords Hardinge and Irwin have sapped the British Empire in India. The wonderful fabric of the administration of British India was perfected by so many Europeans, chiefly members of the I. C. S. But it is two English Viceroys who have sapped its strongest foundation—I mean that crooked politician of British diplomatic service, Lord Hardinge and that too gentle and panicky Lord Irwin. The short-sighted temporary expediency of those two gentlemen together with the misguided general policy of the British towards the Indian Muslims from whom they had taken the country is the root cause of the decline of the British Empire in India. The dishonest annulment of the partition of Bengal has been the beginning of the end of British rule in India.”

Sir, after the annulment of the partition of Bengal in 1912, the cult of bombs and pistols gradually disappeared. It must be said to the credit of the Press at that time that no Press was inciting impressionable young minds to violence or anarchical crimes to such an extent as is now being done. These anarchical crimes reappeared with the Jallianwalla Bagh incident and Mr. Gandhi's activities, and this time the Punjab caught the contagion from Bengal. Nevertheless, Sir, it did not extend with such alarming rapidity till the open declaration of independence at the Lahore Congress in 1929. Since then, Sir, the Press, and the Congress Press in particular, have been extolling the courage and the spirit of self-sacrifice of these assassins in season and out of season. It naturally leads the youths to think that these are noble deeds and that they would become heroes and martyrs should they choose to take this path. Sir, the Press Act, which was in force till 1924, stifled these violent outbursts of the nationalist and the Congress Press and considerably arrested the dissemination of this poison. But since the Press Act was repealed, the incitement to violence and eulogising these assassins have continued unchecked, to the loss of innocent lives and the lasting shame of India. Sir, the perpetrators of these crimes are usually youths below the age of 20. These youths who were born on or about 1912, when they come of the age of 14 or 15, interest themselves in politics, read and hear of this heroism of throwing bombs or firing pistols and killing officials indiscriminately, whether European or Indian, and thus they imbibe the poison. But since the Lahore Congress with the adoption of the Independence resolution, according to the same author,

“ The spineless Sir Crerar ”,

— I do not at all agree with this description of Sir James Crerar who is not at all spineless,—

“ did not take any action against the Press and the Press freely poured its venom, and terrorist activities increased with rapid strides.”

[Mr. A. H. Ghuznavi.]

With your permission, Sir, I will again read a few passages from that very book.....

Mr. B. N. Miara (Orissa Division : Non-Muhammadan) : What is the name of that book ?

Mr. A. H. Ghuznavi : " Causes of the decline of the British Empire in India."

Mr. B. N. Miara : Written by whom ?

Mr. A. H. Ghuznavi : Written by an author who will be at the moment nameless. It says :

" Lord Irwin's Unwise Acts."

" Firstly, Lord Irwin, like a child, was terrified by a so-called Youth Movement and by his open utterances hither and thither in which he gave too much importance to the almost harmless movement of school and college boys made the clever Hindu leaders detect his weak point and they began to play on it.

His 2nd unwise act was the disgraceful muddle and surrender in the Bardoli affairs. The firm attitude of the Bombay Government outwitted the agitators who were thus compelled to cry a halt and proposed a sort of compromise. The Indian Government with Lord Irwin as the Viceroy and spineless Sir Crerar as Home Member and Mr. Patel as adviser jumped at the proposal and compelled the Bombay Government to accept the compromise, accept the lower rate and even to induce the loyal supporters who had purchased at those sales to return purchased properties which no law court could do.

Thirdly, Irwin Government has all along played into the hands of the clever Hindu politicians. The enactment of the Sarda Act at the time of turmoil interfering in the matter of marriage regarded as a sacred institution by the Hindus and Moslems was most unwise.

The fourth and greatest crime of the Benn-Irwin Government was not to arrest Mr. Gandhi and some of his co-workers, even after he openly declared for breaking the laws, even when he started on his ' pilgrimage ' of breaking laws or even when he actually broke the law.

Fifthly, Lord Irwin and his Government have all along wasted their energy in an attempt to win over the Hindus, specially the so-called Liberals and in pursuit of that task have made their own position ridiculous. The President of the Assembly, Mr. Patel, on several occasions brought about deadlocks by his most arbitrary rulings ; he would insult the Viceroy's Cabinet Ministers ; would treat the leader of the House—the Home Member, like a child ; would turn out the visitors from the galleries, including those of the Viceroy's gallery, which contained a member of the Parliament, and also kept it vacant, days after days, and even at the time of the Viceroy's address and the opposition members would treat the members of the Government with slight ; yet the simple Viceroy and his spineless cabinet would keep absolute silence and would not take any steps because some opposition leaders advised against such steps and threatened non-co-operation."

Sir, the Government of India at last have risen to the occasion and have this time come forward in a business-like manner. They have compiled and circulated to us three volumes. I will not refer to all the instances which I wanted to, as my Honourable friend, Mr. Arthur Moore, has already quoted them : It will serve my purpose if I refer only to one particular instance to which my Honourable friend did not refer....

Mr. President : Will not the Honourable Member proceed with his own observations ?

Mr. A. H. Ghuznavi : The *Payam* (a Muslim name, but run by the Congress) wrote :

" Bhagat Singh, Raj Guru and Suk Deb have been hanged ! The lives of only three persons have been taken, but these were the lives which were dear to 82 crores of

souls of India. By murdering them the English Government have thrown out a challenge to the manhood of entire India. Will India accept this challenge or will she stop after lamenting like cowards? The whole world is awaiting to hear a reply to this question. On this reply alone depends the fate of both England and India. If India accepts the challenge, the future of England will be dark; but, if she refuses to do so, then she must be disappointed about her own future."

That is not all. One is amazed to find that a civic body like the Corporation of Calcutta, a Corporation of the second city of the British Empire, passes a resolution, openly and publicly recording their sense of grief at the hanging of assassins after a judicial trial; and let me tell the House here that in spite of the best efforts of the law-abiding citizens in Calcutta, that resolution has not been expunged from the Minute Book of the Corporation.

Mr. Gaya Prasad Singh : How will this Bill help ?

Mr. A. H. Ghuznavi : I am coming to that : and the gentlemen who prevented it from being expunged from the Minute Book of the Calcutta Corporation is a hot favourite of the Honourable the Finance Member. The Honourable the Finance Member has a very great admiration for enemies of Government. He perhaps swears by them.

This takes me to another serious matter about which this spineless Government remain unconcerned and look on like mere spectators. The Calcutta Corporation has got a number of free primary schools and they have about 20,000 children and 1,000 teachers to teach them. If the history of these teachers is ascertained, it will be found that they are recruited from the ranks of political suspects. The House will be interested to know what the first lesson is which these children are given morning and evening. This is the lesson which these teachers impart to these 20,000 pupils : it is a song which they are taught to sing every morning and evening.

" *Ek, dooi, tin*

One, two, three

" *Char, panch, chhai*

Four, five, six

(*Mr. Gaya Prasad Singh :* " What is wrong with it ? ")

" *Sat, at, nai*

Seven, eight, nine

So far I do not mind, but see what follows :

" *Das, egaro, baro*

Ten, eleven, twelve

Bharat haibey swadhin."

India will be free.

Mahatma Gandhi ki Jai."

Mahatma Gandhi ki Jai.

picketing karitey hai."

Picketing is incumbent (on us).

Engrejkey dharo ar maro."

Seize the English and beat them.

That is the lesson that the Calcutta Corporation in their free primary schools give to their 20,000 pupils, and yet this spineless Government do not do anything.

Mr. S. C. Mitra (Chittagong and Rajshahi Divisions : Non-Muhammadan Rural) : On a point of order, Sir

Mr. President (addressing Mr. A. H. Ghuznavi) : Order, order. The Honourable Member should resume his seat when a point of order is raised.

Mr. S. C. Mitra : How is the statement that something is taught in the primary schools of the Calcutta Corporation relevant ? How does it come under the purview of this Bill ?

Mr. President : Order, order. The Honourable Member would be relevant if his contention is that the Bill does not go far enough. (Laughter.)

Mr. A. H. Ghuznavi : That is exactly, Sir, what was in my mind, and I maintain that the Bill does not go far enough to meet the requirements of the situation ; it is absolutely a very mild Bill ; it will not be able to cope with what the Government wish to cope with. That is exactly the point I was trying to make out.

Sir, the lesson of British hatred is being imparted from day to day, and yet one is surprised that Government take no action. Is it a matter for surprise then that misguided youths take to bombs and pistols ? Sir, the life of peaceful citizens—thanks to the Nationalist Press and the Congress Press—has become intolerable.....

Mr. Gaya Prasad Singh : As if we are not peaceful citizens.

Mr. A. H. Ghuznavi : In order to prejudice their opponents or those who would not agree with their views, they would malign them at all times, and no wonder they get the terrorists' warnings that they now must be ready for a terrorist's pistol or bomb. Their opponents of the Congress are painted black and prejudiced by the Congress Press because they do not fall in with their views. Their lives are threatened by anarchists and notices served on them for the crime of giving expression to their independent views. If one would say anything which is not in accord with the views of the terrorists or their organ, he gets a notice that the time has come that he must pay the extreme penalty at the hands of the anarchist for expressing his independent opinion. I can give the House, Sir, many instances, but one or two letters will be sufficient. "You bloody scoundrel", Calcutta 29th July, 1931..... (Laughter). (*An Honourable Member* : "Unparliamentary language".) It is not my language, it is the language used in a letter of the anarchists.

"You bloody scoundrel, be careful. You must know that we are powerless before the Congress otherwise you would have seen your ancestral home before long. It is not the Congress but the hired ruffians of the Government like you who provoke us to do such murderous acts by your ugly speeches and utterings. So be careful you damn swine pig." (Loud laughter.)

The next letter is dated Calcutta, 25th August, 1931—

"Now the time is come to warn you that you will be shot or bombed down soon. You are going to have this punishment, for you are going against your native country with the co-operation of your English friends. You delivered a lecture in the Dalhousie Institute attacking the Congress, Corporation and the Revolutionaries and condemned violence and non-violence also. Moreover, you and your white friends sent a deputation to the Governor to control the power of the Corporation, to revive the Press Ordinance and to chain the youths of Bengal. You said that India will not be independent by such coward attacks upon British officers. Will you please tell how India will be free !".....

(*An Honourable Member* : "Let us hear it").

"By flattering and licking the feet of Englishmen like you ? You fool : do you know what is the punishment for betrayers of their own countries—a righteous retribution, death. Now the time is come to send all betrayers like you to hell, none will be able to protect you in this world, because one will kill you even at the sacrifice of his life for motherland to remove the sin like you of this country."

An Honourable Member : Was that letter addressed to you ? It did not appear in any of the newspapers.

Mr. A. H. Ghuznavi : And, Sir, one is surprised how any Member of this House can refuse giving the protection which in the interest of good Government they are expected to give. I really wonder how any Member of this House, after reading all the literature which has been in their possession for the last 3 or 4 days, can still think that this Bill is not wanted. I quite realise that no newspaper with a light heart can support a Bill which restricts the liberty of the Press, but it does not restrict the liberty of the Press. I am sure all newspapers which will take the Bill in its true spirit will support this very salutary measure. If you will only permit me, Sir, I will quote one passage from the *Statesman* and conclude, because that passage clears the whole position.

“ Freedom of expression of opinion on all ordinary matters of political controversy is rightly regarded as one of the most precious privileges of His Majesty's subjects throughout the Empire. But in India, it is precisely this freedom that is in danger, not because of any attack upon it by Government but because of the intolerance and violence of a section of the public. The Government Bill is really a measure for the protection of Indian editors who at present live under a terrorist régime. Some editors there are who are themselves believers in violence, and the Government in support of its case, has issued a selection of writings which unfortunately leaves no doubt upon this point.”

Sir, with these few words, I support the motion of my Honourable friend, the Home Member, and congratulate him for bringing forward this Bill, which every law-abiding citizen would consider as a just and proper measure. (Prolonged cheers.)

Mr. C. S. Ranga Iyer : Sir, in the course of the very interesting discussion we have been having on the Press Bill, the House seems to have forgotten the introductory speech of the Honourable the Home Member. Sir, charged as he was with such a heavy responsibility, he observed that great restraint, which is so very difficult to observe under such circumstances, especially in the light of the revelations that we have had from the Honourable the Leader of the European Group. If the country was surrounded by terrorists on all sides, if terrorist propaganda was being carried on without any check and without any restraint, if little children, as the last speaker was pleased to inform us, were associating the name of Mahatmaji and the terrorist in the same breath, if, indeed, the situation was so very dreadful, I should have imagined the Honourable Member responsible for the administration of law and order in this country talking a little more vigorously than he did. (Laughter.) I do not believe, Sir, that on this particular occasion he spoke even with the warmth with which he introduced the Public Safety Bill. At that time he thought that the heavens would fall if the Bill was not passed. The Bill was not passed and the heavens have not fallen. He has told us that this is an emergency measure. He has told us that a great urgency exists in the country to-day to pass a measure of this kind, and the Honourable the Leader of the European Group, with the responsibility attaching to his position alike as the leader of the European Press out in this country, said that we must pass it very quickly. When he said that we must pass it very quickly he was fully aware of the fact that a measure of this kind leaves alone the papers with which he is connected and of which he is in charge, papers which breathe the language that he uses are not at all affected by a Bill of this kind. Leave alone a Bill of this kind, a Bill that was introduced in the Morley-Minto times by Sir Herbert Risley, the old Press Bill, left the Anglo-Indian papers unaffected. Sir, I do not deny

[Mr. C. S. Ranga Iyer.]

my Honourable friend the little praise he indulged in of his own section of the Press or of his own Press. Nor do I deny him the indignation, the almost righteous indignation, with which he faced the rather feeble accusations of my Honourable friend, Mr. B. Das, the Whip of my party.

(At this stage Mr. President vacated the Chair which was taken by Mr. Deputy President).

Sir, he seemed to imagine that the charges that Mr. Das levelled were unjustified. He seemed to think that his paper, and his party, and his politics were being unnecessarily dragged in, but we know that the real inspirer of this Bill is not the Home Department, but the campaign that has been carried on in the Anglo-Indian Press. (Hear, hear.) A sort of professional jealousy, a sort of professional rivalry does exist between the *Statesman* of Calcutta and the other Calcutta newspapers, some of which are quoted in the compilations that we have been supplied with by the Home Department. And, Sir, a professional rival ought to be a little more careful when he begins to talk on a Press measure of this kind. A man who belongs to the Press and who knows that his Press is going to be unaffected, judging from the history of the Press Act in the past,—that man ought to have observed at least the restraint that the Honourable the Home Member was pleased to observe. But the curse of this country, the curse of political journalism in this country has been that the Anglo-Indian newspapers have got a charter as wide as the wind to blow on whom they like. They are the “unchartered libertines” of Indian journalism, or for that matter, of universal journalism. In no other part of the world have the journalists such liberty to blow on whom they like. Do we not remember the manner in which the Calcutta *Statesman* came down upon the Viceroy of India when the Capital was changed? Do we not recall the manner in which the *Englishman* of Calcutta instigated the deportation of a Viceroy, I mean Lord Ripon? Facts recorded in Lord Curzon’s volumes on “The Government of India” reveal as to how the Anglo-Indians of Calcutta conspired to capture and to deport Lord Ripon because he was trying to abolish racial discrimination. They wanted to deport Lord Ripon, *via* the Cape of Good Hope because the Suez Canal had not been pierced at that time. In these days, if a Viceroy happened to offend them, they would have him deported by the air mail. (Laughter.) So uncontrolled is the irresponsibility of the Anglo-Indian newspapers....

Mr. F. B. Leach (Burma : Nominated Official) : May I ask the Honourable Member if these newspapers ever recommended the murder of Lord Ripon?

Mr. B. Das : They did worse.

Mr. C. S. Ranga Iyer : An Honourable gentleman sitting on the other side has put a most interesting question, “Did these Anglo-Indian newspapers ask for the murder of Lord Ripon?” I shall presently answer that question. But before answering that question I propose to put another question to him. Has any Congress newspaper ever since the beginning of the Congress asked for the murder of a Viceroy? Have any Congress newspapers in this country conducted by responsible, or for the matter of that, by irresponsible people, made such a monstrous suggestion? As for the events connected with the Viceroyalty of Lord Ripon,

perhaps my Honourable friend is not aware of how they shaped the subsequent course of Indian history and the evolution of Indian nationalism. When the Anglo-Indian newspapers cried for the head of Lord Ripon, the Indian people stood by him as one man. And it was the paper of Sir Surendranath Bannerjee, then "a Bengali agitator" as the Anglo-Indians considered him, that stood by the Viceroy. Lord Ripon's is an honoured name in Bengal and India. Anglo-Indians did not want his murder, but they wanted to murder his reputation. Can you imagine the Anglo-Indian newspapers asking for the deportation of the Viceroy,—asking for his being arrested in the Government House and being deported? That is worse than murder—murdering the Viceregal reputation, murdering the prestige. (Applause.) When I say worse than murder, I do not talk of murder in cold blood, because I have already said that nobody talked of murder, but I do say that the Indian papers were loyal to Lord Ripon when most disloyal were the Anglo-Indians. The need for a decent platform was then felt by the Indian leaders who immediately organized themselves and founded the Congress because they had to combat the Anglo-Indian Press and Anglo-Indian agitators and Anglo-Indian conspirators. The revolutionaries, we know, believe in murder and murderous conspiracies and when they talk of murder we do not pretend to be, so shocked as we naturally are when we find Anglo-Indian newspapers hatching a conspiracy for the deportation of a Viceroy....

Mr. Arthur Moore : I do not wish to interrupt the Honourable Member, but here there is direct incitement to the murder of the Viceroy.

Mr. C. S. Ranga Iyer : What is the newspaper which says that?

Mr. Arthur Moore : *Sramik* of Calcutta.

Mr. C. S. Ranga Iyer : I have not heard the name of that newspaper, and I do not know whether the Honourable gentleman knows what its circulation is, coming as he does from Calcutta.

Mr. Arthur Moore : You do not live in Bengal.

Mr. C. S. Ranga Iyer : As the Honourable Member lives in Bengal, I should like him to tell me what is the circulation of that paper which he mentions.

Mr. Arthur Moore : I have no idea of what its circulation is, but it is in the vernacular and is read out to many people who themselves cannot read.

Mr. C. S. Ranga Iyer : The Honourable gentleman admits he does not know what is the circulation of that paper. A well circulated paper I do not think has made that suggestion and a paper which makes that suggestion ought to have been long ago proceeded against by a responsible Government. Obviously, that paper has not been proceeded against, because they wanted to provide material for giving a bad name to the Indian Press and hanging the whole lot of it. (Hear, hear.)

Sir, the Honourable the Leader of the European Group denied having sent a telegram to Mr. Lloyd George, to Mr. Baldwin, and the Prime Minister. He told us that he sent no telegram at all....

Mr. Arthur Moore : On a point of personal explanation. I said nothing of the kind.

Mr. C. S. Ranga Iyer : When I said that a telegram was sent by the Honourable Leader of the European Group to the Prime Minister, to Mr. Lloyd George, and to Mr. Baldwin, I thought he denied the fact of having sent a telegram like that. I am glad I misunderstood him ! My Honourable friend rated my friend, Mr. B. Das, with Congress leanings. The Honourable gentleman, according to the *Statesman* of Calcutta of 12th August 1931—and here I must thank the Honourable the Publicity Officer, Mr. Ramashankar Bajpai, for having supplied me the papers containing this information the moment I asked for them with the admirable promptitude with which he always supplies information to Honourable Members opposite, even as he supplies information to Members on this side of the House who seek it. I thank him for the papers. And the *Statesman* of Calcutta says that a telegram was sent. I am sure my Honourable friend, Mr. Moore, will not deny the fact of having sent a telegram. In one respect I must congratulate the Honourable the Leader of the European Group on the fact that he was something of a prophet so far as asking the British parties to form a National Government was concerned. I never thought that the Anglo-Indian community in Calcutta was trying to lead the British parties in England ! In that particular respect he has proved an unexpected prophet. In their telegram to the leaders of all three political parties in England, the Leaders of the European Groups in the Assembly and in the Bengal Council called attention to “ the Congress policy of secession under threat of terrorism.” (*Cries of “ Shame.”*) This telegram was sent at a time when the Gandhi negotiations were supposed to have broken down and it was imagined by a community which is bankrupt of statesmanship that statesmanship in India and statesmanship in England was bankrupt, a community which was described by Lord Morley in his remarkable “ Recollections ” as that “ unsympathetic tribe, the Anglo-Indians of Calcutta.” The late Mr. Montagu, the father of Indian reforms, whose name will live in history and in the generous recollections of generations yet unborn, (Cheers); has described with much pathos and some humour in his latest book, “ the Indian Diary ” what obstructions were placed in his way by the Anglo-Indian community, and he named the *Statesman* of Calcutta and one of the predecessors of Mr. Arthur Moore. He made mention of a good deal of “ murmuring, muttering, and . . . handkerchief ”. We have got the evidence to-day of the persistence of the same mentality in the Honourable the Leader of the European Group, who had the audacity to take my friend, Mr. Das, to task. While reactionaries on both sides of the ocean were working for the breakdown of the Gandhi-Irwin settlement, he sends a rattling telegram to the leaders of the English parties not to have anything to do with the Congress because it threatened secession ! The days of the old saying “ East is East and West is West and never the twain shall meet ” as aptly quoted by the Home Member are gone by, but the Anglo-Indians want to bring back those days, and that was why this telegram was sent to Great Britain. It was sent at a time when statesmen both in India and Britain were anxious to cement Indo-British relationship and unite India and England with the golden link of love and loyalty. It is because the leaders of the Anglo-Indian group discovered a rift in the lute that they decided to send this telegram. Representing the European Groups in the Central Legislature and the Bengal Council, Mr. Arthur Moore and Sir Lancelot

Travers addressed the following telegram to the Prime Minister, Mr. Stanley Baldwin and Mr. Lloyd George: "Representing the European Groups in the Indian Central Legislature and Bengal, we desire to call your attention to India where the declared policy of certain Congress leaders is to force the Round Table Conference to agree to secession from the Empire under threat of terrorism,"—a "disgraceful" telegram to borrow the language of Mr. Arthur Moore himself on a less important occasion. I say less important occasion, because my observations made in this House at that time, however, inconvenient and however unpleasant, have fortunately moved the U. P. Government under the Governorship of that great man, Sir Malcolm Hailey, the ablest politician in the Indian Civil Service, to take action on the matter which I discussed in this House in the manner which I expected he would and he did to the satisfaction of the U. P. people—I refer to the Cawnpore episode. This is a disgraceful telegram, more disgraceful anyway than my speech was accordingly to Mr. Moore on that occasion, calling upon the Government to set up a commission of inquiry. I was in possession of the facts relating to the tragedy that took place there. I was dealing with a matter relating to Cawnpore in the neighbourhood of which I have lived for the last 17 years. My opinion was challenged at the time and the Honourable gentleman was pleased to call it disgraceful when I exposed awful happenings and insisted that a commission ought to be appointed to enquire into them. I am glad that my opinion was acceptable, and the U. P. Government appointed a commission. I am glad that the Resolution of the U. P. Government proves that there was some grace and sincerity in my suggestion. But here is a telegram, a disgraceful telegram, which calls upon the Government in England, to bang, bar and bolt the door against the Congress by misleading them, when we are all anxious to unite and come to an understanding. Mr. Moore knew that the sole delegate of the Congress was none other than Gandhi.

Mr. Arthur Moore : On a point of personal explanation, Sir.

Mr. C. S. Ranga Iyer : I am willing to give way, if you will speak up.

Mr. Arthur Moore : My Honourable friend says that what I did was unstatesmanlike. Might I refer him to a much earlier statement in the *Liberty* of 28th March :

"In the telling language of Pandit Jawaharlal Nehru—this is during the period of the negotiations about the Round Table Conference—when England speaks to us about the settlement, there would be the corpse of Bhagat Singh between us."

Mr. Deputy President : I thought the Honourable Member was going to make a personal explanation. It is certainly not a personal explanation if the Honourable Member is quoting an extract in refutation of another Honourable Member's argument.

Mr. Arthur Moore : I was endeavouring to make one. The explanation is with reference to the telegram which the Honourable Member read out, which he assumed was an attempt to wreck the Round Table Conference. Certainly it was not in any sense suggested that Mr. Gandhi should not be present at the Conference; nor is it true that these efforts were coming from the Anglo-Indian side and not from the other. It is for that reason that I referred to that statement.

Mr. C. S. Ranga Iyer : I could not distinctly hear the Honourable gentleman (*A voice :* "I could not also hear") and my leader, Sir Hari

[Mr. C. S. Ranga Iyer.]

Singh Gour, says that he has not heard him either, but I believe he stated that his object was not to wreck the Round Table Conference, whereas that of Pandit Jawaharlal was to wreck it. The Pandit spoke so *before* the Gandhi-Irwin pact was signed whereas the telegram was sent *after*. Mr. Moore's object was to keep out Gandhi and to stage the Round Table Conference with Gandhi left out. I think he wanted to stage "Hamlet" without Hamlet.

Mr. Arthur Moore : No.

Mr. C. S. Ranga Iyer : Yes, I could tell you how. I am in possession of an interview which Mr. Arthur Moore granted to a representative of an Anglo-Indian paper in Madras, the *Madras Mail*, on the 12th August, 1931. The *Madras Mail* published the following statement under the following head lines :

" MYTHICAL TRUCE."
" DELHI PACT AND AFTER."
" LABOUR PARTY'S FAILURE."

" Following receipt of the information that Mr. Arthur Moore, the Leader of the European Group in the Legislative Assembly, and Sir Lancelot Travers, the Leader of the European Group of the Bengal Legislative Council, had cabled to Mr. MacDonald, Mr. Baldwin and Mr. Lloyd George suggesting the formation of a National Government in Britain to control Indian affairs as published in this paper on Saturday, the *Madras Mail* arranged for a special correspondent to interview Mr. Arthur Moore. The following message was received this (Tuesday) morning. Mr. Arthur Moore pointed out in an interview that the present Labour Government since the outbreak of terrorism had shown themselves incapable of discharging satisfactorily their ultimate responsibility to Parliament and were evidently completely paralysed by the failure of their policy. And then he said that 'a change of heart had been anticipated from the Delhi Settlement, but the only outcome had been that the Congress had given a further display of their hatred and contempt for Britain. Labour's policy has been to put their trust in the Congress, but they have been let down'."

Well, the fact is that the sole delegate of the Congress, in spite of Mr. Arthur Moore's telegram, is on his way to England, and the fact is that every Congress organization in India has adopted the message of Mahatma Gandhi, has congratulated Mahatma Gandhi on his decision to take part in the Round Table Conference and has asked him to bring back the olive branch of peace to this country,—not "truce" but peace as was said by our great Viceroy speaking at the Chelmsford Club.

(At this stage, Mr. President resumed the Chair.)

Sir, I am only pointing out that the Anglo-Indian community has shown itself to-day in this House in as bad a light as Mr. Morley described it in his "Recollections" and as bad as Mr. Montagu described it in his "Indian Diary" and as bad as Mr. Arthur Moore has shown himself to be in his speech to-day (Laughter). So much for the duel of Mr. Arthur Moore with Mr. B. Das and for his denial of a telegram which I asserted on the floor of this House he had sent and which fortunately he has now accepted as true on my production of documentary proof (Laughter).

Now, Sir, let me deal with the more respectable, with the more responsible, and with the more restrained speech of the Honourable the Home Member. I was almost going to say "the Honourable the Leader of the House", and there is absolutely no difference in this debate between the Honourable the Leader of the House and the Honourable the Home Member because the Home Member leads the debate. Sir, my

objection is fundamental so far as this Bill is concerned, though on one principle, the suppression of terrorism, I have complete sympathy with the Honourable the Home Member. Sir, we do not want terrorism in this country; and I do not believe that terrorism can do much in this country when the feeling of the people is either constitutional or in favour of the principle of the Mahatma, *viz.*, "non-violence", and therefore I do not think that, between the constitutionalists on the one side and the followers of non-violence on the other, the terrorists will have much chance. As for the newspaper quotations indulged in by Mr. Arthur Moore, all I can say is that these newspapers were before this never known to us—not until the Government discovered them! But when they discovered them, I wish they had also suppressed them,—because there is sufficient power in the armoury of the Government, there is a sufficient number of sections in the penal law of India for the Government to proceed against these newspapers, one of which, if Mr. Arthur Moore's quotation is correct, wanted the destruction of the highest authority in this land for whom every man in India entertains the highest regard. If such a statement had been made, and such a paper still continued in existence, I should only say that the Government do not know how to carry on their job. I can only say that they have buried all their penal laws because they want something stronger than penal laws to deal with these things.

Coming to the section to which my friend, Mr. Shah Nawaz referred, our fundamental objection so far as this Bill is concerned is to sub-clause (i) of clause 4, in which the Government have borrowed the very sections, almost the very identical language which was condemned by no less an authority than a very great Judge of a great High Court, none other than Chief Justice Jenkins. Sir, sub-clause (i) of clause 4 reads :

"(1) Whenever it appears to the Local Government that any printing-press in respect of which any security has been deposited as required by section 3 is used for the purpose of printing or publishing any newspaper, book, or other document containing any words, signs or visible representations which are likely or may have a tendency, directly or indirectly, whether by inference, suggestion, allusion, metaphor, implication or otherwise, to incite to or to encourage the commission of any offence of murder or any offence involving violence, or to express approval or admiration of any such offence, or of any person, real or fictitious",

and so on and so forth.

This, Sir, is clearly dangerous in Chief Justice Jenkins' view, and I know the biggest attack will be made against it on the floor of this House and outside this House. Sir, Chief Justice Jenkins condemned this operative clause, in the famous Mahomed Ali case in unforgettable words. In that particular case it was a pamphlet that was considered by the High Court and in future it will not be pamphlets alone but newspapers containing words of the nature described in sub-section (1) of section 4, I do not know whom I should congratulate for sticking, with that eminent consistency for which bureaucrats are so well known, to almost the identical clause. I do not know whether I should congratulate my friend, Sir Lancelot Graham (Laughter). Consistency is certainly one of his virtues, and one of the virtues of this particular Bill,—very ably drafted, very carefully drafted, very ambitiously drafted, and most comprehensively drafted! It does not want to leave a single loophole for any offending newspaper, offending, mind you, not according to a court

[Mr. C. S. Ranga Iyer.]

of law, but offending according to the Magistrate, the executive officer. I shall come to that presently ; but let me pronounce the condemnation of Chief Justice Jenkins of the Calcutta High Court ; and after pronouncing that condemnation, I shall see what effect the condemnation has had on the draftsman of this Bill and on the Government which has introduced this Bill. Sir, according to Chief Justice Jenkins :

“The provisions of section 4 are very comprehensive, and its language is as wide as human ingenuity could make it.” (Laughter.)

Yes. It is as wide in this Bill as human ingenuity can make it.

“Indeed, it appears to me to embrace the whole range of varying degrees of assurance, from certainty on the one side to the very limits of impossibility on the other.” (Laughter.)

“It is difficult to see to what lengths the operation of this section might not plausibly be extended by an ingenious mind. They would certainly extend to writings that may even command approval.”

“An attack on that degraded section of the public which lives on the misery and shame of others would come within this widespread net : the praise of a class might not be free from risk. Much that is regarded as standard literature might undoubtedly be caught.”

And, Sir, that section is being retained in spite of that pronouncement.

Mr. K. Ahmed : What is the reference ?

Mr. C. S. Ranga Iyer : I must inform my Barrister friend, the Honourable Mr. K. Ahmed, the reference is : *Indian Law Reports, Calcutta Series, 1914, the Mahomed Ali case (The late Mr. Mahomed Ali of Comrade fame).*

Mr. K. Ahmed : All right, thank you, Sir.

Mr. C. S. Ranga Iyer : I am delighted that the Honourable gentleman also considers that it is all right. (Laughter.)

Mr. K. Ahmed : My learned friend is taking advantage of the situation. I merely asked for a reference and he is taking advantage of it and making out a point which does not arise. I am sure no amount of books of logic will support his case, nor an inference of the kind can rightly be drawn.

Mr. C. S. Ranga Iyer : Then the Honourable gentleman differs from the Chief Justice of Calcutta. (Laughter.)

Mr. K. Ahmed : I never said anything of the kind either this way or the other. He is talking of something which is quite an irrelevant conclusion of his.

Mr. C. S. Ranga Iyer : If a Barrister of the Calcutta High Court were to consider the pronouncement of the Chief Justice Jenkins on sub-clause (1) of clause 4 of this Bill as irrelevant, then I am sorry to say that the Barrister is living in a paradise of his own laughter.

Mr. K. Ahmed : My Honourable friend is talking without any sense or logic, and without any reference to the question under discussion and I have yet to see how he has got a leg to stand upon. (Laughter.)

Mr. President : Order, order : The speech should now be resumed.

Mr. C. S. Ranga Iyer : I thank you, Sir.

Sir, the most important point that we on this side make is against sub-clause (1) of clause 4 of this Bill. That is the crux of the whole Bill. If the operative clause had been put in the preamble itself, I would have welcomed it, because it would then have shown as by a flash of light the intention of the Government. Read in the light of this operative clause, the most objectionable sentence that follows is "any offence involving violence". So far as murder is concerned, I can understand it. So far as the glorification of an assassin is concerned, perhaps I might make a few observations, I have no sympathy with him, constitutionalist as I am. But I know from the experience of various Indian newspapers and my own, that this one little sentence, this one little phrase—"any offence involving violence"—puts in the hands of the Government a weapon to proceed against any newspaper which is not friendly with the Government and any newspaper which is not in the good books of the district officer. Sir, when Mr. Lambert was the Secretary to the Government of the United Provinces (Mr. as he then was) I was the recipient along with Pandit Jawahirlal Nehru as the Editor of the *Independent* of a *locus poenitentiae* contained in a letter which has since become public property. I rejected that bureaucratic benevolence. I was proceeded against by the United Provinces Government and given one year's rigorous imprisonment in His

5 P.M.

Majesty's hotels, vulgarly called the jails, because I received the very best attention anybody could receive. I had also a special train to proceed from Allahabad to Agra which few politicians or, for the matter of that, officials have. (Interruption by Mr. Amar Nath Dutt.) My friend, Mr. Amar Nath Dutt, says that even the Executive Councillors must have looked at it with an amount of pardonable envy. And the charge that was levelled at me at the time—and the intention of the Government was obviously to proceed against me under section 124-A—was the preaching of violence, while I was associated with Mahatmaji at the time and the late Pandit Motilal Nehru and my paper was preaching at the time not violence but non-violence. It was condemning the violence of the Government, and in every article that we had published we had said that the policy that the Government was adopting in Rai Bareli, where some Talukdars had taken rather drastic action or something of that nature, when innocent *kisans* had been shot,—would strain the nerves of the people. We called upon the people, in spite of the drastic action of the Government, to remain non-violent and we said in that article that if there were violence in our movement, let it be the violence that is inflicted upon us. I replied to the letter of the United Provinces Government that I had not preached violence but condemned official violence and would continue to condemn it. And then what happened? They did not proceed against me under section 124-A but they proceeded under section 108, otherwise I would not have been a Member of this Legislature, because it was a security section under which there could be no conviction, speaking legally. Now, Sir, if a newspaper in Bengal,—wherefrom Mr. Arthur Moore carries on his controversial campaign against his professional rivals who are likely to come under this Press Act though he might incidentally increase the circulation of his own paper by getting them suppressed,—were to say: "If the Government were to behave so disgracefully as they did behave in Bombay to which Congress hospital was a witness, when on a peaceful procession they let loose men armed with *lathis* to play on their backs, to wound them, to kill them or to send them

[Mr. C. S. Ranga Iyer.]

to a hospital wherefrom they never returned without losing a limb". If such an event takes place, a newspaper in Bengal is bound to say that "These things will stir the blood of the people". If it says so, there is an insinuation because there is the phrase—"bound to stir the blood of the people". The paper does not say: "Go and retaliate violently": it says: "Adhere to Gandhi: do not lose your heads, though these are the occasions when we are bound to lose our heads. It strains our feelings: it makes us behave as they do in Europe and as they did in Ireland and America. On occasions like this violence is met with violence: but that will be a most foolish thing to do, a most dangerous thing to do, because it would defeat our non-violent movement". If a paper were to write like that, then what would happen? This operative clause of section 4 comes into operation and punishes the Press. The Press cannot escape punishment because the section says "are likely or may have a tendency, directly or indirectly, whether by inference, suggestion, allusion, metaphor, implication or otherwise". (Laughter).

Mr. K. Ahmed: Why don't you let the Bill come from the Committee?

Mr. C. S. Ranga Iyer: I propose to ignore the Honourable gentleman.

And, Sir, it is this "otherwise" which was commented upon by Justice Jenkins in the following words. He said:

"Nor is that all, for we find that the Legislature has added to this, the all-embracing phrase 'or otherwise'."

I do hope that this Legislature, after the warning of Chief Justice Jenkins of Calcutta, will not repeat that blunder.

Then, we may be told by the Honourable the Home Member that when a forfeiture of security is made, there is an appeal to the High Court. Here is another fundamental objection. It is bad enough in all conscience that the District Magistrate or the Deputy Commissioner is to set up the criterion of journalistic goodness, but it is much worse, I say, that there should be no right of appeal to the High Court before the security is deposited. We are invited to deposit a security not as under the old Press Act of a maximum of Rs. 2,000, but if it pleases the Magistrate and if the paper is supposed to have offended in the past—mark not in the present or in the future—if it is supposed to have offended in the past, we are invited to deposit a security of Rs. 5,000. I think it is not necessary to read that clause because I believe the Honourable the Home Member agrees with my statement.

Mr. K. Ahmed: That will be considered in the Select Committee.

Mr. C. S. Ranga Iyer: We have got to consider it now. What we say here is not only being heard in the galleries, but it is being overheard by a good many millions out in the country. It is being heard in this House also. In the open day light let us have a little bit of plain speaking as to what we consider this Bill to be before we think of going to the Select Committee.

Mr. K. Ahmed: Sir, I think.....

Mr. President : I have called the Honourable Member to order several times.

Mr. C. S. Ranga Iyer : That is a very important matter. Before a security is deposited.....

Mr. K. Ahmed : I rise to a point of order, Sir. Is there a time limit for speeches ?

Mr. President : Will the Honourable Member tell me what his point of order is ?

Mr. K. Ahmed : Is there no time limit for a speaker ?

Mr. President : The Honourable Member is referred to Rules and Standing Orders. (Laughter.) There is no time limit when legislation is being discussed.

Mr. Gaya Prasad Singh : And yet the Honourable Member has been one of the oldest Members of the House.

Mr. C. S. Ranga Iyer : That is a matter which has to be regulated in the Select Committee. This is what the sub-clause says :

“(3) Whenever it appears to the Local Government that any printing-press kept in any place in the territories under its administration, in respect of which a declaration was made before the commencement of this Act under section 4 of the Press and Registration of Books Act, 1867, is used for any of the purposes described in section 4, sub-section (1), the Local Government may, by notice in writing, require the keeper of such press to deposit with the Magistrate within whose jurisdiction the press is situated security to such an amount, not being less than five hundred or more than five thousand rupees as the Local Government may think fit to require, in money or the equivalent thereof in securities of the Government of India.”

Sir, this is another unusual feature of the Press Bill. According to the old Press Act, you were asked to deposit security up to a maximum of Rs. 2,000, but according to the new Press Bill, apart from this Rs. 2,000, there is another Rs. 5,000. Under the old Press Act, the keeper of the press alone was expected to deposit security, but under this Bill not only the keeper of the press is called upon to deposit security, but also the publisher of the paper is called upon to deposit security. That is trying to wring out in these impecunious times more money, and for an impecunious Government perhaps this is an attractive way of making money. (Laughter.) They are trying to wring out of these newspapers and presses, Rs. 20,000, whereas in better times they wanted only Rs. 10,000 maximum.

Then, Sir, the other ugly features of the old Press Act are retained in this and as the subject is important I must go into it fully.

(At this stage Mr. President vacated the Chair which was taken by Mr. Deputy President.)

When the security is forfeited, the burden lies upon the offending keeper of the press ; he has to prove the negative of the Act. On this I will invite the attention of the House to the judgment of Chief Justice Jenkins on the impropriety, I would not call it impropriety, because it would not be correctly representing the opinion of that esteemed Judge, I would just invite your attention to the serious nature of a procedure like that, that is inviting the applicant to prove the

[Mr. C. S. Ranga Iyer.]

negative of the Act as interpreted in the operative sub-clause (1) of clause 4. He says :

“ The Advocate General has admitted and I think very properly that the pamphlet is not seditious and does not offend against any provision of the criminal law of India.”

This measure is meant not for newspapers which offend against the criminal law of India nor for suppressing sedition, but for suppressing the Press.

The Chief Justice goes on :

“ But he has contended and rightly in my opinion is that the provisions of the Press Act extend far beyond the Criminal law and he has argued ”,

and that argument applies to this particular Bill which we are considering to-day,

“ he has argued that the burden of proof is cast on the applicant so that however meritorious the pamphlet may be, still if the applicant cannot establish the negative, the Act requires, his application must fail, what is the negative. It is not enough for the applicant to show that the words of the pamphlet are not likely to bring into hatred or contempt any class or section of His Majesty's subjects in British India or that they have not a tendency in fact to bring about that result, but he must go further and show that it is impossible for them to have that tendency either directly or indirectly and whether by way of inference, suggestion, allusion, metaphor or implication. Nor is that all, for we find that the Legislature has added to this the all-embracing phrase ‘ or otherwise ’.”

Sir, this is an objection which must go from this Bill, an objection which has been pointed out by as great an authority as the Chief Justice of the biggest High Court in India.

Then, we come to the powers of the High Court. There is a sort of shadowy provision in this Bill about the powers of the High Court :

“ Any person having an interest in any property in respect of which an order of forfeiture has been made under section 4, section 6, section 8, section 10 or section 19 may, within two months from the date of such order, apply to the High Court for the local area in which such order was made, to set aside such order on the ground that the newspaper, book or other document in respect of which the order was made did not contain any words, signs or visible representations of the nature described in section 4, sub-section (1).”

That is narrowing the jurisdiction of the High Court with a vengeance. In the words of Chief Justice Jenkins :

“ The High Court's power of intervention is the narrowest : Its power to pronounce on the legality of the forfeiture by reason of failure to observe the mandatory condition of the Act is barred : The ability to pronounce on the wisdom of the executive order is withheld : and its functions are limited to considering whether the applicant to it has discharged the almost hopeless task of establishing that his pamphlet ”,

in the present case, any and every writing,

“ does not contain words which fall within the all-comprehensive provision of the Act.”

(Interruption by Mr. K. Ahmed.)

You may think so but Chief Justice Jenkins of Calcutta does not think so and people in this House believe his to be the better opinion than your own whatever you may think of it.

“ I describe it ”

says Chief Justice Jenkins :

“ as an almost hopeless task because the terms of section 4 are so wide that it is scarcely conceivable that any publication would attract the notice of the Government in this connection to which some provision of that section might not ‘ directly or indirectly, whether by inference, suggestion, allusion, metaphor, implication or otherwise ’, apply. I have said that the ability to pronounce on the wisdom or unwisdom of executive action has been withheld.”

So is it being withheld in this Press Bill. I wonder why Government, after the guidance that they have received from such a high quarter, have withheld it. Sir, this is also a matter which will have to be considered very carefully and this House cannot accept this Bill with these reactionary clauses in it. Under it future Judges will be as helpless as Justice Jenkins.

Sir, I must now only compare the urgency that Government have felt on this occasion to a similar urgency that the Government in the nineteenth century appear to have felt. Lord Lytton as the author of the Vernacular Press Act, the first Press Act that disgraced the Statute-book, sent the following telegram to the Secretary of State in 1878 when he said :

“ We have accordingly prepared a Bill and I propose to pass it at a single sitting on the plea of urgency, which is not fictitious, afterwards reporting to you our proceedings in detail. If the measure becomes an accomplished fact and declared by us as urgently necessary in the interests of public safety it will probably be accepted with far less objection than if it had formed the subject of previous discussion.”

Therefore, when Mr. Moore says that we must pass it quickly, I can only say that he is living in the spacious days,—were those days so spacious as these ?—of Lord Lytton. Sir, the liberties of the Press are being assailed by this Bill. What are the liberties of the Press ?

“ The liberty of the press ”

says Lord Mansfield,

“ consists in printing without any previous license subject to the consequences of law.”

“ The law of England ”

says Lord Ellenborough, another great Judge,

“ is a law of liberty, and consistently with this liberty we have not what is called an imprimatur. There is no such preliminary license necessary but if a man publishes a paper he is exposed to the penal consequences as he is in every other act, if it be illegal.”

Why should not the Government, if they found the ordinary law of the land not competent to deal with the situation, continue their policy of making Ordinances and taking all the odium on themselves ? Behind them there will not be the responsibility of the House. An Ordinance is an act of State. It is an act of the Governor General under the constitution, but it will not be an act of the Legislature....

Mr. Deputy President : May I ask the Honourable Member how long he will take to finish his speech ?

Mr. C. S. Ranga Iyer : I may take another hour.

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Mr. Deputy President : In that case I would suggest that the Honourable Member should resume his speech on the next discussion.

I should like to remind Honourable Members that His Excellency the Viceroy will address Members of the Indian Legislature at Eleven o'clock on Monday. The House will now adjourn till a quarter past twelve on Monday.

The Assembly then adjourned till a Quarter Past Twelve of the Clock on Monday, the 14th September, 1931.
