

Tuesday, 11th September, 1928

THE

# The Council of State Debates

(Official Report)

Volume II, 1928

*(11th September to 26th September 1928)*

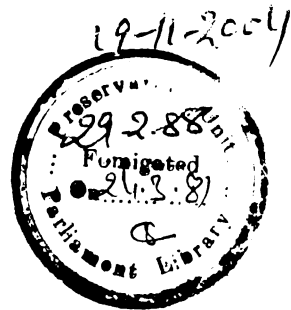
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FIFTH SESSION

of the

SECOND COUNCIL OF STATE

1928



CALCUTTA: GOVERNMENT OF INDIA  
CENTRAL PUBLICATION BRANCH  
1928

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## COUNCIL OF STATE:

*Tuesday, 11th September, 1928.*

The Council met in the Council Chamber, Viceregal Lodge, Simla, at Eleven of the Clock, being the first day of the Fifth Session of the Second Council of State, pursuant to section 63-D. (2) of the Government of India Act, the Honourable the President (the Honourable Sir Henry Moncrieff Smith, Kt., C.I.E.), was in the Chair.

### MEMBERS SWORN :

The Honourable Mr. Rama Prosad Mukherji (West Bengal: Non-Muhammadan) :

The Honourable Mr. Kenneth Brand Harper (Burma Chamber of Commerce) :

The Honourable Mr. Andrew Gourlay Clow, C.I.E. (Industries and Labour Secretary) :

The Honourable Mr. Bertrand James Glancy, C.S.I., C.I.E. (Political Secretary) :

The Honourable Sir John Perronet Thompson, K.C.I.E., C.S.I. (Delhi: Nominated Official) :

The Honourable Mr. Archibald Morven Macmillan, C.I.E. (Bombay: Nominated Official) :

The Honourable Khan Bahadur Sheikh Maqbul Husain, C.I.E. (United Provinces: Nominated Official) :

The Honourable Nawab Malik Muhammad Hayat Khan (Punjab: Nominated Official) :

### MESSAGE FROM HIS EXCELLENCY THE GOVERNOR GENERAL.

#### PANEL OF CHAIRMEN.

THE HONOURABLE THE PRESIDENT: I have a Message from His Excellency the Governor General. The Message is in the form of the following Order :

*"In pursuance of the provisions of sub-section (2) of section 63 A of the Government of India Act, I, Frederick Edward Lindley, Baron Irwin, hereby appoint the following Members of the Council of State to be on the panel of Chairmen of the Council of State :*

*In the first place, the Honourable Sir Phiroze Sethna, in the second place, the Honourable Khan Bahadur Maulvi Abdul Karim, in the third place, Rai Bahadur Lala Ram Saran Das, and, lastly, the Honourable Sir George Godfrey."*

(Sd.) IRWIN,

Viceroy and Governor General."

(The Message was received by the Members of Council standing.)

## COMMITTEE ON PETITIONS.

**THE HONOURABLE THE PRESIDENT :** Under Order 76 of the Council of State Standing Orders I am required at the commencement of the Session to constitute a Committee on petitions consisting of a Chairman and four Members. The following Honourable Members have at my request kindly consented to preside over and serve on the Committee. I hereby accordingly have much pleasure in nominating as Chairman of the Committee the Honourable Rai Bahadur Lala Ram Saran Das, and as Members, the Honourable Raja Sir Rampal Singh, the Honourable Sir Ebrahim Jaffer, the Honourable Mr. P. C. Desika Chari and the Honourable Sir Manmohandas Ramji.

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 QUESTIONS AND ANSWERS.

## NAMES AND QUALIFICATIONS OF PERSONS WHO CONSTITUTE THE BOARD OF EXAMINERS UNDER THE INDIAN MINES ACT, ETC.

1. **THE HONOURABLE MR. KUMAR SANKAR RAY CHAUDHURY :** Will the Government be pleased to state :—

(a) the names and respective qualifications of the persons who constitute the Board of Examiners for the examination of Managers for Mines under the Indian Mines Act ?

(b) the names and respective qualifications of the examiners selected by the Board of Examiners for holding the aforesaid examination for the last 5 years ?

(c) whether any of the teaching staff of the Dhanbad School of Mines or of the mining lecturers at evening classes for mining students are appointed as such examiners ; if not, why not ?

(d) the number of students who appeared and the number who passed in the examination for 1st and 2nd class Mine Managers' certificate during the last six years, and the number of unsuccessful attempts made by the students who finally passed ?

(e) whether more and more persons holding University degrees have been sitting for these examinations during the last five years, and how many of these persons have passed ?

(f) whether the aforesaid examinations are held to test the fitness of students for mine managership or whether students are tested on a competitive basis so that only a definite number of students are passed in different years ?

(g) whether the aforesaid examinations are held only once a year ?

(h) whether the time tables for holding the aforesaid examinations in different subjects are published beforehand ; if not, why ?

(i) whether alternative questions are set at the said examinations ?

(j) whether the answer papers of the examinees are preserved for some time after the results are published ; if so, how long ; if not, why not ?

(k) whether students are allowed to know the marks secured by them in different subjects ?

(l) whether notices to students to appear for the *viva voce* examination used previously to be sent by registered post, but are not so sent now ? If so, why has that change been made ?

**THE HONOURABLE MR. A. G. CLOW :** (a) The President of the Board of Examiners is Mr. R. R. Simpson, M.Sc., the Chief Inspector of Mines in India, and the members are Messrs. J. B. Wardlaw, J. Mackie and N. N. Sarkar. Messrs. Wardlaw and Mackie have over twenty years' mining experience in the Raniganj and Jharia coalfields, hold both British and Indian first class Certificates of Competency to manage a coal mine and have previously acted as Examiners. Mr. Sarkar has considerable experience of the management and superintendence of coal mines, and holds an Indian first class Certificate of Competency to manage a coal mine.

(b) As the list is a somewhat lengthy one, I propose to forward a copy to the Honourable Member.

(c) No, because it is desirable that those who may be preparing students for the examination should not themselves conduct it.

(d) The information will be supplied to the Honourable Member.

(e) The number of graduates appearing for the examination during the last five years has varied between one and three, but has not shown any tendency to increase. No graduate has succeeded in passing the examination during the years in question.

(f) The object of the examination is to test the competency of candidates to manage a mine.

(g) Yes.

(h) Detailed time tables have hitherto been supplied on the first day of the examination, but they will be supplied to candidates beforehand in future.

(i) No.

(j) Yes, for at least six months.

(k) Not as a general rule.

(l) Yes. The change was made on the score of economy, but it is now proposed to restore the previous practice.

**NUMBER OF EUROPEANS AND INDIANS EMPLOYED AS MANAGERS IN THE COAL MINES OWNED AND MANAGED BY THE STATE RAILWAYS, ETC.**

**2. THE HONOURABLE MR. KUMAR SANKAR RAY CHAUDHURY :** Will the Government be pleased to state the number of Europeans and Indians respectively, employed as managers in the coal mines owned and managed by the State Railways in India and the salaries and other amenities given to them, and their respective qualifications ?

**THE HONOURABLE SIR GEOFFREY CORBETT :** There are six such managers, all of whom are Europeans. They are on a graded scale of pay

ranging from Rs. 800 to Rs. 1,250 and draw overseas pay of £25 to £30 each. Three of them draw conveyance allowance of Rs. 45, 50 and 75 per mensem, respectively, and two others are given rent free quarters. All of them possess first class English colliery manager's certificates.

**NUMBER OF EUROPEANS AND INDIANS EMPLOYED AS MEDICAL OFFICERS ON THE STATE RAILWAYS.**

**3. THE HONOURABLE MR. KUMAR SANKAR RAY CHAUDHURY :** Will the Government be pleased to state the number of Europeans and Indians respectively employed as medical officers on the State Railways in India and the salaries and other amenities given to them and their respective qualifications ?

**THE HONOURABLE SIR GEOFFREY CORBETT :** The information desired by the Honourable Member is being collected and will be communicated to him in due course. I presume that among amenities he includes the right to private practice, and this information will be included in the reply.

**ERADICATION OF THE WATER HYACINTH FROM BENGAL, ASSAM AND BIHAR AND ORISSA.**

**4. THE HONOURABLE MR. KUMAR SANKAR RAY CHAUDHURY :** Does the Government contemplate taking any steps for the eradication of the water hyacinth from the three provinces of Bengal, Assam and Bihar and Orissa ? If so, what ?

**THE HONOURABLE KHAN BAHADUR SIR MUHAMMAD HABIBULLAH :** It is primarily for the Local Governments concerned to take such action as they deem necessary.

**POLITICAL DETENUS.**

**5. THE HONOURABLE MR. KUMAR SANKAR RAY CHAUDHURY :** Will the Government be pleased to state the number and names of persons still under detention under Bengal Regulation III of 1818 and the Bengal Criminal Law Amendment Act 1925, their state of health, the conditions of their detention and the places where they are detained ?

**THE HONOURABLE MR. H. G. HAIG :** I understand the Honourable Member refers to persons detained in connection with the Bengal revolutionary conspiracy. No such persons are at present detained under Regulation III, and only four are under restraint under the Bengal Criminal Law Amendment Act. Of these, three are in village domicile and one in home domicile. The health of all these four is reported to be generally satisfactory. Their names are : Panna Lal Mukharji, Jatindra Nath Das, Pratul Ganguli and Ramesh Chandra Acharji.

**CERTIFICATION BY THE GOVERNOR GENERAL OF THE EXPENDITURE ON THE SIMON COMMISSION.**

**6. THE HONOURABLE MR. KUMAR SANKAR RAY CHAUDHURY :** Will the Government be pleased to state what is the responsibility for the

discharge of which the expenses of the Simon Commission have been certified by the Governor General in Council ?

**THE HONOURABLE MR. E. BURDON :** The responsibilities in question are those which follow from the provisions of section 84-A of the Government of India Act.

**THE HONOURABLE MR. KUMAR SANKAR RAY CHAUDHURY :** Is the Government aware that by the Preamble to the Government of India Act, 1919, the responsibility for determining the future form of the Government of India rests entirely with the British Parliament ?

**THE HONOURABLE THE PRESIDENT :** The Honourable Member asked a question about finances and not about a constitution for India. The supplementary question that the Honourable Member has just now put hardly arises out of the original question.

#### REPORT OF THE TARIFF BOARD ON THE OIL INDUSTRY.

**7. THE HONOURABLE MR. KUMAR SANKAR RAY CHAUDHURY :** Will the Government be pleased to state whether the report of the Tariff Board on petroleum has been submitted to Government ? If so, what steps do the Government propose to take in the matter ?

**THE HONOURABLE SIR GEOFFREY CORBETT :** The Report and the Resolution of the Government of India thereon will be published to-morrow.

#### IMPORTATION OF ARTIFICIAL TEA.

**8. THE HONOURABLE MR. KUMAR SANKAR RAY CHAUDHURY :** Has the attention of the Government been drawn to the alleged importation of large quantities of artificial tea into India ? If so, what is the nature of this stuff, where is it imported from and what steps, if any, do the Government propose to take to prevent its importation ?

**THE HONOURABLE KHAN BAHADUR SIR MUHAMMAD HABIBULLAH :** The Government of India understand that imitation tea is manufactured at Virudhunagar in the Ramnad District of the Madras Presidency from the leaves of certain trees, and that this stuff is imported coastwise from Tuticorin to Bombay, etc., probably under other descriptions such as " Soap Nut Powder." It is also reported that there is some traffic in artificially coloured teas in Amritsar, but no information is available as to whether these are imported from outside and, if so, whence. With regard to the question of prevention of the importation of such teas, I may state that action has already been taken or is being taken by Local Governments to prescribe under their Food Adulteration Acts a standard quality of tea for sale for human consumption. In view of this the Government of India do not propose to take any further action in the matter.

#### THE RESERVE BANK BILL.

**9. THE HONOURABLE MR. KUMAR SANKAR RAY CHAUDHURY :** Will the Government be pleased to state whether they propose to bring the Reserve Bank Bill before the Legislature in the near future ? If so, when and in what form ?

**THE HONOURABLE MR. E. BURDON :** Government have no present intention of bringing up the Bill in the immediate future.



BILL BEFORE PARLIAMENT REGARDING THE AMENDMENT OF THE CONSTITUTION  
OF THE HIGH COURTS.

10. THE HONOURABLE MR. KUMAR SANKAR RAY CHAUDHURY : Will the Government be pleased to state whether they were consulted and, if so, what opinion they submitted on the Bill now before the British Parliament about the amendment of the constitution of the High Courts ?

THE HONOURABLE MR. H. G. HAIG : The Bill was the result of consultation between the Government of India and the Secretary of State. The Government of India were in agreement with the amendments included in the Bill.

CONSTRUCTION OF WAITING ROOMS FOR FEMALE PASSENGERS AND SHEDS FOR  
OTHER PASSENGERS AT FARIDPUR STATION.

11. THE HONOURABLE MR. KUMAR SANKAR RAY CHAUDHURY : Will the Government be pleased to state whether my previous question about the construction of waiting rooms for female passengers and sheds for other passengers at Faridpur railway station on the Eastern Bengal Railway has been forwarded to the Agent and what steps he has taken thereon ?

THE HONOURABLE SIR GEOFFREY CORBETT : The question was of course forwarded to the Agent of the Eastern Bengal Railway in accordance with the undertaking given to the Honourable Member. Government understand that the Agent is considering the reconstruction of the station as a whole, in which case he will no doubt consider to what extent the facilities mentioned by the Honourable Member should be provided in the new station.

THE ISSURDI-PABNA-SADHUGUNJ RAILWAY PROJECT.

12. THE HONOURABLE MR. KUMAR SANKAR RAY CHAUDHURY : Will the Government be pleased to state whether any investigation has been recently held into the Issurdi-Pabna-Sadhugunj railway project ? If so, what has been the result thereof and what steps do the Government propose to take thereon ?

THE HONOURABLE SIR GEOFFREY CORBETT : Investigation has recently been made into this project, and the Railway Board are awaiting the Agent's report on it.

CONSTRUCTION OF THE ARICHA DACCA RAILWAY.

13. THE HONOURABLE MR. KUMAR SANKAR RAY CHAUDHURY : Will the Government be pleased to state whether any advance has been made with regard to the construction of the Aricha Dacca Railway during the year 1928 ; if so, what is the nature thereof and at what stage is the construction of the said line now ?

THE HONOURABLE SIR GEOFFREY CORBETT : The construction has not yet been begun and the Government of India are in correspondence with the Secretary of State on this subject.

FATE OF BILLS PASSED BY THE LEGISLATIVE ASSEMBLY IN THE COUNCIL OF STATE.

14. THE HONOURABLE MR. KUMAR SANKAR RAY CHAUDHURY : Will the Government be pleased to furnish a tabular statement showing on how many occasions and in what cases Bills passed by the Legislative Assembly have been :—

- (a) thrown out by the Council of State, or
- (b) passed by the Council of State in a modified form, or
- (c) passed by the Council of State without any modification, and
- (d) in how many of the above cases have the Council of State acted in conjunction with and in how many cases against the views of the Government Members ?

THE HONOURABLE MR. S. R. DAS : (a) to (c). A statement is laid on the table.

(d) I must leave the Honourable Member to form his own conclusions from the Council of State Debates.

*Statement showing Bills passed by the Legislative Assembly and (a) thrown out by the Council of State, (b) passed by the Council of State in a modified form, and (c) passed by the Council of State without modification.*

Number of Bills.	Title of Bills.	Date of meeting of Council of State.
(a) 5	1. The Code of Criminal Procedure (Amendment) Bill. (Use of firearms). 2. The Indian Criminal Law Amendment (Repealing) Bill .. .. . 3. The Indian Railways (Amendment) Bill .. .. . 4. The Special Laws Repeal Bill .. .. . 5. The Criminal Law Repealing and Amending Bill .. .. .	15th September 1925. 23rd February 1925. 26th February 1925. 3rd September 1925. 7th September 1927.
(b) 19	1. The Indian Finance Bill .. .. . 2. The Indian Income-Tax Bill .. .. . 3. The Indian Official Secrets Bill .. .. . 4. The Cantonments (House Accommodation) Amendment Bill .. .. . 5. The Workmen's Compensation Bill .. .. . 6. The Indian Penal Code (Amendment) Bill .. .. . 7. The Criminal Law Amendment Bill. (Racial Distinctions) .. .. . 8. The Indian Coinage (Amendment) Bill .. .. . 9. The Indian Trade Unions Bill .. .. . 10. The Prisons (Amendment) Bill .. .. . 11. The Indian Finance Bill .. .. . 12. The Indian Penal Code (Amendment) Bill. (Sections 375 and 376) .. .. .	23rd March 1921. 23rd February 1922. 8th March 1923. 14th February 1923. 22nd February 1923. 15th March 1923. 1st March 1923. 6th March 1924. 25th February 1926. 4th March 1925. 20th March 1925. 10th September 1925.

Number of Bills.	Title of Bills.	Date of meeting of Council of State.
(b) 19— <i>contd.</i>	13. The Coal Grading Board Bill .. .. 14. The Legal Practitioners (Amendment) Bill .. 15. The Indian Bar Councils Bill .. .. 16. The Madras Civil Courts (Amendment) Bill .. .. 17. The Indian Limitation (Amendment) Bill. (Article 182) .. .. 18. The Societies Registration (Amendment) Bill .. 19. The Indian Finance Bill .. ..	14th September 1925. 25th February 1926. 31st August 1926. 23rd February 1926. 10th March 1927. 22nd February 1927. 26th March 1927.
(c) 152	1. The Legislative Assembly (Deputy President's Salary) Bill .. .. 2. The Indian Tea Cess (Amendment) Bill .. .. 3. The Indian Penal Code (Amendment) Bill .. .. 4. The Indian Limitation (Amendment) Bill .. .. 5. The Indigo Cess (Amendment) Bill .. .. 6. The Import and Export of Goods (Amendment) Bill .. .. 7. The Calcutta University Bill .. .. 8. The Indian Electricity (Amendment) Bill .. .. 9. The Hindu Transfers and Bequests (City of Madras) Bill .. .. 10. The Indian Factories (Amendment) Bill .. .. 11. The Indian Emigration Bill .. .. 12. The Civil Marriage (Amendment) Bill .. .. 13. The Negotiable Instruments (Amendment) Bill .. .. 14. The Carriers (Amendment) Bill .. .. 15. The Indian Post Office (Amendment) Bill .. .. 16. The Indian Marine (Amendment) Bill .. .. 17. The Indian Works of Defence (Amendment) Bill .. .. 18. The Indian Lac Cess Bill .. .. 19. The Press Law Repeal and Amendment) Bill .. .. 20. The Musalman Waqf Registration Bill .. .. 21. The Code of Civil Procedure (Amendment) Bill .. .. 22. The Delhi University Bill .. .. 23. The Civil Procedure (Amendment) Bill. (Fraudulent Suits) .. .. 24. The Police (Incitement to Disaffection) Bill .. 25. The Code of Criminal Procedure (Amendment) Bill. (Amendment of Section 4.) .. 26. The Indian Lunacy (Amendment) Bill .. .. 27. The Indian Ports (Amendment) Bill .. .. 28. The Married Women's Property Bill .. .. 29. The Indian Finance Bill .. .. 30. The Cotton Transport Bill .. .. 31. The Criminal Tribes (Amendment) Bill .. ..	23rd February 1921. 28th February 1921. 27th September 1921. 1st March 1922. 21st March 1921. 21st March 1921. 26th March 1921. 23rd January 1922. 26th March 1921. 23rd January 1922. 28th February 1922. 17th July 1923. 27th September 1921. 27th September 1921. 27th September 1921. 26th September 1921. 26th September 1921. 27th September 1921. 28th September 1921. 28th March 1922. 27th July 1923. 19th July 1923. 28th February 1922. 1st March 1922. 25th September 1922. 24th July 1923. 23rd February 1922. 28th March 1922. 5th March 1923. 24th March 1922. 14th February 1923. 26th January 1923.

Number of Bills.	Title of Bills.	Date of meeting of Council of State.
(c) 152— <i>contd.</i>	32. The Charitable and Religious Trusts (Amendment) Bill .. .. .	29th July 1923.
	33. The Court fees (Amendment) Bill .. .. .	23rd September 1922.
	34. The Parsi Marriage and Divorce (Amendment) Bill .. .. .	23rd September 1922.
	35. The Negotiable Instruments (Amendment) Bill .. .. .	23rd September 1922.
	36. The Indian Boilers Bill .. .. .	15th February 1923.
	37. The Official Trustees and Administrator General's Acts (Amendment) Bill .. .. .	23rd September 1922.
	38. The Indian Transfer of Ships Restriction (Repealing) Bill .. .. .	26th September 1922.
	39. The Indian Mines Bill .. .. .	15th February 1923.
	40. The Indian Naval Armament Bill .. .. .	20th February 1923.
	41. The Indian Cotton Cess Bill .. .. .	8th March 1923.
	42. The Indian Factories (Amendment) Bill .. .. .	22nd February 1923.
	43. The Malabar (Completion of Trials) Supplementing Bill .. .. .	15th February 1923.
	44. The Indian Stamp (Amendment) Bill .. .. .	24th July 1923.
	45. The Indian Paper Currency Bill .. .. .	27th February 1923.
	46. The Repealing and Amending Bill .. .. .	27th February 1923.
	47. The Government Savings Banks (Amendment) Bill .. .. .	8th March 1923.
	48. The Indian Income-Tax (Amendment) Bill .. .. .	8th March 1923.
	49. The Legal Practitioners (Women) Bill .. .. .	26th March 1923.
	50. The Cantonments Bill .. .. .	14th February 1924.
	51. The Moorshedabad (Amendment) Bill .. .. .	19th July 1923.
	52. The Code of Civil Procedure (Amendment) Bill .. .. .	19th July 1923.
	53. The Code of Criminal Procedure (Second Amendment) Bill .. .. .	24th July 1923.
	54. The Indian Territorial and Auxiliary Forces (Amendment) Bill .. .. .	24th July 1923.
	55. The Indian Army (Amendment) Bill .. .. .	24th July 1923.
	56. The Indian Income-Tax (Further Amendment) Bill .. .. .	19th July 1923.
	57. The Indigo Cess (Repealing) Bill .. .. .	19th July 1923.
	58. The Indian Paper Currency (Amendment) Bill .. .. .	19th July 1923.
	59. The Indian Lunacy (Amendment) Bill .. .. .	24th July 1923.
	60. The Cutchi Memons (Amendment) Bill .. .. .	24th July 1923.
	61. The Land Acquisition (Amendment) Bill .. .. .	27th July 1923.
	62. The Indian Electricity (Amendment) Bill .. .. .	27th July 1923.
	63. The Indian Ports (Amendment) Bill .. .. .	27th July 1923.
	64. The Immigration into India Bill .. .. .	13th February 1924.
	65. The Indian Penal Code (Amendment) Bill .. .. .	6th March 1924.
	66. The Indian Income-Tax (Amendment) Bill .. .. .	25th March 1924.
	67. The Indian Cotton Cess (Amendment) Bill .. .. .	12th February 1924.
	68. The Indian Tariff (Amendment) Bill .. .. .	13th March 1924.
	69. The Indian Merchant Shipping (Amendment) Bill .. .. .	12th March 1925.
	70. The Central Board of Revenue Bill .. .. .	6th March 1924.

Number of Bills.	Title of Bills.	Date of meeting of Council of State.
(c) 152— <i>contd.</i>	71. The Indian Criminal Law (Amendment) Bill	19th September 1924.
	72. The Sea Customs (Amendment) Bill ..	13th March 1924.
	73. The Repealing and Amending Bill ..	11th March 1924.
	74. The Indian Registration (Amendment) Bill	3rd March 1926.
	75. The Imperial Bank of India (Amendment) Bill ..	19th September 1924.
	76. The Steel Industry (Protection) Bill ..	9th June 1924.
	77. The Land Customs Bill ..	23rd September 1924.
	78. The Cotton Ginning and Pressing Factories Bill ..	12th March 1925.
	79. The Indian Post Office (Amendment) Bill ..	19th September 1924.
	80. The Workmen's Breach of Contract (Repealing) Bill ..	5th February 1925.
	81. The Indian Merchant Shipping (Amendment) Bill ..	3rd February 1925.
	82. The Indian Paper Currency (Amendment) Bill ..	5th February 1925.
	83. The Legislative Assembly (President's Salary) Bill ..	26th February 1925.
	84. The Indian Income-Tax (Amendment) Bill ..	20th February 1925.
	85. The Transfer of Property (Amendment) Bill ..	22nd March 1926.
	86. The Indian Carriage of Goods by Sea Bill ..	14th September 1925.
	87. The Contempt of Courts Bill ..	2nd March 1926.
	88. The Indian Tariff (Amendment) Bill ..	23rd March 1925.
	89. The Cantonments (Amendment) Bill ..	3rd March 1925.
	90. The Cantonments (House Accommodation) (Amendment) Bill ..	12th March 1925.
	91. The Indian Income-Tax (Second Amendment) Bill. (Section 18) ..	23rd March 1925.
	92. The Indian Stamp (Amendment) Bill ..	23rd March 1925.
	93. The Indian Cotton Cess (Amendment) Bill ..	24th March 1925.
	94. The Salt Law Amendment Bill ..	7th September 1925.
	95. The Code of Civil Procedure (Amendment) Bill. (Section 60) ..	7th September 1925.
	96. The Indian Naturalization Bill ..	23rd February 1926.
	97. The Insolvency (Amendment) Bill ..	23rd February 1926.
	98. The Code of Civil Procedure (Amendment) Bill. (Sections 102 and 103) ..	23rd February 1926.
	99. The Legislative Members Exemption Bill ..	7th September 1925.
	100. The Indian Limitation (Amendment) Bill ..	16th September 1925.
	101. The Religious Endowments (Amendment) Bill ..	7th September 1925.
	102. The Code of Criminal Procedure (Amendment) Bill. (Sections 170, 200, 203, 476) ..	16th February 1926.
	103. The Sikh Gurdwaras (Supplementary) Bill ..	7th September 1925.
	104. The Provident Funds (Amendment) Bill ..	14th September 1925.
	105. The Opium (Amendment) Bill ..	14th September 1925.
	106. The Bamboo Paper Industry (Protection) Bill	16th September 1925.
	107. The Government Trading Taxation Bill ..	16th February 1926.
	108. The Indian Factories (Amendment) Bill ..	22nd March 1926.
	109. The Guardians and Wards (Amendment) Bill	16th February 1926.

Number of Bills.	Title of Bills.	Date of meeting of Council of State.
(c) 152— contd.	110. The Small Cause Courts (Attachment of Immoveable Property) (Amendment) Bill ..	16th February 1926.
	111. The Indian Lunacy (Amendment) Bill ..	16th February 1926.
	112. The Code of Civil Procedure (Second Amendment) Bill .. .. .	22nd March 1926.
	113. The Legal Practitioners (Fees) Bill .. ..	22nd March 1926.
	114. The Code of Criminal Procedure (Second Amendment) Bill. [Section 123 (6)] .. ..	23rd February 1926.
	115. The Indian Tariff (Amendment) Bill .. ..	19th March 1926.
	116. The Indian Income-Tax (Amendment) Bill ..	22nd March 1926.
	117. The Promissory Notes (Stamp) Bill .. ..	25th February 1926.
	118. The Steel Industry (Amendment) Bill .. ..	23rd February 1926.
	119. The Delhi Joint Water Board Bill .. ..	22nd March 1926.
	120. The Madras Civil Courts (Second Amendment) Bill .. .. .	19th March 1926.
	121. The Indian Finance Bill .. .. .	22nd March 1926..
	122. The Cotton Industry (Statistics) Bill .. ..	22nd March 1926.
	123. The Indian Divorce (Amendment) Bill .. ..	22nd March 1926.
	124. The Workmen's Compensation (Amendment) Bill .. .. .	28th August 1926.
	125. The Usurious Loans (Amendment) Bill .. ..	28th August 1926.
	126. The Negotiable Instruments (Interest) Bill ..	28th August 1926.
	127. The Provincial Insolvency (Amendment) Bill ..	31st August 1926.
	128. Indian Succession (Amendment) Bill .. ..	31st August 1926.
	129. The Code of Criminal Procedure ( Third Amendment) Bill .. .. .	31st August 1926.
	130. The Indian Merchant Shipping (Amendment) Bill .. .. .	6th September 1927.
	131. The Indian Income-Tax (Amendment) Bill ..	7th March 1928.
	132. The Currency Bill .. .. .	25th March 1927.
	133. The Steel Industry (Protection) Bill .. ..	1st March 1927.
	134. The Indian Securities (Amendment ) Bill .. ..	15th September 1927.
	135. The Indian Limitation (Amendment) Bill. (Sections 20 and 21) .. .. .	11th February 1927.
	136. The Indian Registration (Amendment) Bill ..	11th February 1927.
	137. The Insolvency (Amendment) Bill .. ..	30th August 1927.
	138. The Indian Divorce (Amendment) Bill .. ..	6th September 1927.
	139. The Indian Bar Councils (Amendment) Bill.. ..	6th September 1927.
	140. The Repealing Bill .. .. .	2nd September 1927..
	141. The Indian Tariff (Amendment) Bill .. ..	17th September 1927.
	142. The Indian Tariff (Cotton Yarn Amendment) Bill .. .. .	17th September 1927..
	143. The Bamboo Paper Industry (Protection) Bill .. .. .	15th September 1927..
	144. The Criminal Law Amendment Bill .. ..	21st September 1927.
	145. The Indian Income-Tax (Amendment) Bill. (Section 59) .. .. .	19th September 1927.
	146. The Cantonments (Amendment) Bill .. ..	19th September 1927..
	147. The Indian Emigration (Amendment) Bill .. ..	19th September 1927..
	148. The Inland Bonded Warehouses (Amendment) Bill .. .. .	12th March 1928.

Number of Bills.	Title of Bills.	Date of meeting of Council of State.
(c) 152— <i>concl.</i>	149. The Indian Merchant Shipping (Amendment) Bill .. .. . 150. The Indian Tariff (Amendment) Bill .. .. . 151. The Indian Finance Bill .. .. . 152. The Steel Industry (Protection) Bill .. .. .	22nd March 1928. 22nd March 1928. 22nd March 1928. 22nd March 1928.

#### RELIEF FOR THE FAMINE-STRICKEN PEOPLE OF BENGAL.

15. **THE HONOURABLE MR. KUMAR SANKAR RAY CHAUDHURY :** Will the Government be pleased to state whether the Central Government or the Provincial Governments are in charge and control of the Famine Insurance Fund and whether the Bengal Government has asked for any help from the Central Government either by way of a loan or otherwise for purposes of giving relief to the famine-stricken people of Bengal? If so, what has the Central Government done or what does it propose to do in the matter and upon what terms and conditions?

**THE HONOURABLE MR. E. BURDON :** Under Rule 29 of the Devolution Rules, the Famine Insurance Fund, which is essentially the means through which finance for the relief of famine is secured to the Provincial Governments, is controlled and administered by the Provincial Governments concerned, in accordance with the provisions of Schedule IV to those Rules. The Government of India have received no application from the Government of Bengal for any help by way of loan or otherwise for purposes of giving relief to the famine-stricken people of Bengal.

#### RECENT STRIKE AT LILLOOAH AND HOWRAH.

16. **THE HONOURABLE MR. KUMAR SANKAR RAY CHAUDHURY :** Will the Government be pleased to state the cause, nature and result of the recent strike of the railway workers at Lillooah and Howrah and what negotiations took place, if any, to bring about a settlement?

**THE HONOURABLE SIR GEOFFREY CORBETT :** The alleged cause of the strike, according to a statement made at the time by the General Secretary of the East Indian Railway Union, Khagaul, was the discharge of four workmen from the workshops. But actually the men had, on the 1st of March, threatened to take direct action unless their wages were increased within a week, and communicated this threat to the Agent through the General Secretary of the Union; and it was, Government presume, because their demands were not being acceded to in full that the men downed tools on mid-day of the 5th of March. As they continued to refuse to work the Agent announced on the 7th March that the workshops would be closed until further notice. Subsequently on the 12th of March the Agent gave an interview to the President and the General Secretary of the Union and a representative of the workmen at which the deputation made certain demands including those previously made on the 1st of March to none of which was the Agent able to agree.

Between this date, and the 10th July, there were no direct negotiations between the Agent and the Union. On the 10th July the strike collapsed and the men resumed work *en masse*.

On the 30th July, as a result of the circulation of an unfounded statement that the Agent had promised to redress alleged grievances within 15 days, there was a recurrence of the trouble at Lillooah accompanied by disorderly behaviour in the shops, and the Agent found it necessary to warn the men that unless they worked properly the shops would again be closed. The men thereupon decided to adopt passive resistance, and the Agent closed the shops again on the evening of the 30th July. On the 6th of August the Agent issued a notification to the workshop staff enumerating various requests which had been made to him by the workmen in a letter of the 31st of July, which were almost entirely a repetition of their previous demands. He repeated the assurance already given to them that there would be no victimization and that certain men who had been dismissed at Ondal and Asansol would be re-engaged as vacancies occurred, but rejected the rest of their demands. At the same time he announced that as a result of an investigation into the pay of certain classes of the lowest paid staff in the Lillooah and Calcutta workshops, which he had previously undertaken to make, he proposed to grant certain increases from the 1st of August, and also to institute an enquiry into the housing conditions of the workshop staff at Lillooah. He further told the men that the shops would be re-opened on August 8th and warned them that anyone returning to work and subsequently found creating a disturbance or inciting others to stop work would be immediately dismissed, and that in the event of a general disturbance he would close the shops for at least a month. He gave the men until the 15th of August to return to work, failing which they would be treated as having resigned and would be settled up on application. After this announcement there was a full attendance when the shops were re-opened, and there has since been no trouble or disturbance of any kind.

PREVENTION OF GOVERNMENT SERVANTS FROM JOINING OR CONTINUING TO BE MEMBERS OF ASSOCIATIONS, SEEKING REGISTRATION UNDER THE INDIAN TRADE UNIONS ACT.

17. THE HONOURABLE MR. KUMAR SANKAR RAY CHAUDHURY : Have the Central Government or the Government of Madras at their instance directed Government servants not to join or continue to be members of any associations which are seeking registration as Trade Unions under the Indian Trade Union Act? If so, why and for how long, and are such restrictions going to be removed or not?

THE HONOURABLE MR. H. G. HAIG : No such orders have been issued. The Government of India have under consideration the question of the registration of associations of Government servants under the Trade Unions Act, and they have informed Local Governments that, pending a decision on the revision of the rules governing the formation and conduct of such associations, they think it inadvisable that the associations should apply for registration.

REPORT OF THE INDIAN TRADE MISSION.

18. THE HONOURABLE MR. KUMAR SANKAR RAY CHAUDHURY : Will the Government be pleased to state what report, if any, have the Indian



Trade Mission submitted to Government and what effect are the Government giving to that report, and whether the report is going to be published, if so, when ?

**THE HONOURABLE SIR GEOFFREY CORBETT :** The Report of the Indian Trade Mission is now in the Press.

#### TRAINING OF INDIANS IN BANKING.

**19. THE HONOURABLE MR. KUMAR SANKAR RAY CHAUDHURY :** Will the Government be pleased to state whether the Indian Institute of Bankers has organised the training of Indians in banking ? If so, what is the curriculum laid down by the Institute for the purpose and what rules and regulations have been prescribed by the Institute for such training, and do the Government retain any control over the Institute in respect of this matter ?

**THE HONOURABLE MR. E. BURDON :** The Indian Institute of Bankers is not a Government institution and is not under Government control. Among its objects are the following :—

1. To encourage the study of the theory of Banking, and for that purpose to institute a scheme of examinations.
2. To promote information on Banking and kindred subjects by lectures, discussions, books, etc.
3. To collect and circulate statistics and other information relating to the business of Banking in India.

It is understood that a Committee appointed by the Institute has drawn up a syllabus of examinations, which is under consideration, and that it has been decided to hold the first examination in the spring of next year. I would suggest that the Honourable Member should obtain any further information, which he may desire, direct from the Institute itself.

#### SUPPLY OF ADVANCE COPIES OF ALL GOVERNMENT PUBLICATIONS TO *New India*.

**20. THE HONOURABLE MR. KUMAR SANKAR RAY CHAUDHURY :** Will the Government be pleased to state whether the privilege of receiving advance copies of all Government publications free of cost was asked for by the newspaper *New India* of Madras and was refused by the Government of India ? If so, why was it refused ?

**THE HONOURABLE KHAN BAHADUR SIR MUHAMMAD HABIBULLAH :** The statement is correct. Government have been compelled as a measure of economy to restrict the free supply of their publications to a minimum.

#### DIVERSION BY THE ARMY DEPARTMENT OF SUMS SANCTIONED IN THE ARMY BUDGET FROM ONE BRANCH OF EXPENDITURE TO ANOTHER.

**21. THE HONOURABLE MR. KUMAR SANKAR RAY CHAUDHURY :** Is it a fact that the Government of India have granted latitude to the Army Department to divert sums sanctioned in the Army Budget from one branch of expenditure to another ?

**THE HONOURABLE MR. E. BURDON :** The attention of the Honourable Member is drawn to paragraph 26 of the Report of the Public Accounts Committee on the Accounts of 1925-26 and the Memorandum on reappropriations

in the Army Department published as Appendix XXII thereto. The Memorandum contains a full statement of the powers of reappropriation within the Army Budget. No change has been made in the rules since the publication of that Memorandum.

OUT-STATION ALLOWANCES FOR RAILWAY MAIL SERVICE OFFICERS.

22. THE HONOURABLE MR. KUMAR SANKAR RAY CHAUDHURY : Do the Government contemplate enhancing the scale of out-station allowances for Railway Mail Service officers ? If so, when and in what way ?

THE HONOURABLE MR. A. G. CLOW : The answer is in the negative.

BOAT HIRE GRANTED TO POSTAL RUNNERS DURING THE RAINY SEASON.

23. THE HONOURABLE MR. KUMAR SANKAR RAY CHAUDHURY : Is it a fact that boat and rower hire granted to postal runners during the rainy season is lower than that given to similar peons by the Local Government in Bengal ? If so, do the Government contemplate increasing the scale and in what manner ?

THE HONOURABLE MR. A. G. CLOW : The question is being examined.

EXAMINATION FOR THE PROMOTION OF POSTAL OFFICIALS.

24. THE HONOURABLE MR. KUMAR SANKAR RAY CHAUDHURY : Has the attention of the Government been drawn to the introduction of an examination for the promotion of postal officers from one grade to another ? If so, do the Government contemplate reverting to the previous system of basing promotion on meritorious past services ?

THE HONOURABLE MR. A. G. CLOW : The Honourable Member perhaps refers to the examination for promotion to the lowest selection grade of the Post Office and the Railway Mail Service which was introduced at the instance of Government. Reversion to the previous system is not contemplated.

REDUCTION OF RAILWAY FREIGHT ON COAL FOR INTERNAL CONSUMPTION.

25. THE HONOURABLE MR. KUMAR SANKAR RAY CHAUDHURY : Does the Government contemplate taking any steps for the reduction of freight on Indian railways on coal for internal consumption ? If so, what steps and when will they be taken ?

THE HONOURABLE SIR GEOFFREY CORBETT : It is too early in the year to say at present whether it will be possible for Government to contemplate further reductions in the freight of any commodities including coal. But should the position permit the consideration of reductions, the claims of coal for further relief compared with those of other commodities will certainly be considered.

TOTAL VALUE OF EXPORTS DURING THE LAST FIVE YEARS FROM THE DIFFERENT PORTS OF BENGAL AND ASSAM, ETC.

26. THE HONOURABLE MR. KUMAR SANKAR RAY CHAUDHURY : Will the Government be pleased to state :—

(a) the total value of the exports during the last five years from the different ports of Bengal and Assam ?

- (b) how much of the above exports have been carried to the different ports of export by the different railway systems existing in Bengal and how much by the different steam navigation companies and how much by country boats and steam lorries respectively ?
- (c) how much of the internal goods traffic of Bengal and Assam respectively during the last five years has been carried through—
- (i) by the different railway systems and how much by each system ?
- (ii) by the different steam navigation companies and how much by each company ?
- (iii) by country boats and motor lorries ?

THE HONOURABLE SIR GEOFFREY CORBETT : (a) A statement showing the total value of exports from the ports of Bengal during each of the five years ending 1926-27 is laid on the table. There are no ports in Assam.

(b) & (c) The information is not available.

*Statement showing the total value of exports of private merchandise and treasure from the ports of Bengal during each of the five years ending 1926-27.*

[In lakhs of rupees.]

	1922-23.	1923-24.	1924-25.	1925-26.	1926-27.
<i>Foreign Trade—</i>					
Chief Port, Calcutta ..	1,13,47	1,24,16	1,41,65	1,46,03	1,26,90
Subordinate Ports ..	5,64	7,97	9,50	7,32	7,75
Total ..	1,19,11	1,32,13	1,51,15	1,53,35	1,34,65
<i>Coasting Trade—</i>					
Chief Port, Calcutta ..	13,97	14,69	15,94	14,66	15,00
Subordinate Ports ..	2,30	2,00	1,88	2,24	2,55
Total ..	16,27	16,69	17,82	16,90	17,55
Grand Total ..	1,35,38	1,48,82	1,68,97	1,70,25	1,52,20

**DOUBLING OF THE RAILWAY LINE FROM MADRAS BEACH TO THAMBARAM ON THE SOUTH INDIAN RAILWAY.**

27. THE HONOURABLE RAO SAHIB DR. U. RAMA RAU : Will the Government of India be pleased to state :—

- (a) when the doubling of the railway line from Madras Beach to Thambaram on the South Indian Railway was sanctioned and what the estimated cost of the scheme is ?

- (b) the date of commencement of the work,
- (c) the period within which the work was ordered to be completed,
- (d) the percentage of work done up to 30th June, 1928 and the cause of delay, if any, in the prompt execution of the work,
- (e) the amount of expenditure incurred up to 30th June, 1928 on (1) materials, (2) labour and out of the amount spent on materials, how much was spent on imported and how much on indigenous materials,
- (f) the names of contractors and the cost of the work assigned to each; how many of them are European contractors and how many Indians?
- (g) the outturn of work done by each contractor up to 30th June, 1928 and the cause of delay, if any, on the part of the contractors, and
- (h) the steps taken by the Government to have the work completed within the stipulated time.

THE HONOURABLE SIR GEOFFREY CORBETT: (a) The doubling was sanctioned in December 1925, the estimated cost being approximately Rs. 1,24,00,000.

(b) December, 1925.

(c) The work was expected to take  $4\frac{1}{2}$  years.

(d), (e), (f), (g) and (h). The Railway Board are obtaining from the Agent of the South Indian Railway such information as can be collected without an undue expenditure of time and labour in answer to these questions. This will be communicated to the Honourable Member when received.

TEMPORARY INDIAN OFFICERS OF THE INDIAN MEDICAL SERVICE.

28. THE HONOURABLE RAO SAHIB DR. U. RAMA RAU: Will the Government of India be pleased to state:—

- (1) What is the total number of temporary Indian officers appointed in the I. M. S. since 1914?
- (2) Out of these how many have since been confirmed?
- (3) Is it true that the Selection Committee have confirmed only foreign diploma holders rejecting first class graduates of Indian Universities?
- (4) Is it true that the Government have ordered no Indian to be confirmed unless he is qualified in England?
- (5) If the reply to (3) is in the affirmative and the reply to (4) is in the negative, will the Government be pleased to state why such a distinction has been made?
- (6) Is it true that a permanent I. M. S. man gets Rs. 800 per month (exclusive of overseas allowance) after 6 years' service while a temporary man gets only Rs. 650?

- (7) What is the total number of temporary Indian I. M. S. men who have been discharged after 9 years' service ?
- (8) Were they found competent to hold their posts during the 9 years they were in service ? Why they were discharged ?
- (9) Is it true that these I. M. S. Officers who were discharged after 9 years' service did not receive anything by way of gratuity or pension ?
- (10) Is it true that a European after five years of temporary service gets £1,200 ?
- (11) Do Government contemplate giving gratuities to temporary Indian I. M. S. officers after discharge ?
- (12) Are permanent and temporary Indian I. M. S. officers entitled to study-leave and if so, how many have been granted study-leave during the past ten years ? What is the corresponding number of British I. M. S. officers who were granted study-leave during the same period ?
- (13) Is it a fact that members of the Selection Committee are in the habit of asking questions about the wives of candidates while interviewing them at the time of selection ?
- (14) Is it true that such questions as "does your wife know dancing ? does she use spoons and forks ?" are asked by the Committee ?
- (15) Is it true that senior members of the I. M. D. are given Honorary King's Commissions ?
- (16) How many members of the I. M. D. are now holding the King's Commission ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF: With your permission, Sir, I lay on the table a statement giving the information desired.

*Statement referred to in reply to question No. 28.*

The Honourable Member is referred generally to the replies given by the Army Secretary in the Legislative Assembly to questions Nos. 738 and 759 on 1st September 1927 and to questions Nos. 798 to 808 on September 2nd, 1927. The following are the answers to the separate parts of the question.

- (1) 1,104.
- (2) There is no question of confirming those officers who received temporary commissions in the I. M. S. Recruitment for temporary service is quite different from recruitment for permanent service, the former confers no claim to the latter : and the standard necessary for a permanent commission is higher than that necessary for a temporary commission. Temporary officers are selected and appointed by the Director General, Indian Medical Service and serve on a definite agreement for one year renewable for not more than a year at a time up to a specified maximum period. Permanent officers must be recommended by the Selection Board, and are appointed by the Secretary of State. Temporary officers are however at liberty to apply for permanent commissions, and 113 Indians have succeeded in obtaining such commissions while still serving on temporary agreements. Ten more are on an approved waiting list.

- (3) No, Sir. Out of the 113 officers who have been granted permanent commissions in the I. M. S., 57 possessed only Indian medical qualifications at the time of their appointment. The rest held British qualifications.
- (4) No, Sir. The Selection Board selects those candidates whom it considers the best qualified in every respect for permanent commissions, and an English qualification is not essential as is shown by the figures I have just given.
- (5) Does not arise.
- (6) After six years' service, a permanent officer of the I. M. S. draws the pay of a Captain with more than three and less than six years' service in that rank, namely, a basic pay of Rs. 750 a month, and net Rs. 800 a month as supposed by the Hon'ble Member. A temporary officer of the I. M. S. draws Rs. 650 a month after completing three years' satisfactory service.
- (7) About 35.
- (8) As temporary officers, their services were satisfactory. They were discharged because it was not considered desirable either from their own point of view or from that of the service to retain them indefinitely when they had no prospect of obtaining permanent commissions. The Government have recently decided that the annual agreements of temporary officers who have entered the service since 23rd October 1927 or who may enter in future will not be renewed after 5 years' total temporary service unless in the meantime they have been selected for permanent commissions in the I. M. S. and vacancies are not immediately available.
- (9) Yes, in accordance with the terms of their agreement.
- (10) No, Sir, there are no gratuities for temporary service. Both European and Indian officers who are granted permanent commissions under the present rules are given the option of retiring on a gratuity of £1,000 after six years' service or £2,500 after twelve years' service, instead of serving on for pension.
- (11) The reply is in the negative.
- (12) All permanent officers of the I. M. S., both European and Indian, are entitled to study-leave. About 280 officers have been granted study-leave during the past 10 years, of whom about 90 were Indians. Temporary officers, whether European or Indian, are not eligible for study-leave.
- (13) & (14) The reply is in the negative.
- (15) No, Sir, but selected members of the Sub-Assistant Surgeon's Branch of the Indian Medical Department holding the rank of Subedar-Major or Subedar are granted honorary King's Commissions on the basis of one per cent. of the total strength of the Branch.
- (16) About 132 members of the Assistant Surgeon Branch of the Indian Medical Department at present hold the King's commission. Nine members of the Sub-Assistant Surgeon Branch hold honorary King's commissions.

**SETTLEMENT OF THE CHARGES INCURRED BY THE GOVERNMENT OF INDIA ON BEHALF OF THE WAR OFFICE DURING THE GREAT WAR.**

29. THE HONOURABLE RAO SAHIB DR. U. RAMA RAU: 1. With reference to the remarks by Sir Basil Blackett on the Budget Debate in the Council of State on 5th March, 1927 and my interpellation No. 4, dated 30th August, 1927, and Government reply thereto, will the Government of India be pleased to state if any settlement has been reached with the British War Office in regard to charges incurred by the Government on their behalf during the world war? If not, what causes the delay.

2. Will the Government make a complete statement of the whole transaction and lay all the papers on the table of this House at an early date.

THE HONOURABLE MR. E. BURDON: The matter has not yet been finally settled. The delay is due to the difficulty of arriving at a solution which is

completely satisfactory to all parties of a very important and very difficult question.

2. Full information regarding the claims has already been made available to this Council. The Government of India are not prepared to lay the papers on the table.

**RECOVERY FROM THE WAR OFFICE OF THE CHARGES INCURRED IN RESPECT OF THE OPERATIONS IN CHINA.**

30. **THE HONOURABLE RAO SAHIB DR. U. RAMA RAU :** Will the Government of India be pleased to state whether the charges incurred in respect of the Chinese operation have been fully recovered from the British War Office? If so, what is the amount so recovered? If not, what is the cause of delay? and what steps are Government taking to recover the amount?

**THE HONOURABLE MR. E. BURDON :** The charges of the Indian Contingent of the Shanghai Defence Force while in China have been met entirely by the War Office. The extra expenditure incurred in India in connection with the despatch of the Contingent is also being recovered from the War Office as the accounts are completed. This expenditure to the end of June 1928, the latest month for which accounts are available, amounts to £615,102, of which £535,655 have been recovered so far. There is therefore no delay in effecting the recovery.

**DEPRECIATION WRITTEN OFF THE PURCHASE PRICE OF THE PENINSULAR LOCOMOTIVE WORKS AT JAMSHEDPUR.**

31. **THE HONOURABLE SIR GEORGE GODFREY :** (a) Will Government be pleased to state how much, if any, depreciation has been written off the Peninsular Locomotive Works at Jamshedpur since the purchase of the Works from the Company and to what head of the railway accounts the depreciation has been charged?

(b) If any depreciation has been written off the purchase price of the Peninsular Locomotive Works at Jamshedpur will that sum be taken into account in arriving at the cost of manufacturing any coaching stock underframes which may be produced at these Works hereafter?

**THE HONOURABLE SIR GEOFFREY CORBETT :** (a) Approximately 5½ lakhs have been written off to Revenue--working expenses. I should explain that after a detailed examination of the plant and machinery taken over, Government were satisfied that this amount was certainly not less than the difference between the purchase price of 20 lakhs paid for the Peninsular Locomotive Works and the value of the property at the time it was purchased.

(b) Yes. If the Works were burdened with a sum, which in effect represents compensation to the Peninsular Locomotive Company, it would be impossible to show the real cost to Government of manufacturing underframes at them.

**MANUFACTURE OF UNDERFRAMES AT THE PENINSULAR LOCOMOTIVE WORKS AT JAMSHEDPUR.**

32. **THE HONOURABLE SIR GEORGE GODFREY :** (a) Have Government considered the advisability of postponing, for a period of at least two years, the commencement of the manufacture of underframes, and, if so, what is their decision ?

(b) If Government intend to proceed at once with the manufacture of coaching underframes at these Works, have they considered the sources from which skilled labour will be obtained, or do they contemplate engaging men who have been trained, and usually work at the commercial engineering workshops at which wagon building is carried out ?

**THE HONOURABLE SIR GEOFFREY CORBETT :** (a) No. 162 underframes are being manufactured at these Works this year.

(b) The labour has already been collected, and if the staff of skilled men requires to be augmented, it is expected that transfers from the East Indian Railway Carriage and Wagon shops at Lillooah can be made. There is no intention of attempting to attract trained men for these works from the engineering workshops at which wagon building is carried out. This does not of course mean that if a man from these workshops applies for a job which is vacant the fact that he has been trained and employed there should be a bar to his engagement.

**PROVISION OF AN INTERMEDIATE CLASS LADIES' WAITING ROOM AT KHARAGPUR.**

33. **THE HONOURABLE MR. MAHMOOD SUHRAWARDY :** (i) Has the attention of Government been called to the inconvenience experienced by intermediate class lady passengers at Kharagpur on the Bengal Nagpur Railway for want of an intermediate class ladies' waiting room ?

(ii) Will the Honourable Member in charge be pleased to state what action is being taken to provide such a waiting room at Kharagpur ?

**THE HONOURABLE SIR GEOFFREY CORBETT :** (i) Government have received no complaint to this effect.

(ii) It is the practice of Government to leave small matters of this kind relating to the accommodation provided at particular stations to the discretion of the local railway authorities to whose notice any defects can suitably be brought through their local Advisory Committees.

**PROVISION OF AN INTERMEDIATE CLASS LADIES' WAITING ROOM AT ADRA.**

34. **THE HONOURABLE MR. MAHMOOD SUHRAWARDY :** Will the Honourable Member in charge be pleased to state what steps have been taken to provide an intermediate class ladies' waiting room at Adra on the Bengal Nagpur Railway ?

**THE HONOURABLE SIR GEOFFREY CORBETT :** I would refer the Honourable Member to the answer which I have just given to his previous question. Government are not aware of the exact arrangements at this station either, or whether any additional waiting accommodation is contemplated there.



**REPORT OF THE OFFICER APPOINTED TO INVESTIGATE THE QUESTION OF MAKING INDIA SELF-SUPPORTING IN THE MATTER OF SALT SUPPLY.**

35. **THE HONOURABLE MR. MAHMOOD SUHRAWARDY :** (i) Will the Honourable Member in charge be pleased to state whether the Government has considered the report submitted by the officer placed on special duty under the Central Board of Revenue to investigate the question of making India self-supporting in the matter of salt supply as referred to in his answer to my question No. 34 published at page 45, Volume I, No. 4, of Council of State Debates dated 8th February 1928 ?

(ii) Will the Honourable Member be pleased to state when the Government decision may be expected ?

**THE HONOURABLE MR. E. BURDON :** (i) The Government of India have considered the report and have published their conclusions upon it. These will be found in the Resolution of the Finance Department (Central Revenues) No. 20, dated the 12th May 1928, appearing in the Gazette of India of that date.

(ii) Does not arise.

**CONSTRUCTION OF A RAILWAY BETWEEN CONTAI AND CONTAI ROAD STATION.**

36. **THE HONOURABLE MR. MAHMOOD SUHRAWARDY :** (i) Will the Honourable Member in charge of the Railway Department be pleased to state when the actual construction of the railway line between Contai in the Midnapore District (Bengal) and Contai Road station on the Bengal Nagpur Railway is expected to be commenced ?

(ii) Will the Honourable Member in charge be pleased to state whether land will be acquired for the same during the current year ?

**THE HONOURABLE SIR GEOFFREY CORBETT :** (i) The construction of this line was sanctioned on the 19th June 1928, and Rs. 5 lakhs have been provided for it in the current year's Budget. It is likely, therefore, to be commenced in the current year.

(ii) Arrangements are now being made for the acquisition of land, but as the land is entirely under paddy it is very doubtful whether any payment on this account will be made this year.

**PREVENTION OF THE RECURRENCE OF HINDU-MOSLEM RIOTS AT KHARAGPUR.**

37. **THE HONOURABLE MR. MAHMOOD SUHRAWARDY :** (i) Will the Government be pleased to state what steps have been taken to prevent the recurrence of Hindu-Moslem riots at Kharagpur and to give protection to the Moslems at Kharagpur during such riots ?

(ii) Will the Government be pleased to state what action has been taken by the Bengal Nagpur Railway Company on the representation of Kharagpur Mussalmans to provide separate quarters for them within the railway settlement ?

(iii) Has the Agent of Bengal Nagpur Railway received a copy of the resolution from the Mussalman employees to provide separate quarters for them so as to enable them to live in peace and protection in the railway area ?

**THE HONOURABLE MR. H. G. HAIG :** (i) Since the Honourable Member's question was framed there has been as he is aware, a further deplorable outbreak in Kharagpur. Reports received from the Bengal Government before this outbreak showed that the district authorities were making all possible efforts to allay communal ill-feeling. But they cannot by themselves create a spirit of tolerance and good-will which alone would stop the recurrence of such events.

(ii) No action has been taken, the reason being that the establishment of a Muhammadan settlement, even if desirable, would not be consistent with the accepted system of allotting quarters according to seniority. But opportunities are now being given to the staff to take up sites on Government land in the neighbourhood of Kharagpur, and if the Muslim staff avail themselves of these opportunities, it should not be difficult for them to arrange to settle in compact groups. The Railway Board propose to discuss the question with the Agent when he comes to Simla at the beginning of October.

(iii) The Agent, Bengal Nagpur Railway, has not received a copy of the resolution in question.

#### PAY OF HIGH COURT JUDGES.

**38. THE HONOURABLE MR. MAHMOOD SUHRAWARDY :** Will the Government be pleased to state what action has been taken to raise the pay of the High Court Judges to the level of that of Members of the Executive Council ?

**THE HONOURABLE MR. H. G. HAIG :** No steps have been taken in the direction suggested.

**THE HONOURABLE SIR ARTHUR FROOM :** Will Government be pleased to state how long the pay of the High Court Judges has been on its present basis ?

**THE HONOURABLE MR. H. G. HAIG :** I am afraid I am not in a position to give an answer to that offhand. If the Honourable Member will put down a question I will be glad to answer it.

#### ESTABLISHMENT OF A SUPREME COURT IN INDIA.

**39. THE HONOURABLE MR. MAHMOOD SUHRAWARDY :** Will the Government be pleased to state whether they contemplate establishing a Supreme Court in India as the highest tribunal of appeal in the land ?

**THE HONOURABLE MR. H. G. HAIG :** The answer is in the negative.

#### COMPULSORY RETIREMENT OF HIGH COURT JUDGES AT 60.

**40. THE HONOURABLE MR. MAHMOOD SUHRAWARDY :** Will the Honourable Member in charge be pleased to state what steps have been taken to do away with the compulsory retirement of permanent Judges of Indian High Courts at the age of 60.

**THE HONOURABLE MR. H. G. HAIG :** No steps have been taken.

## SEPARATION OF JUDICIAL AND EXECUTIVE FUNCTIONS.

41. **THE HONOURABLE MR. MAHMOOD SUHRAWARDY :** (i) Will the Government be pleased to state what action has been taken for the separation of judicial and executive functions ?

(ii) Will the Government be pleased to state when such separation may be expected ?

**THE HONOURABLE MR. H. G. HAIG :** As the Honourable Member is aware, the question of the separation of judicial and executive functions has been under the consideration of Government for some time, and it is desirable that I should explain the position fully with reference to recent events. On the 9th March 1921 the Honourable Mr. G. M. Bhurgri moved in this House a Resolution recommending to the Governor General in Council to make a definite declaration that the time had arrived for the complete severance of judicial from executive functions, and that early steps would be taken to accomplish the severance almost immediately. The Resolution was withdrawn on an undertaking being given on behalf of Government that if any Local Government decided to take up this question which related to a provincial subject the Government of India would raise no objection, and would proceed to make such legislative changes as might be necessary to give effect to the proposals of the Local Government. In pursuance of this policy which was announced in the Resolution of the Government of India in the Home Department No. F. 196-Judicial, dated the 7th December 1921, and in response to local public opinion, certain Provincial Governments proceeded to prepare schemes of separation, which were submitted to the Government of India. On a consideration of these schemes the Government of India came to the conclusion that as the present system of judicial administration is a uniform system, so any alterations should be planned on uniform lines with a view to maintaining uniformity of system in essential principles. They are no longer able to hold that the problem is one for each province to settle on lines of its own choice, or that the responsibility of the Central Government could be restricted to facilitating such legislation as might be required to give effect to provincial decisions. They have, therefore, decided with the concurrence of the Secretary of State, that though minor variations in the provinces might conceivably be accepted, the problem must be dealt with on lines substantially uniform. At the present time however in view of the inquiry by the Statutory Commission and possible changes in conditions which may result therefrom, it has been decided that it is not possible to reach conclusions on the main question, and a decision must therefore be postponed until the factors that will condition the problem in the future have become more plain.

**OPENING OF A POST OFFICE IN AJOYA, THANA KHEJRI, IN THE MIDNAPORE DISTRICT.**

42. **THE HONOURABLE MR. MAHMOOD SUHRAWARDY :** (i) Will the Government be pleased to state what action has been taken on the representation of the people of Ajoya in Thana Khejri in the Midnapore District (Bengal) for a post office there ?

(ii) Is it a fact that an offer has been made by a local gentleman of position to provide a house for a post office and its incidental expenses for six months? If so, why was the offer not accepted?

THE HONOURABLE MR. A. G. CLOW: (i) An office will probably be opened on the 1st of October next.

(ii) The reply to the first part of the question is in the affirmative. The offer could not be accepted in the absence of agreement on the part of interested parties regarding the location of the office.

NUMBER OF CERTAIN APPEALS IN THE HIGH COURT, CALCUTTA.

43. THE HONOURABLE MR. KUMAR SANKAR RAY CHAUDHURY: Will the Government be pleased to furnish a statement showing:—

(1) for the last ten years before the amendment of the Letters Patent of the Calcutta High Court in January, 1928—

(a) the number of second appeals filed,

(b) the number of second appeals allowed,

(c) the number of second appeals filed which were below Rs. 1,000 in value,

(d) the number of second appeals heard and decided by Judges sitting alone,

(e) the number of appeals filed against the decisions of single Judges of the High Court,

(f) the number of appeals filed against the decisions of single Judges of the High Court that have been allowed by the appellate Bench?

(2) For the period since the amendment of the Letters Patent—

(a) the number of appeals decided by single Judges of the said High Court,

(b) the number of appeals in which leave to appeal under the Letters Patent as amended was asked for, and

(c) the number of appeals in which leave to appeal under the amended Letters Patent was refused by the single Judges?

THE HONOURABLE MR. H. G. HAIG: The information has been called for and will be supplied to the Honourable Member on receipt.

FIRING ON STRIKERS AT BAMANGACHI.

44. THE HONOURABLE MR. KUMAR SANKAR RAY CHAUDHURY: Will the Government be pleased to state whether the papers of the Bamangachi shooting affair have been submitted to the Secretary of State? If so, what orders have been passed thereon by the Secretary of State?

THE HONOURABLE MR. H. G. HAIG: The circumstances connected with this case have been investigated by the Government of Bengal. But no conclusions can be published until the completion of the trial in which one of the strike leaders is being charged with perjury and bringing a false case against Mr. Mould. The Secretary of State is, therefore, not in a position at present to make any statement on the case.

PROTECTION TO THE WIRE NAIL INDUSTRY.

45. THE HONOURABLE MR. KUMAR SANKAR RAY CHAUDHURY : Will the Government be pleased to state whether any representation has been made to Government or the Tariff Board for giving protection or other help to the wire nail industry in India ? If so, what steps do the Government propose to take in the matter ?

THE HONOURABLE SIR GEOFFREY CORBETT : The Government have replied to the representations that they are unable to take action in the direction desired.

NUMBER OF POST OFFICES, IN AN INSPECTOR'S SUBDIVISION IN THE CENTRAL CIRCLE.

46. THE HONOURABLE MR. G. S. KHAPARDE : With reference to the answer given to my question No. 9, on the 6th February, 1928, will the Government be pleased to state :—

- (a) Whether the number of post offices in an Inspector's Sub-Division in the Central Circle varies from 50 to 70 post offices,
- (b) If so, do the Government propose to increase the number of the Inspectors and to provide for the increase in the ensuing Budget ?

THE HONOURABLE MR. A. G. CLOW : (a) No ; the limits are somewhat wider than the Honourable Member suggests.

(b) An appointment of an additional Inspector in one Division was sanctioned from the 1st January 1928, Government do not consider it necessary to make any further appointment at present.

THE LATE SIR ALEXANDER MUDDIMAN.

THE HONOURABLE KHAN BAHADUR SIR MUHAMMAD HABIBULLAH (Leader of the House) : Sir, I wish to pay, on behalf of Government, and on my own behalf, a tribute to the memory of the late Sir Alexander Muddiman. Sir Alexander's career was as varied and rich in distinction as his personality was marked by a lively geniality and unflinching charm. He held high offices under the Crown ; first, as President of this Honourable Council ; then, as Home Member of the Council of His Excellency the Governor General ; and, finally, as Governor of the United Provinces. Each step in the ladder of advancement he took with a rare modesty which, in the eyes of the discriminating, only presaged assured success and steady progress. It is usual, Sir, to confine high administrative offices to those members of the Indian Civil Service who have had administrative experience in the narrower but more practical field of Government which district administration provides. Sir Alexander did not serve a long apprenticeship in that sphere ; but his alert and receptive mind was ever alive to the value of the study of human nature, and his gift of *bon homie* furnished him with an open sesame into the hearts of men. He found scope for the full play of these fine qualities when he became Home Member. The use that he made of them led to his elevation to the most important Governorship in India open to his Service. It must be a source of lasting regret to his friends that a tragic fate prematurely cut short

this crowning phase in his career. The loss, Sir, is not a loss only to his friends, but to the people of the Province over whose destinies he last presided, and to the Empire of which he was a loyal and distinguished servant.

Before I close, Sir, I should like to express my sense of personal loss at his death. It was my privilege to be his Colleague in the Government of India for 2½ years. During that period, I, like all who fell under the spell of his personality, learned to entertain for him feelings of warm and loyal friendship. But I also learnt to admire his breadth of view and quick sympathy which are essential to statesmanship.

We hope, Sir, that you will convey, on behalf of us all, to his grieved mother, expressions of our profound grief at her bereavement. We all wish, Sir, that it may be to her, as it is to us, a consolation that among the people whom he served he has left a memory of kindness, good fellowship and charm which will long endure.

THE HONOURABLE MR. V. RAMADAS PANTULU (Madras: Non-Muhammadan): Sir, it is my melancholy privilege to associate myself with the eloquent but just tribute which the Leader of this House has paid to the memory of the late Sir Alexander Muddiman. I can sum up my tribute by stating that he was believed, and rightly believed, to have been a well-meaning and sympathetic administrator. In his capacity as Home Member and as the custodian of British interests he was a friend of India to the extent that the limitations of his office and position permitted. We Congressmen have always received very handsome treatment at his hands in this Council. As an opponent on the Treasury Benches we found in him an absolutely fair gentleman, dealing with us most frankly. Of course we differed from him on several occasions but that did not prevent our being fair and just to each other. As a colleague, in the lobby, we reposed much confidence in him and discussed many matters relating to party questions with an absolute belief that we would not be betrayed. As a genial friend in society he was unmatched either in Delhi or Simla. Therefore, on behalf of the Congress Members of this Council—and I hope I have the leave of my other non-official colleagues also—I desire to associate myself with the handsome tribute which the Honourable the Leader of the House has paid to Sir Alexander Muddiman. We all regard with regret his death at this juncture when his breadth of vision might have been helpful in the framing of the future constitution of India. It is not given to many men to die at their posts of duty, and though it is a matter of regret that his career was cut off as soon as he was made Governor of the United Provinces, it is a matter of melancholy satisfaction to his friends that he died at the post of duty.

With these words I join in the request made by the Leader of the House in asking you to convey the condolences of this House to his bereaved mother.

THE HONOURABLE SIR ARTHUR FROOM (Bombay: Chamber of Commerce): Sir, on behalf of the non-official Europeans of this House I wish to associate myself with the words which have fallen from the lips of the Leader of this House mourning the sudden and untimely death of Sir Alexander Muddiman. Not only has the Government of India lost one of its most distinguished and brilliant officers, but India herself is missing one of her best

[Sir Arthur Froom.]

friends and a sincere supporter of her true progress and advancement. Further, Sir, there are many of us in this House who feel we are bereft of a true and valued friend, a friend whose loss we shall mourn not only to-day or to-morrow but always.

**THE HONOURABLE SIR MANECKJI DADABHOY** (Central Provinces: Nominated Non-Official): Sir, as one who was for many years closely associated with our late lamented friend, Sir Alexander Muddiman, both in the late Imperial Council and in this Council of State, I feel I cannot allow this occasion to pass without making a few observations.

Sir Alexander Muddiman spent the best part of his service in the Legislative Department, and in his capacity both as Deputy Secretary and Secretary of the Legislative Department, this Council came in close contact with him. It was at first as Deputy Secretary that he distinguished himself by showing conspicuous ability in drafting, which is well known to many Members here, the Indian Companies Act on which he spent a great deal of industry and intelligence. In his capacity as Secretary of the Legislative Department we found him most useful in the deliberations of the Select Committees. We found in his advice and in the exposition of law points a great deal of elucidation and easy settlement of the most difficult questions. We found in him a most capable, terse, accurate legal draftsman, and we also found that he was in a position to conquer most difficult legal problems by his easy and sensible elucidation of cases which immediately attracted our attention. When he left us for the Assembly he made himself extremely popular there, and won over the hearts of the Opposition Benches by the frank and candid manner in which he played the role of Home Member and laid all his cards on the table, showing great sympathy with the arguments and opinions of those whom he opposed. We all regret his loss at this time, and this Council has lost in him a great and trusted friend, especially at this juncture when the vital question of new reforms is to be considered by the Simon Commission. If he had lived his valuable advice both to Government and to the Members of the Legislature and to his friends would have been of incalculable value. We cannot forget the splendid work he did on the Reforms Enquiry Committee.

I have nothing further to add after all that has been already said by previous speakers but to join with deep and profound sorrow in the will deserved expressions of tribute paid to the deceased gentleman.

**THE HONOURABLE KHAN BAHADUR SIR EBRAHIM JAFFER** (Bombay Presidency: Muhammadan): Sir, in associating myself with the sentiments just expressed, I cannot help but think of the great help which our departed friend was to the Muslim Members of this House and to me personally.

I was first connected with Sir Alexander Muddiman in the pre-reform days, when we worked in the old Imperial Council, and even now there comes to my mind his great sympathy, tactfulness and liberality of thought on all questions.

As the Secretary of the Legislative Department he was of the utmost help to me in connection with the business of the House, and to this day I feel I owe him a great debt of gratitude for the way in which he assisted me in drafting and passing the Cutchi Memons Act.

Then, Sir, when he became President of this House, he showed the greatest consideration to every Member and the quietest back-bencher could also depend upon "catching his eye" and on being given the opportunity to speak, if he so desired. The broadmindedness and sympathy which were manifested so early in his political career came to full fruition during this period, and there is not a single Member who sat under his wise chairmanship who can say that he was unfairly treated by Sir Alexander Muddiman. Of his still later honours it is not for me to dilate, as they are so well known to all the Members of this House and so well expressed by the previous speakers. Suffice it to say, Sir, that I personally deeply mourn the loss of this great statesman and greater friend, a leader who did a great deal for India during his period of office and who was destined, had he been spared, to have done a great deal more.

THE HONOURABLE SARDAR CHARANJIT SINGH (Punjab : Nominated Non-Official) : Sir, I beg to associate myself with the tribute which has been paid to the memory of the late Sir Alexander Muddiman. We heard a few days before his death that Sir Alexander was not keeping quite well, but we had no idea that his end was so near and the news of his sad and sudden death came as a great shock to us all. I have had the privilege of knowing Sir Alexander ever since he came up to Simla nearly 18 years ago. During all these years he endeared himself to us all by his unfailing charm of manner, good fellowship and sympathy. Sir Alexander Muddiman was the first President of the first Council of State and I can from my own personal knowledge bear witness to the regard in which he was held by all the Members, both officials and non-officials, and who does not remember the great part he played as Leader of the Assembly and as Home Member ? Every one who heard him will agree with me that Sir Alexander Muddiman possessed in a remarkable degree the art of urging his opinions with as much engaging suavity as lucidity and force underlying which there was always a true ring of sincerity and a genuine regard for the country of his adoption. By his death India has lost a true and sincere friend.

THE HONOURABLE MUNSHI NARAYAN PRASAD ASHTHANA (United Provinces Northern : Non-Muhammadan) : Sir, as an elected Member from the United Provinces, I beg to associate myself with everything that has fallen from the lips of the Honourable the Leader of the House and the previous speakers. The loss of Sir Alexander Muddiman to the United Provinces is a very heavy one. During the short time that he was the ruler of the province, he had made himself so popular and he had ingratiated himself so much in the popular opinion that his sudden and tragic death cast a gloom over the whole of the United Provinces. His affection for this Council was so great that when I saw him shortly after he had had taken up his office, he commissioned me to take a message of greeting to this Council and I informed you, Sir, on the very first day of the last Delhi Session about it. As a statesman of wide sympathy and imagination, as a lawyer and as a popular ruler in the United Provinces he will be remembered for ever and as a man of wide sympathies and of charming manners he will always be remembered by his friends and by those who came in contact with him.

THE HONOURABLE SIR JOHN THOMPSON (Delhi : Nominated Official) : As perhaps the senior Member in this House of the Service to which Sir Alexander Muddiman belonged, and as one who was for many years associated



[Sir John Thompson.]

with him, directly or indirectly, in carrying on the work of His Majesty's Government in India, I should like to say a few words in support of what has fallen from the Honourable Sir Muhammad Habibullah. I think Sir Alexander Muddiman's outstanding characteristics were a quick, clear and well balanced mind, a fine courage, a buoyant confidence, and above all a genial and kindly personality. It was these qualities which enabled him to lay so well and truly the foundations of traditions of the great office which you, Sir, now adorn. It was these qualities which gained for him the amazing success which he achieved in the office to which he was afterwards promoted. It was these qualities which won for him, even in the short period of five months, a measure of success out of proportion to that short time in the last and greatest office that he held. He has left us perhaps with the greatest testimonial that a public man can ever obtain, with the gratitude and admiration of those with whom he worked and of those for whom his life's work was done.

THE HONOURABLE THE PRESIDENT: I wish to pay my tribute also to the memory of Sir Alexander Muddiman. I knew him perhaps longer than most Honourable Members in this Council, for from September 1915, just thirteen years ago when I joined the Government of India in the Legislative Department, I was in close and daily association with him in his work for several years until he was appointed President of this Council. It would perhaps be superfluous for me, inasmuch as there are so many Honourable Members here who sat under his Presidency from the inception of the Council, to refer to the great qualities that he displayed from the Chair, to his geniality and unfailing good temper, to his fairness and strict impartiality and withal to his firmness. But no one better than Sir Alexander Muddiman realised that the duties of a President do not begin and end in the Chair and I, perhaps, am in a better position than most to refer to his achievements as a President outside the Chair, for from the day that he became the first President of this Council, I became its first Secretary, and I was in very close association with him in those days. He was very jealous of the reputation and the dignity of the Council and of all its Members. The Honourable Sir John Thompson has referred to the traditions that he built up; and I can assure the House that from the very outset Sir Alexander Muddiman's chief anxiety and the object of his strenuous endeavour was to ensure that those foundations should be laid on sound lines and that they should continue to grow upon sound lines. The measure of the success which he achieved will be perhaps for posterity to judge; but I think we may claim that this House itself at the present moment affords abundant evidence that his efforts met with great success. He ensured that the decisions of this Council should be arrived at after careful and calm deliberation and should be such as to command respect from all quarters. He created and maintained in this House an atmosphere

12 NOON. which I hope will ever remain with us. Those are no mean achievements. They are achievements of which any man might be proud and they are achievements for which all of us here, and particularly myself for whom he made my task so easy, owe him a debt of deep gratitude. It was a great joy to me when he was appointed Governor of the Province from which I come, and a great sorrow to learn that the Province had been bereft of his guiding hand so early in his term of office. The fact that after so short a time

a whole Province was plunged into mourning was an eloquent manifestation of the esteem in which he was held. It is not the practice in this House to pass formal motions of condolence, but I shall willingly comply with the request made from all sides of the House to convey to his mother an expression of our deep sympathy and sorrow at the loss which she and we have sustained.

I have to refer also to the fact that the hand of death has removed from our midst one of our colleagues since we last met. The Honourable Rai Bahadur Nalini Nath Sett was a quiet unassuming gentleman who never attempted to thrust himself forward into any prominent place in this Council. He spoke very rarely and yet those of us here who heard those rare speeches of his regret that he did not perhaps more often give us the benefit of his views on the important questions coming before this Council, I take it that it is the unanimous desire of the Council that I should convey to his bereaved relatives an expression of our sympathy and regret.

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#### MESSAGE FROM THE LEGISLATIVE ASSEMBLY.

SECRETARY OF THE COUNCIL: Sir, a message has been received from the Legislative Assembly. The message runs as follows:

"I am directed to inform you that the Legislative Assembly have, at their meeting of the 27th March, 1928, agreed without any amendments, to the Bill further to amend the Chittagong Port Act, 1914, for certain purposes, which was passed by the Council of State on the 2nd March, 1928."

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#### GOVERNOR GENERAL'S ASSENT TO BILLS.

SECRETARY OF THE COUNCIL: Sir, information has been received that His Excellency the Governor General has been pleased to grant his assent to the following Bills:

- The Burma Salt (Amendment) Act, 1928.
- The Indian Securities (Amendment) Act, 1928.
- The Indian Income-tax (Amendment) Act, 1928.
- The Inland Bonded Warehouses (Amendment) Act, 1928.
- The Indian Finance Act, 1928.
- The Indian Merchant Shipping (Amendment) Act, 1928.
- The Indian Tariff (Amendment), Act, 1928.
- The Steel Industry (Protection) Act, 1928.
- The Indian Territorial Force (Amendment) Act, 1928.
- The Auxiliary Force (Amendment) Act, 1928.
- The Chittagong Port (Amendment) Act, 1928.

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#### BILLS PASSED BY THE LEGISLATIVE ASSEMBLY LAID ON THE TABLE.

SECRETARY OF THE COUNCIL: Sir, in accordance with Rule 25 of the Indian Legislative Rules, I lay on the table copies of a Bill further to amend

[Secretary of the Council.]

the Indian Succession Act, 1925, a Bill to amend the Hindu Law relating to exclusion from inheritance of certain classes of heirs, and to remove certain doubts, a Bill to alter the order in which certain heirs of a deceased Hindu dying intestate are entitled to succeed to his estate, and of a Bill further to amend the Indian Mines Act, 1923, for certain purposes, which Bills were passed by the Legislative Assembly at its meetings held on the 22nd and 27th March, 1928.

**THE HONOURABLE SIR SANKARAN NAIR** (Madras : Non-Muhammadan) : Sir, under Rule 26 I give notice of my intention to move that the Bill to amend the Hindu law relating to exclusion from inheritance of certain classes of heirs and to remove certain doubts, and the Bill to alter the order in which certain heirs of a deceased Hindu dying intestate are entitled to succeed to his estate be taken into consideration ; and under Rule 27 I further request you, Sir, to dispense with the three days' notice that is required before they are actually taken into consideration, and if possible to have them taken into consideration to-morrow.

**THE HONOURABLE MR. V. RAMADAS PANTULU** (Madras : Non-Muhammadan) : Sir, with regard to these two Bills I have received communications from members of my party and others who are not here to-day that some of them wish to oppose the Bills or send in amendments. Therefore I beg to state that dispensing with the three days' notice will not suit some of us.

**THE HONOURABLE SIR SANKARAN NAIR** : Under those circumstances I do not press it.

**THE HONOURABLE THE PRESIDENT** : In that case the Bills will come on to the list of business under the Rules and Standard Orders in the ordinary course.

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### CONGRATULATIONS TO THE HONOURABLE SARDAR BAHADUR SHIVDEV SINGH UBEROI.

**THE HONOURABLE THE PRESIDENT** : Before I adjourn the House Honourable Members I know would like me to refer to the fact that one of our colleagues has been honoured. Since we last met the title of Sardar Bahadur has been conferred on the Honourable Sardar Bahadur Shivdev Singh Uberoi. It was, I am sure, a great pleasure to all of us to see his name in the Honours List issued on the occasion of the King's Birthday. It is an honour not only to him, it is an honour to us, and it is moreover an honour to the community which he represents in this Council. I am sure the Council will join me unanimously in tendering to him our hearty congratulations.

**THE HONOURABLE SARDAR BAHADUR SHIVDEV SINGH UBEROI** (Punjab : Sikh) : Sir, I thank you and the Honourable Members of this House for the congratulatory remarks which have fallen from your lips and for the pleasant manner in which my Honourable colleagues have received them.

I also wish to thank the Government who have conferred upon me this honour in recognition of my services to the State and the public.

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THE HONOURABLE KHAN BAHADUR SIR MUHAMMAD HABIBULLAH (Leader of the House) : Sir, I should in the ordinary course have furnished the House to-day with a statement of business for the next few days but I am sorry to say that I am not in full possession of information which will enable me to furnish the House with a correct statement of business. As Honourable Members are aware, to-morrow is a non-official day. The agenda in respect of the work which comes up to-morrow has already been circulated. With your permission, Sir, I propose to make a statement of business to-morrow after the work of the days is closed.

The Council then adjourned till Eleven of the Clock on Wednesday, the 12th September 1928.

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