

Saturday, 28th September, 1935

THE  
COUNCIL OF STATE DEBATES

VOLUME II, 1935

*(16th to 28th September, 1935)*

TENTH SESSION

OF THE

THIRD COUNCIL OF STATE, 1935

Chamber Furnigated. 8/10/35



PUBLISHED BY MANAGER OF PUBLICATIONS, DELHI.  
PRINTED BY THE MANAGER, GOVERNMENT OF INDIA PRESS, NEW DELHI.  
1936.

# CONTENTS.

PAGES.

**Monday, 16th September, 1935—**

Address by His Excellency the Viceroy to the Members of the Council of State and the Legislative Assembly . . . . .	1—13
---	------

**Tuesday, 17th September, 1935—**

Members Sworn . . . . .	15
Questions and Answers . . . . .	15—61
Motion for Adjournment <i>re</i> despatch of troops to Abyssinia—Leave to move, granted . . . . .	61—62
Statements laid on the table . . . . .	62—70
Message from His Majesty the King Emperor . . . . .	70
Message from His Excellency the Governor General . . . . .	70—71
Committee on Petitions . . . . .	71
Congratulatory to recipients of Honours . . . . .	71—73
Governor General's Assent to Bills . . . . .	73
Message from the Legislative Assembly . . . . .	73
Deaths of Mr. P. C. Desika Chari, Sir John Thompson, Sir Basil Blackett and Sir Deva Prasad Sarvadhikary . . . . .	73—76
Bills passed by the Legislative Assembly laid on the table . . . . .	76
Motion for the election of one non-official Member to the Standing Committee on Emigration, <i>vice</i> Mr. B. K. Basu . . . . .	76
Motion for the election of one non-official Member to the Standing Committee for Roads, <i>vice</i> Sir Ernest Miller . . . . .	77
Resolution <i>re</i> reduction of the import duty on carbon blocks—Adopted . . . . .	77—78
Motion for Adjournment <i>re</i> despatch of troops to Abyssinia—Withdrawn . . . . .	78—86

**Wednesday, 18th September, 1935—**

Member Sworn . . . . .	87
Questions and Answers . . . . .	87—122
Motion for Adjournment <i>re</i> unsatisfactory terms and constitution of the Special Tariff Board on the Indian textile industry—Leave to move, not granted . . . . .	123—24
Message from His Excellency the Governor General . . . . .	125
Criminal Law Amendment Bill laid on the table . . . . .	125
Statement of Business . . . . .	125
Resolution <i>re</i> initiation of early measures to implement the conclusions of the Report of the Drugs Inquiry Committee—Adopted, as amended . . . . .	126—44
Resolution <i>re</i> removal of sex disqualification and enfranchisement of women qualified to vote at Council of State elections—Adopted . . . . .	144—46
Resolution <i>re</i> recruitment of 100 British Service officers for the Indian Army—Withdrawn . . . . .	146—52
Indian Milch Cattle Protection Bill—Motion for reference to Joint Committee, negatived . . . . .	152—59
Resolution <i>re</i> provision for a separate whole-time Secretary to the Government of India in charge of "Indians Overseas"—Withdrawn . . . . .	160—66

**Friday, 20th September, 1935—**

Member Sworn . . . . .	167
Questions and Answers . . . . .	167—86
Bills passed by the Legislative Assembly laid on the table . . . . .	186
Nomination of non-official Members for election to the Standing Committee on Emigration . . . . .	186
Election of a non-official Member to the Standing Committee for Roads . . . . .	186—87
Resolution <i>re</i> glass industry—Negatived . . . . .	187—203
Resolution <i>re</i> flotation of sterling loans—Negatived . . . . .	203—16
Resolution <i>re</i> proposed reservation of the highlands in Kenya for Europeans—Withdrawn . . . . .	216—22
Statement of Business . . . . .	222

**Saturday, 21st September, 1935—**

Statement laid on the table . . . . .	223
Motion for the election of one non-official Member to the Standing Advisory Committee for the Indian Posts and Telegraphs Department—Adopted . . . . .	223
Motion for the election of one non-official Member to the Central Advisory Board of Education—Adopted . . . . .	224
Indian Army (Amendment) Bill—Considered and passed . . . . .	224—25
Central Provinces Courts (Supplementary) Bill—Considered and passed . . . . .	225
Provincial Small Cause Courts (Amendment) Bill—Considered and passed . . . . .	225—26
Provincial Insolvency (Amendment) Bill—Considered and passed . . . . .	226—27

**Monday, 23rd September, 1935—**

Questions and Answers . . . . .	229—37
Criminal Law Amendment Bill—Motion for consideration— <i>not concluded</i> . . . . .	237—86

**Tuesday, 24th September, 1935—**

Bill passed by the Legislative Assembly laid on the table . . . . .	287
Nominations for the election of one non-official Member to the Standing Advisory Committee for the Indian Posts and Telegraphs Department . . . . .	287
Nominations for the election of one non-official Member to the Central Advisory Board of Education . . . . .	287
Election of one non-official Member to the Standing Committee on Emigration . . . . .	288
Resolution <i>re</i> contribution by His Majesty's Government towards the maintenance of the British Army in India—Withdrawn . . . . .	288—92
Madras City Hindu Temples Bill—Motion for reference to Joint Committee, adopted . . . . .	292—301
Resolution <i>re</i> increase in the number of cadets admitted to the Indian Military Academy, Dehra Dun—Negatived . . . . .	301—08

**Wednesday, 25th September, 1935—**

Questions and Answers . . . . .	309—12
Criminal Law Amendment Bill—Motion for consideration, adopted; Consideration of clauses— <i>not concluded</i> . . . . .	312—63

**Thursday, 26th September, 1935—**

Bill passed by the Legislative Assembly laid on the table . . . . .	365
Statement of Buainess . . . . .	365—66
Parsi Marriage and Divorce Bill—Presentation of the Report of the Joint Committee . . . . .	366
Durgah Khwaja Saheb Bill—Motion to introduce, adopted . . . . .	366—67
Resolution <i>re</i> improvement of jail libraries—Adopted . . . . .	367—71
Resolution <i>re</i> purchase of gold—Negatived . . . . .	371—84
Criminal Law Amendment Bill—Considered and passed . . . . .	384
Resolution <i>re</i> employment of women during the night—Adopted . . . . .	384—85
Factories (Amendment) Bill—Considered and passed . . . . .	385
Repealing and Amending Bill—Considered and passed . . . . .	385—86

**Saturday, 28th September, 1935—**

Questions and Answers . . . . .	387—401
Short Notice Question and Answer . . . . .	401—03
Statements laid on the table . . . . .	403—04
Indian Coffee Cess Bill—Considered and passed . . . . .	404—09
Jubbulpore and Chhattisgarh Divisions (Divorce Proceedings Validation) Bill—Considered and passed . . . . .	409—12
Ballot for the election of one non-official Member to the Standing Advisory Committee for the Indian Posts and Telegraphs Department . . . . .	412
Ballot for the election of one non-official Member to the Central Advisory Board of Education . . . . .	413
Result of the election to the Standing Advisory Committee for the Indian Posts and Telegraphs Department . . . . .	413
Result of the election to the Central Advisory Board of Education . . . . .	413
Farewell address to His Excellency the Commander-in-Chief . . . . .	413—17

# COUNCIL OF STATE.

*Saturday, 28th September, 1935.*

The Council met in the Council Chamber at Viceregal Lodge at Eleven of the Clock, the Honourable the President in the Chair.

## QUESTIONS AND ANSWERS.

### ALARM SIGNAL CHAINS IN THE RAILWAY CARRIAGES OF THE DIBRU-SADIYA RAILWAY.

127. THE HONOURABLE SRIJUT HERAMBA PROSAD BARUA: (a) Is it a fact that the railway carriages of the Dibru-Sadiya Railway in Assam are not equipped with alarm signal chains?

(b) Is it a fact that there have been cases of dacoities near Tinsukia station on this Railway?

(c) Do Government propose to direct the administration of this Railway to provide alarm signal chains in the carriages?

THE HONOURABLE SIR MAURICE BRAYSHAY: I am obtaining the information and will lay a reply on the table of the House.

### DELAY IN DELIVERY OF LETTERS POSTED IN UPPER ASSAM.

128. THE HONOURABLE SRIJUT HERAMBA PROSAD BARUA: (a) Is it a fact that letters posted in Upper Assam are delivered at Gauhati and Shillong on the third day?

(b) Is it a fact that passengers travelling from Upper Assam reach Gauhati and Shillong on the second day?

(c) Do Government propose to direct the Postal Department to take necessary steps to avoid this delay in delivery of posts?

THE HONOURABLE MR. D. G. MITCHELL: Information has been called for and a reply will be placed on the table of the House in due course.

### STEPS TAKEN TO RE-EMPLOY RETRENCHED PERSONS IN GOVERNMENT OF INDIA OFFICES.

129. THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA: What steps have Government taken to provide for retrenched personnel?

THE HONOURABLE MR. T. SLOAN: I assume the Honourable Member is referring to the retrenched clerical staff of the offices of the Government of India. Retrenched persons who had any claim to re-employment in the offices of the Government of India for which recruitment is made on the result of the ministerial service examination have already been provided for.

POSTS RETRENCHED IN THE GOVERNMENT OF INDIA OFFICES SINCE 1930.

130. THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA : Will Government be pleased to furnish a statement of the number of retrenchments both of permanent and temporary hands that were made in the offices of the Government of India and their attached offices from the beginning of the retrenchment in 1930 up till now showing the incumbents, their qualifications, nature of the post, grade, pay, actual service, etc.?

THE HONOURABLE MR. P. C. TALLENTS : Information regarding the posts that came under retrenchment is being collected and will be supplied in due course. Government are not prepared to supply information regarding the names, qualifications, service, etc., of the incumbents of the posts retrenched as they do not consider that the value of the information would be commensurate with the labour involved in compiling it.

THE HONOURABLE MR. HOSSAIN IMAM : Will the Honourable Member lay it on the table of the House ?

THE HONOURABLE MR. P. C. TALLENTS : Yes, Sir.

TECHNICAL POSTS IN THE GOVERNMENT OF INDIA OFFICES.

131. THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA : Will Government be pleased to state the total number of (i) technical and (ii) special posts requiring special knowledge that at present exist in all the departments of the Government of India and their attached offices, showing the incumbents, their educational and special qualifications, grade, pay, net service and the mode of their recruitment ?

THE HONOURABLE MR. T. SLOAN : The necessary information is being collected and will be laid on the table of the House in due course.

PROVISION OF LIGHTS ON ROADS LEADING TO SWEEPERS' QUARTERS, NEW DELHI.

132. THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA : (a) Will Government be pleased to state whether a few quarters for sweepers were built last year in the jungle adjoining Talkatora Garden at New Delhi ?

(b) Did the occupiers of these quarters including those of the Private Secretary to the Viceroy's Press address many requests to the authorities representing the inconveniences to which they were put by the absence of sufficient light ? If so, what action was taken ?

THE HONOURABLE MR. RAM CHANDRA : The information has been called for and will be furnished to the House on receipt.

CLASSIFICATION OF GOVERNMENT QUARTERS ALLOTTED TO EMPLOYEES OF THE PRIVATE SECRETARY TO THE VICEROY'S PRESS.

133. THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA : (a) Will Government be pleased to state under what type the Private Secretary to the Viceroy's Press quarters may be classified ?

(b) Will Government be pleased to state whether occupiers of these quarters approached the higher authorities with a view to the effecting of additions and alterations to the present quarters? If so, why was no action taken? Do Government intend to take any action?

**THE HONOURABLE MR. D. G. MITCHELL:** (a) I presume the Honourable Member's question refers to the quarters in New Delhi. Their classification is as follows:

"A" type on Reading Road, "C" and "D" types in Hastings Square, and "E" type near the Talkatora Park.

(b) I am not myself aware of any such representation. But such additions and alterations to these quarters, as were considered necessary from time to time, have been carried out. The latter parts of the question do not arise.

**THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA:** May I know if Government is prepared to consider the matter if representation is made now?

**THE HONOURABLE MR. D. G. MITCHELL:** Certainly, Sir.

**BUILDING OF MORE GOVERNMENT QUARTERS NEAR TALKATORA GARDEN, NEW DELHI.**

134. **THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA:** (a) Will Government be pleased to state whether they intend to build more new quarters on the hillside near Talkatora Garden in New Delhi? If so, of what type, when, and whether for men serving in the Viceregal Lodge or for other departments?

(b) Will Government be pleased to state whether they have received representations regarding the insufficiency of quarters for the peons, duffries and tent khalasis of the Viceroy's staff both at Simla and at Delhi? If so, were these representations ever considered? If not, why not?

**THE HONOURABLE MR. D. G. MITCHELL:** (a) No. The question of building in this area has not been considered.

(b) No.

**GOVERNMENT QUARTERS ALLOTTED TO DUFFRIES, ETC., SERVING IN VICEREGAL LODGE, NEW DELHI.**

135. **THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA:** Will Government be pleased to state whether it is a fact that the peons, duffries and khalasis serving in Viceregal Lodge are allowed only a single room?

**THE HONOURABLE MR. D. G. MITCHELL:** No.

**SENIORITY IN THE PRIVATE SECRETARY TO THE VICEROY'S PRESS.**

136. **THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA:** Will Government be pleased to state whether seniority of rank is observed in the Private Secretary to the Viceroy's Press?

**THE HONOURABLE MR. D. G. MITCHELL:** Yes.

**BASIS ON WHICH GOVERNMENT QUARTERS ARE ALLOTTED TO EMPLOYEES OF THE PRIVATE SECRETARY TO THE VICEROY'S PRESS.**

**137. THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA :** (a) Will Government be pleased to state whether the allotment of quarters for the employees of the Private Secretary to the Viceroy's Press is regulated by—

- (i) seniority in pay, or
- (ii) seniority in service, or
- (iii) seniority in press rank, or
- (iv) seniority in status ?

(b) Will Government be pleased to place a statement on the table showing the mode of seniority, so far practically observed, in the allotment of quarters for the Private Secretary to the Viceroy's Press employees since 1930 till now ?

**THE HONOURABLE MR. D. G. MITCHELL :** (a) The allotment of quarters is generally regulated by seniority which is determined by pay.

(b) I regret that I am unable to understand what the Honourable Member means by " mode of seniority ".

**GRANT OF MEDICAL CERTIFICATES TO GOVERNMENT SERVANTS.**

**138. THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA :** Will Government be pleased to state whether they generally do not recognise medical certificates produced by Government servants unless they are granted either by a civil surgeon, or an assistant surgeon, or a sub-assistant surgeon ? Are exceptions made where certificates from such officers are not easily obtainable ?

If the reply to the first part is in the affirmative and the reply to the second part is in the negative will Government be pleased to state the reasons for enforcing such orders even at out of way places ?

**THE HONOURABLE MR. RAM CHANDRA :** A non-gazetted Government servant in superior service applying for leave on medical certificate is required to produce a certificate signed by a registered medical practitioner. The authority competent to sanction the leave may, at its discretion, secure a second medical opinion. In the case of a non-gazetted Government servant in inferior service, the authority competent to grant the leave may accept such certificate as it may deem sufficient. Government have no reason to think that these rules have proved harsh in their operation.

**THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA :** May I know if Government is prepared to accept certificates from doctors that I have mentioned if the person concerned is living in some far-off places ?

**THE HONOURABLE MR. RAM CHANDRA :** That is a point for the consideration of the authority competent to sanction the leave.

**RECOGNITION OF MEDICAL CERTIFICATES.**

**139. THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA :** (a) Will Government be pleased to state whether, in very



many cases, they decline to recognise such medical certificates as are produced either from—

- (i) private practitioners (allopathic), whether registered or unregistered ; and
- (ii) hakims, or vaidas, or homeopathic doctors, whether recognised or unrecognised ?

(b) If the reply is in the affirmative, will Government be pleased to state whether they contemplate changing their practice in this respect? If not, why not?

**THE HONOURABLE MR. RAM CHANDRA :** (a) and (b). I would invite the Honourable Member's attention to the reply I have just given to his question No. 138. Government are unable to accept certificates from practitioners, over whom there is no official system of control or registration.

**THE HONOURABLE MR. HOSSAIN IMAM :** May I ask if Government will accept certificates from people who pass out of Government Unani and Ayurvedic schools ?

**THE HONOURABLE MR. RAM CHANDRA :** There is no official recognition of such practitioners.

**THE HONOURABLE RAI BAHADUR LALA JAGDISH PRASAD :** There is in the United Provinces at least.

**THE HONOURABLE MR. RAM CHANDRA :** That is a matter for the Local Government. We are concerned with centrally administered areas.

**THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA :** Will the Government of India also be prepared to do so ?

**THE HONOURABLE MR. RAM CHANDRA :** The question had better be raised first in the Local Legislature.

**THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA :** I am asking from my Honourable friend that if the Local Government is prepared to accept certificates—

**THE HONOURABLE THE PRESIDENT :** Order, order. It is a hypothetical question ; I disallow it.

**TERMINUS FOR TRAINS RUNNING ON THE BENARES-ALLAHABAD BRANCH, BENGAL AND NORTH-WESTERN RAILWAY.**

140. **THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA :** (a) Will Government be pleased to state whether the running of trains on the Benares-Allahabad branch line of the Bengal and North-Western Railway terminates at the Allahabad City Station ?

(b) If the reply is in the affirmative will Government be pleased to state whether they have considered running trains up to the Allahabad Main Station (East Indian Railway) ?

**THE HONOURABLE SIR MAURICE BRAYSHAY :** (a) Yes.

(b) Yes, in 1905 and 1935. The capital expenditure required would be very heavy and the return on it inadequate.

**THROUGH CONNECTION WITH THE EAST INDIAN RAILWAY FOR THE BENARES-ALLAHABAD BRANCH, BENGAL AND NORTH-WESTERN RAILWAY.**

**141. THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA :** Will Government be pleased to state whether they have considered giving the Benares-Allahabad branch line a through connection with the East Indian Railway ?

**THE HONOURABLE SIR MAURICE BRAYSHAY :** Yes.

**PERCENTAGE OF ANGLO-INDIANS, HINDUS AND MUHAMMADANS ON THE BENGAL AND NORTH-WESTERN RAILWAY.**

**142. THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA :** Will Government be pleased to state the percentage of Hindus, Muhammadans and Anglo-Indians respectively existing at present in the Bengal and North-Western Railway both in the office proper, and on the line, together with the strength of high officials of each particular community ?

**THE HONOURABLE SIR MAURICE BRAYSHAY :** Government regret that they are unable to supplement, with further detailed figures, the information in regard to communal representation in railway services which is contained in the Annual Report by the Railway Board on Indian Railways, copies of which are in the Library of the House.

**CABINET SECRETARY.**

**143. THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA :** (a) Will Government be pleased to state whether they have placed Mr. E. C. Mieville, Private Secretary to His Excellency the Viceroy, on deputation in London to study the working of the Cabinet Secretariat ?

(b) If the reply is in the affirmative will Government be pleased to state the cost of his deputation and the reasons for his deputation ?

**THE HONOURABLE MR. T. SLOAN :** With your permission, Sir, I shall answer questions Nos. 143, 144 and 145 together.

Government have felt that the procedure under which the business of the Government of India is at present transacted can be improved and made more suited to existing and future conditions by the appointment of an officer whose duty will be to co-ordinate the work that comes before the Government as a whole and to make and maintain a record of the discussions and decisions in Council. For the present it is possible to combine the work of such an officer with that of the Private Secretary to His Excellency the Governor General and, with the permission of His Excellency, it has been decided that the work should be entrusted to Mr. E. C. Mieville, the present Private Secretary. It was for this reason that Mr. Mieville was deputed to study the working of the Cabinet Secretariat in England. It is not possible to say at present when a whole-time appointment of Secretary to the Council will be created, but there is no intention of reserving such an appointment for members of the Indian Civil Service. The main qualifications will be an intimate knowledge of the system of Council and Cabinet Government and a personality which will make for the smooth working of the new procedure. The extra cost of Mr. Mieville's deputation was Rs. 2,618.

**THE HONOURABLE MR. P. N. SAPRU :** Is it proposed to continue this combination of Cabinet Secretary and the Private Secretary even after Federation comes into being ?

**THE HONOURABLE MR. T. SLOAN :** The Honourable Member is looking rather far ahead. The present intention is that when Federation comes into being the Federal Government will be enabled to review the whole position.

**THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA :** May I know if Government will be prepared to consider the cases of the Secretary of the Council of State and the Assembly for this post ?

**THE HONOURABLE THE PRESIDENT :** Order, order. It is no concern of the Government of India.

**THE HONOURABLE MR. HOSSAIN IMAM :** May I ask from what date this system of Cabinet Secretary to the Governor General will be inaugurated ?

**THE HONOURABLE MR. T. SLOAN :** I am afraid I cannot answer that at present.

**THE HONOURABLE MR. HOSSAIN IMAM :** It has not been started yet ?

**THE HONOURABLE MR. T. SLOAN :** No.

CABINET SECRETARY.

144. **THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA :** (a) Will Government be pleased to state whether they intend to create a new post of Cabinet Secretary ? If so, when, and why ?

(b) Will Government be pleased to give their reasons for not placing a suitable Indian on deputation in London to study the work of the Cabinet Secretariat ?

(See reply to question No. 143.)

CABINET SECRETARY.

145. **THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA :** (a) Will Government be pleased to state whether they considered the eligibility of a suitable Indian for the new post under consideration before placing Mr. Mieville on deputation in London ? If not, why not ?

(b) Will Government be pleased to state whether they are contemplating the filling of this post by an Indian Civil Service officer or by a non-Indian Civil Service officer ?

(c) If the recruitment of an Indian Civil Service candidate is under contemplation will Government be pleased to state the reasons for their not recruiting a non-Indian Civil Service candidate ?

(d) Will Government be pleased to state the general and particular qualifications which a candidate for selection for the post of Cabinet Secretary should possess ?

(See reply to question No. 143.)

**CABINET SECRETARY AND RECRUITMENT OF HIS OFFICE STAFF.**

**146. THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA :** Will Government be pleased to state :

- (a) The approximate date of opening the Cabinet Office ?
- (b) The number of superintendents, assistants, clerks, stenographers and typists to be taken for that office ?
- (c) Their respective emoluments and grades ?
- (d) The mode of recruitment ?
- (e) The functions of this office ? and
- (f) Whether this office will have any close connection with the present Office of the Private Secretary to the Viceroy ?

**THE HONOURABLE MR. T. SLOAN :** With your permission, Sir, I shall answer questions Nos. 146 to 150 together.

As I have just stated in reply to the Honourable Member's three previous questions Government intend for the present to combine the duties of Secretary to the Council with those of Private Secretary to His Excellency the Governor General. It is, therefore, premature to consider when a separate office will be created, what the staff of such an office will be, and how the staff will be recruited. Applications for appointment in the Office of Secretary to the Council have been received, but none has been considered and no undertaking has been given to any applicant. Other points in the Honourable Member's questions do not therefore arise.

**CABINET SECRETARY AND RECRUITMENT OF HIS OFFICE STAFF.**

**147. THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA :** (a) Will Government be pleased to state whether applications are being daily received by the Office of the Private Secretary to the Viceroy for the Cabinet Office whose creation is yet under contemplation ?

- (b) If the reply is in the affirmative will Government be pleased to state :
  - (i) The number of applications so far received through any Government office and from outside ? and
  - (ii) The names of the applicants with their educational qualifications, office experience and technical experience, if any ?

(See reply to question No. 146.)

**CABINET SECRETARY AND RECRUITMENT OF HIS OFFICE STAFF.**

**148. THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA ?** (a) Will Government be pleased to state whether the Office of the Private Secretary to the Viceroy has already promised the heads of the departments of the Government of India to provide retrenched personnel therefrom as far as possible with posts in the Cabinet Office ?

- (b) If the reply is in the affirmative will Government be pleased to state what procedure the Office of the Private Secretary to the Viceroy intends to adopt ?

(See reply to question No. 146.)

**CABINET SECRETARY AND RECRUITMENT OF HIS OFFICE STAFF.**

149. THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA : (a) Is it a fact that the Office of the Private Secretary to the Viceroy has already been requested to make a choice of such candidates as served or are serving in the Viceroy's Bihar and Quetta Earthquake Relief Funds, respectively ?

(b) If the reply is in the affirmative will Government be pleased to state whether they intend to recruit experienced hands from the offices of the Government of India ?

(See reply to question No. 146.)

**CABINET SECRETARY AND RECRUITMENT OF HIS OFFICE STAFF.**

150. THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA : Will Government be pleased to state whether recruitment of all candidates for the Cabinet Office will be made through the Public Service Commission or also from the departments of the Government of India and from Local Governments ?

(See reply to question No. 146.)

**APPOINTMENT OF INDIANS AS STENOGRAPHERS TO HIS EXCELLENCY THE VICEROY, HIS EXCELLENCY THE COMMANDER-IN-CHIEF AND GOVERNORS OF PROVINCES.**

151. THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA : (a) Will Government be pleased to state whether Indians are eligible for the post of stenographer to the Viceroy, or to a Provincial Governor, or to the Commander-in-Chief in India ?

(b) If the reply is in the affirmative will Government be pleased to state the reasons of non-appointment of Indian stenographers to such persons for a long time ?

THE HONOURABLE MR. T. SLOAN : (a) There is no bar to the appointment of Indians as stenographers to Their Excellencies the Viceroy and the Commander-in-Chief. The appointment of stenographers to the Provincial Governors is not the concern of the Governor General in Council.

(b) The appointment of stenographers to His Excellency the Viceroy is entirely in His Excellency's personal discretion. An Indian is at present employed as a stenographer to His Excellency the Commander-in-Chief.

THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA : May I know if any Indian has been appointed as stenographer to His Excellency the Viceroy ?

THE HONOURABLE MR. T. SLOAN : Not so far as I am aware.

**TERMINAL, PILGRIM AND MUNICIPAL TAXES REALISED BY THE EAST INDIAN RAILWAY.**

152. THE HONOURABLE MR. HOSSAIN IMAM : Will Government kindly state the following facts about terminal, pilgrim and municipal taxes realised by the East Indian Railway :

(a) The laws under which the railway collects ?

(b) The amount collected for each of the following places in 1933-34, Howrah, Gaya, Benares (including Kashi), Allahabad (Prayag), Fyzabad (Ajodhya), Bindhachal, Hardwar and Rishikesh?

(c) The amount debited from each place by the railway as collection charge in 1933-34?

(d) The authorities at each of the places in question who get this money?

(e) The Acts and Rules under which each of the disbursing authorities are constituted?

(f) The specific general rules as to the objects on which disbursement can be made from these funds? and

(g) The auditing authority from the Government of India for these funds?

THE HONOURABLE SIR MAURICE BRAYSHAY: (a) The taxes are collected under notifications or instructions issued by the Local Governments concerned.

(b), (c), (d) and (e). I place on the table of the House a statement furnishing the information required.

(f) The proceeds of a pilgrim tax are expended on arrangements for the health and comfort of the pilgrims and the improvement of sanitary and other conditions attending the pilgrimage. The income from terminal tax on goods forms part of the general revenues of the local body concerned.

(g) The funds are not under the control of the Government of India.

THE HONOURABLE MR. HOSSAIN IMAM: May I request the Honourable Member to lay, at least the numbers and dates of the notifications referred to in (a), on the table of the House next time we meet?

THE HONOURABLE SIR MAURICE BRAYSHAY: Certainly.

Statement referred to in parts (b), (c), (d) and (e) of question No. 152.

Name of the municipality.	Amount collected in 1933-34.	Amount debited as collector charges.	To whom paid.	The Acts under which the authorities mentioned in column 4 are appointed.
Howrah .. .. .	Rs. A. P. 1,02,243 0 6	Rs. A. P. 2,556 12 9	Secretary, Calcutta Improvement Trust, Calcutta.	The Calcutta Improvement Act, 1911.
Gaya .. .. .	43,860 6 9	2,193 10 0	President, Lodging House Fund, Gaya.	The Bihar and Orissa Places of Pilgrimage Act, 1920.
Allahabad, Prayag and Prayag Ghat.	76,660 15 9	3,964 15 9	Secretary, Municipal Board, Allahabad.	The United Provinces Municipalities Act, 1916.
Benares Cantt. and Kashi .. .. .	58,215 1 6	1,800 0 0	Executive Officer, Municipal Board, Benares.	The United Provinces Municipalities Act, 1916.
Bindhachal .. .. .	2,659 5 9	132 15 6	Chairman, Municipal Board, Mirzapur.	The United Provinces Municipalities Act, 1916.
Fyzabad, Fyzabad City and Ajodhya.	34,136 0 3	1,800 0 0	Chairman, Municipal Board, Fyzabad.	The United Provinces Municipalities Act, 1916.
Hardwar and Jawalapur .. .. .	1,34,202 3 3	4,026 9 9	Chairman, Hardwar Union, Hardwar.	The United Provinces Municipalities Act, 1916.
Rishikesh .. .. .	4,889 3 6	244 7 3	President, Notified Area, Rishikesh.	The United Provinces Municipalities Act, 1916.

**CLOSURE OF A SALT DEPOT IN THE ENNORE CIRCLE, MADRAS PRESIDENCY.**

153. THE HONOURABLE DIWAN BAHADUR G. NARAYANASWAMI CHETTY : Will Government be pleased to state :

(i) Is it a fact that the Central Board of Revenue has passed orders for the closure of a monopoly factory in the Ennore Circle of the Madras Presidency ?

(ii) If the answer is in the affirmative, have they considered the question of granting compensation to the present licensee ?

(iii) If compensation is granted will the Dittam prescribed for production before the year 1925 be taken into account ? and

(iv) Do they propose to arrange for facilities to be rendered for the storage of manufactured salt, etc., in respect of licensees who wish to work under the excise system ?

THE HONOURABLE MR. P. C. TALLENTS : (i) and (ii). Yes.

(iii) The existing licensees will be granted full compensation in accordance with the provisions of section 18 of the Madras Salt Act, that is on the basis of average quantity of salt stored annually during the five preceding years.

(iv) It has been decided to maintain the existing salt depot for the convenience of those licensees who take modified excise licenses. They will be allowed the free use of the depot for storage of their salt for a period of two years by which time they are expected to provide their own platforms at the factories for this purpose.

**DECLINE IN IMPORTS OF FOREIGN SALT INTO CALCUTTA.**

154. THE HONOURABLE DIWAN BAHADUR G. NARAYANASWAMI CHETTY : (a) Has there been a steady decline in recent years in the import of foreign salt at Calcutta ?

(b) If so, have Government considered the advisability of appointing experts to introduce modern methods in the manufacture of salt, with a view to augment the production in Madras and other parts of India and to cater for the needs of Calcutta ?

THE HONOURABLE MR. P. C. TALLENTS : (a) Yes.

(b) The Government of India have no such proposal under their consideration.

**CONFIRMATION OF TEMPORARY CLERKS IN GOVERNMENT OF INDIA OFFICES, ETC.**

155. THE HONOURABLE MR. V. V. KALIKAR : (a) Is it a fact that (i) in many departments of the Government of India and their attached offices, and (ii) in many departments, under Local Governments, temporary candidates, with four or more years approved combined service, in either a temporary or semi-permanent post, are made permanent by making such temporary or semi-permanent post a permanent one ?



(b) If the reply is in the affirmative will Government be pleased to state the reasons for serving notices upon temporary or officiating candidates ?

(c) Will Government be pleased to lay on the table a statement showing the number of such temporary and semi-permanent posts that were made permanent, the respective departments concerned, the incumbents effected, their amount of service and the dates of and reasons for the action taken ?

THE HONOURABLE MR. T. SLOAN : (a) Government have no such information.

(b) Notices have been served on the unqualified temporary clerks working in the Government of India offices which recruit through the Public Service Commission as it has been decided to fill all temporary vacancies of three months duration or more by candidates who have passed the Commission's examination.

(c) Government are not aware that any such case has occurred.

THE HONOURABLE MR. HOSSAIN IMAM : Will Government take communal representation into consideration in making these temporary appointments ?

THE HONOURABLE MR. T. SLOAN : The question does not arise out of this question, Sir.

REASONS WHY GOVERNMENT OF INDIA OFFICES GIVE PREFERENCE TO PASSED CANDIDATES OVER PERSONS RETRENCHED DURING 1930-31.

156. THE HONOURABLE MR. V. V. KALIKAR : (a) Will Government be pleased to state whether a circular was issued by the Home Department suggesting that preference over Public Service Commission passed candidates should be given to candidates for re-employment who were candidates recruited direct from another department but retrenched during the retrenchment period of 1930-31 ?

(b) If the reply is in the affirmative, will Government be pleased to state their reasons for giving preference to Public Service Commission passed candidates ?

THE HONOURABLE MR. T. SLOAN : (a) The orders were that as far as possible permanent members of the clerical staff who were being retrenched and were considered suitable for re-employment should be absorbed in other departments of the Government of India and attached offices, either by replacing men then employed temporarily in permanent vacancies, or by re-engagement as vacancies became available.

(b) All persons who were entitled to re-employment under these orders have already been provided for.

CONTINUOUS TEMPORARY SERVICE IN GOVERNMENT OF INDIA OFFICES TO COUNT FOR PENSION.

157. THE HONOURABLE MR. V. V. KALIKAR : (a) Is it a fact that the Finance Department sent a circular to all departments of the Government of India to the effect that all continuous temporary service rendered by young men should be counted as service for pension ? If so, how many men have been given the benefit of the circular and why have all concerned not been given the benefit thereof ?

(b) Is it a fact that when the revision of the Civil Service Regulation took place and the Fundamental Rules were being framed, the Auditor General expressed the opinion that all temporary service rendered to Government should be treated as service countable for pension ?

THE HONOURABLE MR. P. C. TALLENTS : (a) No such orders have been issued by the Finance Department.

(b) No.

#### EXEMPTIONS GRANTED TO UNQUALIFIED MEN IN GOVERNMENT OF INDIA OFFICES.

158. THE HONOURABLE MR. V. V. KALIKAR : (a) Will Government be pleased to state the circumstances under which exemptions are granted to unqualified men working in the Government of India offices and attached offices for purposes of permanent appointments ?

(b) Will Government be pleased to state the number of such exemptions (showing the persons affected, their qualifications, experience, date and mode of recruitment, nature of the post, pay, grade and amount of service rendered) —

(i) granted by the Public Service Commission from 1928—1934 to unqualified men whether temporary or permanent for ordinary posts, technical posts and general posts requiring special technical knowledge, respectively, with the reasons for granting such exemptions ; and

(ii) refused by the Public Service Commission during that period with reasons for the refusal ?

THE HONOURABLE MR. T. SLOAN : With your permission, Sir, I shall answer questions Nos. 158 and 160 together.

(a) of question No. 158.—Exemptions from the ministerial service examination may be granted in exceptional cases to persons who have acquitted themselves satisfactorily in examinations of a higher or equivalent standard or have acquired great experience of Government service outside the ministerial line. In addition persons with special or technical qualifications can be appointed without passing the ministerial service examination to a post which has been removed from the ordinary cadre on the ground that it requires such qualifications.

(b) of questions Nos. 158 and 160.—The collection of the detailed information required by the Honourable Member would involve an amount of time and labour quite incommensurate with the result.

#### AUTHORITY DECIDING CASES OF EXEMPTION FOR EMPLOYMENT IN GOVERNMENT OF INDIA OFFICES.

159. THE HONOURABLE MR. V. V. KALIKAR : (a) Will Government be pleased to state whether exemptions are granted or refused exclusively at the discretion of the Commission, or upon the facts and figures furnished by the head of the department ?

(b) Will Government be pleased to state whether the Commission is the final authority for deciding questions of exemptions, or whether

reference is also made to the Home Department either by the Commission or by the department concerned ?

**THE HONOURABLE MR. T. SLOAN :** (a) and (b). Applications for exemption are now dealt with in the Home Department, who consult the Public Service Commission in doubtful cases.

**REFUSAL OF EXEMPTIONS TO UNQUALIFIED MEN IN GOVERNMENT OF INDIA OFFICES.**

160. **THE HONOURABLE MR. V. V. KALIKAR :** Will Government be pleased to state whether the cases of hands who were refused exemptions were subsequently referred to the Home Department ? If not, why not, and who were the persons to whom exemptions were refused ?

(See reply to question No. 158.)

**TRANSFER OF THE WORK OF POSTING TO MINISTERIAL SERVICE FROM THE PUBLIC SERVICE COMMISSION TO THE HOME DEPARTMENT.**

161. **THE HONOURABLE MR. V. V. KALIKAR :** Will Government be pleased to state whether the Home Department has recently taken over the business of posting, appointing and granting exemptions, etc., from the Public Service Commission ?

**THE HONOURABLE MR. T. SLOAN :** This work has been taken over by the Home Department.

**SHORT NOTICE QUESTION AND ANSWER.**

**TRANSACTION OF OFFICIAL BUSINESS ON A NON-OFFICIAL BUSINESS DAY.**

162. **THE HONOURABLE MR. JAGADISH CHANDRA BANERJEE :** (a) Is it a fact that under the Government of India Act, 1919, the days for the transaction of non-official business are fixed by the Governor General and not by the Governor General in Council ? If so, will Government be pleased to state under what section of the Government of India Act the Governor General in Council can bring official business on a day fixed for non-official business which is the prerogative of the Governor General ?

(b) Will Government be pleased to state the sections of the Government of India Act which empower the Governor General in Council or the Indian Legislature to infringe the prerogatives of the Governor General vested in him by the Government of India Act ?

(c) Will Government be pleased to state whether the Governor General in Council or any other authority has any power to bring official business on a day allotted for non-official business by the Governor General without the previous consent of the Governor General ?

(d) If there is no such power given to the Governor General in Council, will Government be pleased to state under what authority they brought the Criminal Law Amendment Bill on the 26th September for disposal by the Council of State and whether the Governor General's previous consent was obtained for taking this unusual step ? If not, why not ?

**THE HONOURABLE MR. D. G. MITCHELL :** (a) and (b). Days for non-official business are allotted by the Governor General under rule 6 of the Indian

**Legislative Rules.** If the Honourable Member will refer to that rule he will find that, while the transaction of business other than Government business is prohibited on an official day except with the consent of the Governor General in Council, the provision made for non-official days is merely that non-official business shall have precedence. No consent by the Governor General or by any other authority is required to the transaction of Government business on a non-official day after the termination of the non-official business set down for that day.

(c) Does not arise.

(d) Government did not "bring the Criminal Law Amendment Bill on the 26th September for disposal" in the words of the Honourable Member. The Bill was proceeded with on that day in accordance with a request made on behalf of the Party to which the Honourable Member belongs, with the tacit but obvious concurrence of all Honourable Members present and with the consent of the Honourable the President under Standing Order 7 to the transaction of an item of business not included in the list of business for the day. No question of obtaining the Governor General's consent arose.

**THE HONOURABLE MR. JAGADISH CHANDRA BANERJEE:** The Party did not consult me when they came to an agreement on this, Sir.

**THE HONOURABLE THE PRESIDENT:** This Council has nothing whatever to do with your Party consulting you.

**THE HONOURABLE MR. JAGADISH CHANDRA BANERJEE:** Will this sort of procedure be made a precedent of this House?

**THE HONOURABLE THE PRESIDENT:** No question of precedent has arisen at present. I do not see what you mean by that? I do not understand you at all.

(The Honourable Rai Bahadur Lala Ram Saran Das then stood up.)

**THE HONOURABLE THE PRESIDENT:** It is not very usual to allow a statement to be made on such an occasion as this, but as this question is of vital importance and as the Honourable the Leader of the House has given his reply, I think that in fairness to you I should allow you to make a statement, in view especially of the remarks which have fallen from the Honourable Mr. Banerjee.

**THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS:** Thank you, Sir.

In order to meet the convenience of the Hindu Members who objected to working on Friday which was a Hindu holiday, our Deputy Leader, after consultation with Members of the Party present and the Leader of the House, suggested that the Criminal Law Amendment Bill might be taken up that day after the non-official agenda was over. You, Sir, very kindly acceded to this request. In fairness to you and the Honourable the Leader of the House I feel that we must shoulder the responsibility for what has occurred and we do so.

And now I would, with your permission, like to read out the statement which I would have done had I been present at the time of the third reading. My absence was due to the fact that I and some other Members—

THE HONOURABLE RAJA GHAZANFAR ALI KHAN: Is this relevant to this short notice question, Sir?

THE HONOURABLE THE PRESIDENT: I entirely agree with the Honourable Raja Ghazanfar Ali Khan. If you wish to offer a personal explanation regarding your absence, you can do so, but I cannot allow you at this stage to make observations on a Bill which has already been passed by this Council.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: Sir, it is a personal explanation, and as the Honourable Mr. Banerjee has made a certain statement, I thought that what we wanted to say that day ought to be said today. That will clear our position.

THE HONOURABLE THE PRESIDENT: You can say anything with reference to the Honourable Mr. Banerjee's statement, but not on the Bill itself.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: My absence was due to the fact that I and some other Members—that is a personal explanation—were trying to get into touch with the absentee members of our Party, and in particular with the Honourable Mr. Banerjee, on the telephone so that they might be present for the division which we had intended to call. As we had no option but to vote against the measure, we decided not to prolong the discussion as it would have served no useful purpose but only wasted the time of the Council, we well knew what the result would be. We have, Sir, offered this explanation because the Honourable Mr. Banerjee happens to be a member of our Party and he sent in his question without consulting the Party.

THE HONOURABLE RAJA GHAZANFAR ALI KHAN: Is he still a Member of your Party?

### STATEMENTS LAID ON THE TABLE.

#### QUANTITY OF SILVER PURCHASED SINCE 1915.

THE HONOURABLE MR. P. C. TALLENTS (Finance Secretary) Sir, I lay on the table a statement containing the information promised in reply to question No. 120, asked by the Honourable Mr. Shantidas Askuran on the 16th of April, 1935.

(a) and (b). The quantities purchased and the prices paid are given in the rupee coinage accounts of the Finance and Revenue Accounts of the Government of India from 1915-16 to 1921-22. There were no purchases after the latter year.

(c) The figures are given in the annual reports of the Controller of the Currency from 1927-28. There were no sales before that year.

(d) Rs. 42.

(e) The loss realised up to the end of 1933-34 is given in account No. 93A in the Finance and Revenue Accounts of the Government of India for that year. The figures given there only cover realisations since 1927-28. In the years prior to this there was of course a very

large net profit which cannot be exactly calculated. I may however state for the information of the Honourable Member that out of these profits (a) the Gold Standard Reserve of £40 million was built up, (b) over a million pounds were utilised for railway construction, and (c) considerable amounts were also credited to the revenues of the Government of India.

#### HARDWAR IMPROVEMENT ADVISORY COMMITTEE.

THE HONOURABLE SIR MAURICE BRAYSHAY (Chief Commissioner of Railways) : Sir, I lay on the table the information promised in reply to question No. 104 asked by the Honourable Rai Bahadur Lala Jagdish Prasad on the 20th September, 1935.

(a) Yes.

(b) The East Indian Railway Administration report that a representation was received in August and that the Divisional Superintendent, Moradabad, was asked to meet the Chairman, Hardwar Union and a member of the Hardwar Improvement Advisory Committee personally, to discuss on the spot the proposals put forward. A report on the result of the discussion is awaited from the Divisional Superintendent, Moradabad.

#### INDIAN COFFEE CESS BILL.

THE HONOURABLE MR. T. A. STEWART (Commerce Secretary) : Sir, I move :

"That the Bill to provide for the creation of a fund for the promotion of the cultivation, manufacture and sale of Indian coffee, as passed by the Legislative Assembly, be taken into consideration."

The object of this Bill, Sir, is to help the coffee-growing industry to help itself by the imposition of a light cess the proceeds of which will constitute a fund which will be administered by a representative committee for the benefit of the coffee-growing industry. The principle of the Bill, Sir, is one which has already been accepted by the Government of India and by the Legislature in regard to tea, cotton and lac and it is entirely unnecessary for me to expound or defend that principle at this time. It is legitimate, however, to ask what the justification is for applying this principle to the case of coffee. The justification, Sir, is to be found in the fact that it is the coffee industry itself and the coffee-growing interests that have asked that the cess be imposed. The coffee-growing area of India lies in the south within the jurisdiction of the Governments of Madras, Coorg, Travancore, Cochin and Mysore. All five Administrations have accepted the scheme. Some of them indeed have pressed upon the Government of India its necessity. A canvass of the coffee-growing interests has shown that of the 163,000 acres under coffee in South India, interests representing 130,000 have given active support to the scheme and as little as 3,000 acres have shown opposition. A large acreage in Madras gave no reply. That represented mainly Indian producers who are not exporters and are naturally not interested in the cess scheme. The Government of Madras, however, assure us that inquiries by their Agricultural Department have shown that the coffee-growers as a whole in the Madras Presidency are in favour of this scheme. That, Sir, is the justification for the application of this principle to the coffee-growing industry.

As regards the Bill itself, there is little to be said. To use a modern trade phrase, it is the 1935 model of the other Cess Acts. I would refer to one or

two points only. It will be noticed that the Bill does not apply to Burma. That is in accordance with the desire of the Government of Burma who are to a very small extent only interested in the growth of coffee and its export. The second point to which I would refer is that the cess which it is proposed to impose is a very light burden on the industry. On the present declared value of exported coffee the cess of Re. 1 per cwt. represents something under two per cent. *ad valorem*. In the first instance it is not proposed to impose the maximum cess. The rate in the first instance will be eight annas per cwt., which represents something under one per cent. *ad valorem*.

Perhaps the most important clause of the Bill is clause 4, which determines the constitution of the Committee which will administer the fund, and it may be asked whether this is representative of all the interests concerned. Well, Sir, if I may give my estimate of what will be the constitution of the Committee under clause 4, I would do so in this way. Of the five persons to be nominated to represent the Agricultural Departments of the administrations concerned it is almost certain that every one will be an Indian. But we may assume that one of them may be a European. Of the 11 persons representing the coffee-growing industry, the three representatives of Mysore will again in all probability be Indians. I assume for the purposes of my calculation that the Government of Mysore may nominate one European. The two persons to be nominated by the Local Governments of Madras and Coorg will be Indians. It is our intention to ask those administrations to nominate Indians who will be representative of the non-associated interests. By non-associated interests I mean those growers who are neither members of the United Planters Association of South India nor of the Coffee Growers Association. We have every reason to believe that the nominees of the United Planters Association and of the Coffee Growers Association will be two Europeans and one Indian in each case. As regards the persons representing trade interests to be nominated by the Governor General in Council, our anticipation is that in the first instance there will be two Europeans and one Indian. The representative of the Council of Agricultural Research will be either a European or an Indian. The possibilities therefore are that of the 20 members of the Committee as many as 14 may be Indians and six Europeans. Our estimate is that at the worst there would be 12 Indians and eight Europeans. Now the area under coffee is divided between European and Indian interests roughly in the ratio of 40 to 60, so that the representation repeats practically exactly the actual distribution of the acreage between the two interests. We consider therefore that this Committee will be as representative as it is possible to make it.

The other clauses of the Bill repeat clauses which already exist in other Cess Acts and they call for no further comment from me.

To sum up, Sir, this Bill embodies a scheme which has been devised by the coffee industry for the benefit of the coffee industry and it will be administered by that industry itself. For these reasons, Sir, I commend the Bill to the House.

Sir, I move.

THE HONOURABLE MR. HOSSAIN IMAM\* (Bihar and Orissa : Muhammadan) : Mr. President, I rise to say a few words about the Bill before the

[Mr. Hossain Imam.]

House. I am a great admirer of the system of cess, because it is a system of self-help for the industry for which we impose it, and as such it has our sympathies. If I rise, Sir, I simply want the Honourable Commerce Secretary to enlighten us about certain points. Firstly, he said that the incidence of the cess would be about two per cent. on the *ad valorem* price. I want to know what would be its effect on the Ottawa Pact? Will it not have some effect towards decreasing further our share in the coffee trade? Because we already have competition from other parts of the British Empire. If they are also imposing a cess our condition and their condition will be similar; otherwise it might act as a damper.

THE HONOURABLE THE PRESIDENT: But the request has come from the industry itself, as stated by the Honourable Mr. Stewart.

THE HONOURABLE MR. HOSSAIN IMAM: Sir, we quite agree that the interests concerned themselves applied for it. I simply wanted to know whether there is information as to other countries imposing a cess or not? Then, Sir, in this cess there is one thing which distinguishes it from other cesses, for instance, the cotton cess, where the incidence of taxation is not only on foreign buyers but also on the internal consumers. Here, perhaps, I am correct in assuming there is no incidence of taxation on the internal consumers?

THE HONOURABLE MR. T. A. STEWART: This is an export duty

THE HONOURABLE MR. HOSSAIN IMAM: So I say. Therefore there is not that necessity for the presence of the peoples' representatives in this particular Committee as there is in other cess committees. I should have liked, instead of giving representation to trade interests through nomination by the Governor General, which after all is overdoing the representation, because you have provided that the trade or industry, the growers, should be represented in the Committee and there seems no necessity for three additional persons to represent trade interests—I should have liked to have had a representative of the Madras Council and a representative each from the Central Legislatures, elected or nominated as the case might be. Then some of our friends would have liked Labour to be represented on this Committee also, so that their interests may not suffer. The general framework of the Bill is admirable and I have no objection to offer.

THE HONOURABLE DIWAN BAHADUR G. NARAYANASWAMI CHETTY (Madras: Non-Muhammadan): Sir, in rising to support this Motion I should like to give a few facts to the House. In order to improve the sales of South Indian coffee both in India and abroad, the Government of India have been moved to introduce as early as possible an Indian Coffee Cess Bill, modelled on the Indian Cotton Cess Act, 1923. The Bill seeks to serve a dual purpose. The first is to impose a cess on the export of coffee which will form the nucleus of a fund for the purpose of propaganda both in India and overseas, the improvement of marketing, and agricultural and technological research. The second purpose is to form a Committee to be called the "Indian Coffee Cess Committee" which will be representative of the coffee-growers, trade interests, and the Agricultural Departments of the Local Governments concerned. It may later be found necessary to raise more money for this purpose from coffee which is sold in India, either by means of a cess on acreage or by means of a cess on production. This would be a matter, however, for the Local Governments and



Indian States concerned. The first step to be taken is to form a statutory body to represent the coffee interests and to raise funds by means of a cess on exports. The proposals have gradually taken shape through discussions between the Coorg and the Mysore Planters' Associations, the Coffee Growers' Association of South India, and the Governments of Mysore, Madras and Coorg. The summary shows the area of coffee in the Madras Presidency, Coorg and the Indian States. It will be seen from the figures that 87,803 acres are in the Indian States and 74,961 are in British India. The largest acreage is in the Mysore State, while Coorg and the Madras Presidency have approximately the same acreage. Out of the total acreage consulted, only approximately 3,000 acres have voted against the scheme. Over 130,000 acres have voted in favour of the scheme and no replies have been received from about 25,000 acres. This latter figure would appear to be large, but most of the acreage represented by it is in the Madras Presidency and represents about 800 Indian owners, the vast majority of whom do not export their coffee out of India, and from whom it is difficult to obtain replies to communications. It may be pointed out that more than half the coffee grown in South India is Indian-owned; and practically all the coffee grown by Europeans is with rupee capital, there being only six sterling coffee companies.

Sir, on behalf of the planters of South India we welcome the Bill and I congratulate the Government on the early action they have taken and I heartily support the Motion before the House.

\*THE HONOURABLE MR. P. N. SAPRU (United Provinces Southern : Non-Muhammadan): Sir, I agree with the principle that there should be a cess to help the industry, but there is just one observation that I should like to make. My Honourable friend Mr. Hossain Imam has already anticipated me. I should have liked some representation of the coffee workers on this Committee and I should have also liked the Central Legislature to be represented on the Coffee Cess Committee. Sir, I think it is a good principle that workers should be represented on these Committees.

With these remarks, Sir, I give my support to the Bill.

THE HONOURABLE SIR DAVID DEVADOSS (Nominated : Indian Christians): I have much pleasure in supporting the Motion. In the last century coffee was grown entirely in the south and in the seventies coffee was a very thriving industry in the Madras Presidency; but owing to coffee disease which invaded the plantations in about 1876 or 1877, most of the coffee estates suffered and the European-owned estates became tea estates and most of the Indian-owned estates were either given up or did not yield coffee. For the last few years, Sir, the industry has been showing signs of improvement. It is well known that most of the plantations or gardens are in the Shervaroys, Palnis, Mysore State, Cochin State and some parts of Travancore State. It has been felt for some time that if this industry is properly organised it would certainly be a very thriving industry. No doubt there is keen competition with Brazil, but South Indians are, if I may say so, great coffee drinkers and this measure will certainly benefit them. This Bill would not prejudicially affect anybody; on the other hand a well organised industry would certainly benefit the country and I therefore have very great pleasure in supporting the measure.

---

\* Not corrected by the Honourable Member.

**THE HONOURABLE MR. V. C. VELLINGIRI GOUNDER** (Madras: Non-Muhammadian): Sir, I just want some information about the constitution of this Committee. Clause 4(i) (ii) says that there will be eleven persons representing the coffee-growing industry on the Committee; and (c) and (d) say that three persons will be nominated by the United Planters Association of Southern India and three persons representing trade interests will be nominated. I want to know if (c) and (d) will come as a separate category or as a part of the coffee-growing industry?

**THE HONOURABLE KHAN BAHADUR NAWAB CHAUDRI MUHAMMAD DIN** (East Punjab: Muhammadan): Sir, this Bill is an attempt to improve and develop the coffee industry. Coffee-growers have themselves asked for this measure. It is likely to improve the marketing conditions. The money on propaganda will be spent by the coffee-growers themselves. If the attempt succeeds, the trade balance of India will improve and those engaged in the industry will certainly benefit. I support the Bill.

**THE HONOURABLE MR. T. A. STEWART**: Sir, may I endeavour to make clear one or two points which are apparently not clear. The Honourable Mr. Hossain Imam has asked me to give an opinion as to the effect of this cess on the Ottawa preference now enjoyed by coffee. The Indian coffee-growers are of opinion that the present preference of a penny per pound is not sufficient, but they realise that unless they take the same measures as some of their competitors, for example Kenya, they have not a very good case for going to His Majesty's Government to ask for an increased preference. With the example of Kenya before them,—Kenya has made very rapid progress by means of propaganda in the United Kingdom market,—they themselves realise that until they take this step, endeavour to put their house in order and do what they can to promote their sales, they have no very strong case for asking for an increase of preference. Let me also explain what is meant by the three persons representing trade interests. It has been suggested that this provision overlaps the preceding one. These, however, are not coffee-growers. In the coffee industry there are other interests: (a) exporting interests, (b) coffee-curing interests, and (c) the internal distributor. The three persons representing trade interests will represent those branches of the coffee industry.

I am afraid I did not quite follow the Honourable Mr. Gounder's question regarding representation. If he will repeat it, I shall endeavour to reply.

**THE HONOURABLE MR. V. C. VELLINGIRI GOUNDER**: Sir, you have given in clause 4(2) eleven persons representing the coffee-growing industry and then in (c) and (d) six persons nominated by the Planters' Association and the Growers' Association. I want to know whether the coffee-growing industry includes the Associations also?

**THE HONOURABLE MR. T. A. STEWART**: Yes. I think it is obvious from the wording of the clause that 11 persons are to represent the coffee-growing industry and these are made up by the various items (a), (b), (c) and (d).

**THE HONOURABLE THE PRESIDENT**: Motion made:

"That the Bill to provide for the creation of a fund for the promotion of the cultivation, manufacture and sale of Indian coffee, as passed by the Legislative Assembly, be taken into consideration."

The Motion was adopted.

Clauses 2, 3, 4, 5, 6, 7 and 8 were added to the Bill.

Clauses 9, 10, 11, 12 and 13 were added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

THE HONOURABLE MR. T. A. STEWART : Sir, I move :

“ That the Bill, as passed by the Legislative Assembly, be passed.”

The Motion was adopted.

### JUBBULPORE AND CHHATTISGARH DIVISIONS (DIVORCE PROCEEDINGS VALIDATION) BILL.

THE HONOURABLE MR. G. H. SPENCE (Government of India : Nominated Official) : Sir, I move :

“ That the Bill to remove certain doubts and to validate certain proceedings of the High Court of Judicature at Allahabad, as passed by the Legislative Assembly, be taken into consideration.”

This Bill, Sir, requires a certain amount of explanation but I shall endeavour to furnish the necessary explanation as briefly as possible. Under the relevant paragraph in the definition of High Court in section 3 of the Indian Divorce Act the court vested with the jurisdiction of a High Court under that Act in respect of the Central Provinces is the High Court to whose original criminal jurisdiction a petitioner is for the time being subject or would be subject if he or she were a European British subject. Prior to the amendment of the Code of Criminal Procedure by Act XII of 1923, the Court of the Judicial Commissioner of the Central Provinces was not a High Court in reference to proceedings against European British subjects, and original and appellate criminal jurisdiction over European British subjects in the Central Provinces was distributed between the Bombay and Allahabad High Courts by a notification under section 3 of the Indian High Courts Act, 1865, corresponding with section 109 of the Government of India Act, the Bombay High Court being vested with this jurisdiction in the Nagpur and Nerbudda Divisions and the Allahabad High Court in the Chhattisgarh and Jubbulpore Divisions. Thus up to the relevant date in 1923 the Allahabad High Court, being the Court to whose original criminal jurisdiction a petitioner from the Chhattisgarh or Jubbulpore Division was for the time being subject or would have been subject if he or she were a European British subject, was unquestionably the High Court in respect of these divisions for the purposes of the Indian Divorce Act. By Act XII of 1923, clause (j) of sub-section (1) of section 4 of the Code of Criminal Procedure was so amended as to cause the Court of the Judicial Commissioner of the Central Provinces to become a High Court in respect of European British subjects. The amending Act came into force on the 1st September, 1923 and on the same date the notification vesting in the Bombay and Allahabad High Courts original and appellate criminal jurisdiction over European British subjects in the Central Provinces was cancelled. It follows that from the 1st September, 1923 the Allahabad High Court ceased to be, and the Court of the Judicial Commissioner of the Central Provinces became, the High Court to whose original

[Mr. G. H. Spence.]

criminal jurisdiction a petitioner from the Chhattisgarh or Jubbulpore Division was subject or would have been subject if he or she had been a European British subject, with the result that if regard is had only to the relevant provision of the Indian Divorce Act there is no doubt that the Allahabad High Court ceased from that day to be, and the Court of the Judicial Commissioner of the Central Provinces became from that day, the Court vested with the jurisdiction of a High Court under the Indian Divorce Act in respect of the relevant divisions of the Central Provinces. In the case of the divisions where European British subjects were formerly subject to the jurisdiction of the Bombay High Court, subsequent practice has proceeded on this basis, that is to say, the Court of the Judicial Commissioner of the Central Provinces has from the 1st September, 1923 exercised, and the Bombay High Court has from that date ceased to exercise, the relevant jurisdiction. In the case, however, of the divisions formerly subject to the jurisdiction of the Allahabad High Court, the contrary position has prevailed, that is to say, the Allahabad High Court has when moved to do so continued to exercise the jurisdiction of a High Court under the Divorce Act in respect of the two divisions in question. Its exercise of that jurisdiction appears never to have been challenged and there has therefore been no judicial examination of the question whether or not it in fact possesses that jurisdiction. In the course, however, of the correspondence preliminary to the introduction of this Bill the Government of India have been made aware that the learned judges of the Allahabad High Court take the view that notwithstanding the admittedly valid removal from the Allahabad High Court of criminal jurisdiction over European British subjects in the relevant divisions, and notwithstanding the ostensible consequences of the definition of High Court in the Indian Divorce Act the Allahabad High Court continues to be vested with jurisdiction under that Act in respect of the two divisions in question under the operation of sub-section (1) of section 106 of the Government of India Act, whereby the several High Courts have all such jurisdiction as was vested in them "at the commencement of this Act", that is to say, at a time when the Allahabad High Court was vested with the relevant divorce jurisdiction in the circumstances which I have already explained. The Allahabad High Court being of this opinion a doubt as to the correct position has arisen and it is necessary for the Legislature to resolve that doubt. Clause 2 of the Bill effects this object by declaring that the relevant jurisdiction has from the relevant date vested and shall continue hereafter to vest in the Court of the Judicial Commissioner of the Central Provinces. This declaration exhibits the jurisdiction exercised after the relevant date by the Allahabad High Court as invalidly exercised and it consequently becomes necessary to validate the jurisdiction exercised by that Court. This is done by clause 3.

Sir, I move.

\* THE HONOURABLE RAI BAHADUR LALA JAGDISH PRASAD (United Provinces Northern : Non-Muhammadan) : Sir, it is not quite clear to me from the speech of the Honourable Mr. Spence as to why the Allahabad High Court continues to exercise this jurisdiction in respect of these divisions if the Allahabad High Court has ceased to exercise this jurisdiction according to these

\* Not corrected by the Honourable Member.

Acts? Whether it was by mistake or oversight or for some other reason, I hope the Honourable Mr. Spence will clear this point.

\*THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA (United Provinces Central : Non-Muhammadan) : Sir, I have no quarrel with the objects and reasons of this Bill which seeks with our approval to remove certain doubts about the jurisdiction of the Allahabad High Court under the Indian Divorce Act within the Jubbulpore and Chhattisgarh Divisions of the Central Provinces and to validate all proceedings held there from 1st September, 1923 to the present time. That is the chief object of bringing this Bill before this House. But, Sir, what I would like to bring to the notice of the Government is that the administration of the Allahabad High Court is not very satisfactory.

THE HONOURABLE MR. G. H. SPENCE : Sir, is the Honourable Member in order?

THE HONOURABLE THE PRESIDENT : I was just waiting to see what he was going to say.

THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA : Sir, if the Honourable Member will let me develop my point, he will see that I am giving my grounds for opposing this Bill. Therefore, Sir, as their administration is not satisfactory, I wish to bring to the notice of the Government that they must improve their administration.

THE HONOURABLE THE PRESIDENT : It is not necessary for you to make any reflections on the administration of the Allahabad High Court in connection with this measure.

THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA : Sir, one very recent occurrence which happened there is this. They passed one judgment against—

THE HONOURABLE MR. G. H. SPENCE : On a point of order, Sir.

THE HONOURABLE SIR DAVID DEVADOSS (Nominated : Indian Christians) : I do not think we can discuss—

THE HONOURABLE THE PRESIDENT : Order, order. I cannot allow the Honourable Member to go into extraneous subjects and ventilate his grievances on other points which have nothing to do with this Bill. He is not entitled to take the opportunity on this Bill to ventilate those grievances.

11 A. M.

THE HONOURABLE SIR DAVID DEVADOSS : May I be permitted to say, Sir, that we cannot call into question the conduct of any High Court. We have no power at all and I certainly, Sir, would strongly object to any remarks being passed against any judge or any High Court.

THE HONOURABLE THE PRESIDENT : I quite agree with you.

THE HONOURABLE MR. G. H. SPENCE : Sir, I am sorry that I did not make the position clear with reference to the point raised by the Honourable Member opposite. I hoped that I had. The position is this. When the Central Provinces Government originally wrote to the Government of India

[Mr. G. H. Spence.]

explaining the position they expressed the view that the jurisdiction exercised since the relevant date by the Allahabad High Court had been invalidly exercised. The Government of India agreed with the Central Provinces Government and at that stage they envisaged all that was necessary as being a Bill to validate a jurisdiction admittedly invalidly exercised. Subsequently they became aware that the learned Judges of the Allahabad High Court were of the opinion that they possessed the jurisdiction which they had exercised—and had validly exercised it—under the operation of sub-section (1) of section 106 of the Government of India Act which provides that the High Courts shall have all jurisdiction vested in them at the commencement of the Act. At the commencement of the Act, the Allahabad High Court was, in the circumstances which I have explained, vested with this divorce jurisdiction as the concomitant of their criminal jurisdiction over European British subjects. The Allahabad High Court agree that they have validly ceased to possess the criminal jurisdiction over European British subjects as the result of the cancellation of the notification from which their jurisdiction was derived but they take the view that sub-section (1) of section 106 of the Government of India Act operates to cause the divorce jurisdiction to cease to be dependent on the criminal jurisdiction over European British subjects and to cause the divorce jurisdiction to remain with them unless and until it is expressly removed. I trust that I have made myself clear, Sir. (Applause.)

THE HONOURABLE THE PRESIDENT: Motion made :

“That the Bill to remove certain doubts and to validate certain proceedings of the High Court of Judicature at Allahabad, as passed by the Legislative Assembly, be taken into consideration.”

The Question is :

“That that Motion be adopted.”

The Motion was adopted.

Clauses 2 and 3 were added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

THE HONOURABLE MR. G. H. SPENCE: Sir, I move :

“That the Bill, as passed by the Legislative Assembly, be passed.”

The Motion was adopted.

### BALLOT FOR THE ELECTION OF ONE NON-OFFICIAL MEMBER TO THE STANDING ADVISORY COMMITTEE FOR THE INDIAN POSTS AND TELEGRAPHS DEPARTMENT.

THE HONOURABLE THE PRESIDENT: The Council will now proceed to elect one Member to serve on the Standing Advisory Committee for the Indian Posts and Telegraphs Department. There are two candidates for one vacancy. Voting papers will be handed round and I ask Honourable Members to vote by striking out the name of the Member for whom they do not wish to vote.

(The ballot was then taken.)

## BALLOT FOR THE ELECTION OF ONE NON-OFFICIAL MEMBER TO THE CENTRAL ADVISORY BOARD OF EDUCATION.

**THE HONOURABLE THE PRESIDENT:** Honourable Members will now proceed to elect one Member to serve on the Central Advisory Board of Education in India. In this connection, I have to inform the Council that the Honourable Mr. Hossain Imam has since withdrawn his candidature. There remain two candidates, the Honourable Sir Ramunni Menon and the Honourable Mr. P. N. Saprú, for one vacancy. Voting papers will be handed round and I ask Honourable Members to vote by striking out the name of the Member for whom they do not wish to vote.

(The ballot was then taken.)

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

**THE HONOURABLE THE PRESIDENT:** I have now to announce that as the result of the ballot for one Member to serve on the Standing Advisory Committee for the Indian Posts and Telegraphs Department, for the Honourable Rai Bahadur Lala Mathura Prasad Mehrotra 12 votes were cast, and for the Honourable Srijut Heramba Prasad Barua 30 votes were cast. I have therefore to declare the Honourable Mr. Barua to be elected.

## RESULT OF THE ELECTION TO THE CENTRAL ADVISORY BOARD OF EDUCATION.

**THE HONOURABLE THE PRESIDENT:** I have now to announce the result of the ballot for one Member to serve on the Central Advisory Board of Education constituted by the Government of India. For the Honourable Diwan Bahadur Sir Ramunni Menon 32 votes were cast. For the Honourable Mr. P. N. Saprú 13 votes were cast. I have therefore to declare that the Honourable Sir Ramunni Menon has been duly elected.

## FAREWELL ADDRESS TO HIS EXCELLENCY THE COMMANDER-IN-CHIEF.

**THE HONOURABLE THE PRESIDENT:** Your Excellency, as this is the last occasion when Your Excellency will be present in this Council and when we shall have the pleasure of meeting you, I propose now on behalf of the Honourable Members of this Council and myself to pay Your Excellency a tribute of our appreciation for the remarkable services you have rendered to India during the five years of your term of office. (Applause.)

Your Excellency came out to India five years ago with a brilliant record of service rendered to His Majesty's Government both on the battlefield and in the field of administration. During the time that Your Excellency has been in this country, from your various acts, deeds and speeches we have come to recognise Your Excellency not only as a great soldier but as an experienced statesman. (Applause.) As there is very little time at my disposal I shall not refer

[Mr. President.]

to Your Excellency's services outside the borders of India, but I will say that in India and on the Frontier the services Your Excellency has rendered during the last five years cannot possibly be excelled. (Applause.) His Excellency the Viceroy when he addressed both the Houses of the Legislature the other day very rightly said that your term of office as Commander-in-Chief has been one of the most eventful within living memory for the Army in India, and I assure you this Council and the public at large have endorsed this view. On your arrival in this country you were confronted with a situation on the Frontier which many of your predecessors similarly had to confront. But Your Excellency discerned in time what was the right step to take and what was the proper policy to adopt. Your Excellency laid down the policy to follow, a policy of rapid development of roads to the Frontier. On account of this wise policy—every one is aware of the civilizing influence of roads—you have met with great success and with the minimum of expenditure succeeded in reducing hostile tribes to submission and in bringing about peaceful conditions on the Frontier. You were also confronted with interference with the relief to Chitral in 1932 and 1934 and it was the discerning action which you immediately took which secured the safe passage of reliefs to Chitral; also when there was a rising in Khost near Afghanistan Your Excellency took the situation in hand in time and rendered useful services. It is needless to say that during Your Excellency's time the Frontier has to a great extent been tranquillised and the judicious and wise steps which Your Excellency time after time has taken, as I said, with as little expenditure as possible has resulted in the establishment of peace at the Frontier and I am hopeful that for many years to come we shall have no serious trouble there. In India Your Excellency was confronted with some troubles, but on the whole they were not of very considerable or seriously aggressive nature. The rebellion in Burma which took place some time ago is known to all Honourable Members and Your Excellency suppressed that rebellion with a promptitude and skill which deserves the admiration of all and the restoration of peace was recognised by the Burma Government as the result of your far-sighted policy. It was your misfortune to send troops to Bengal to suppress terrorism there and I need not say that, though many things still remain a secret, it was your prompt action and your wise policy and the methods adopted by Your Excellency that conduced to the peace of Bengal. You had again to send troops to Bombay, Karachi, Cawnpore, Lahore, and other places, to quell internal communal riots and disturbances, and I may say that the instructions which you had given to your officers to deal with the difficult and delicate situations in these places with great tact has resulted in less loss of life and in quelling the rebellion and in restoring peace in these various places.

On the political and financial side of the Army Administration, your services have been equally conspicuous. I cannot go into the various details and the various army reforms which you have introduced, but I shall refer to two or three important points and the large extension of the experiment of Indianization. It was due to your efforts that all the branches of the army were thrown open to Indians, including the artillery and engineering branches. (Applause.) It was due to your efforts, Sir, that double the number of infantry and cavalry units are being Indianized. You also, Sir, opened the Indian Military Academy for the training of young officers. (Applause.) It must be also acknowledged



that the inauguration of a purely Indian Air Force and the conversion of the Royal Indian Marine into the Royal Indian Navy are due to your sympathetic initiative. The speech which Your Excellency made the other day in response to the Resolution of the Honourable Mr. Kalikar is still ringing in our ears. It showed with what earnestness, sympathy and sincerity Your Excellency has striven towards Indianization of the army and specially of commissioned officers. It was an awakening to many of us to hear from Your Excellency's mouth that the right class of men, sons of zemindars and landholders and leaders, were not inspired to come forward as a class and take advantage of the opportunities that have been offered to them. It was with some measure of disappointment that the Council however heard that out of the 60 cadetships which had to be filled every year, you rarely get more men than the actual number of prescribed vacancies. It was with some sorrow that we also heard that the richer class of people in this country have regarded that the army is not a suitable avenue of employment for their sons, but I hope that the speech which you made that day and which has been broadcasted all over India will cause an awakening among the people of this country and that your efforts, the admirable efforts which Your Excellency has made, towards Indianization will in course of time be materialised and when you have retired you will have the satisfaction at later date to hear that the scheme which you started in this country under great difficulties has at last fructified and that Indians in large numbers are coming forward to take advantage and benefit of the new services. (Applause.)

But, Sir, the greatest service which you have rendered to India—and I may say the altogether monumental service for which Your Excellency will be ever remembered with gratitude in this country—is the reduction which you have made in the military expenditure of this country. (Applause.) In 1930 when Your Excellency took charge of your exalted office in this country, the military expenditure was Rs. 55 crores a year. The Inchcape Committee had previous to that passed its verdict and had recommended that the military expenditure should be gradually decreased and brought to the ultimate figure of Rs. 50 crores. In this Council and in the other House there have been many debates at budget time on this very important question and the Inchcape Committee's recommendation was totally repelled from official quarters and also by Your Excellency's predecessor that the prophecy made by the Inchcape Committee would never be realised. But Your Excellency tackled the situation with great insight, with great sympathy and with great skill and you have brought down military expenditure in the current year to Rs. 45 crores (Applause), Rs. 10 crores less than when Your Excellency joined your office and Rs. 5 crores less than that recommended by the Inchcape Committee. This, Your Excellency, is a monument to your efforts. Of course, Your Excellency is aware that these Rs. 10 crores include the £1½ millions which Your Excellency by your personal efforts has succeeded in securing from His Majesty's Government as annual payment towards the defence of India. And I may assure the Council that this enormous reduction has not been effected at the sacrifice of efficiency as His Excellency has been careful to preserve the necessary equilibrium. The appointment of the Capitation Tribunal and the result that has followed would not have been so glorious but for Your Excellency's deep sympathy, and for Your Excellency valiantly

[Mr. President.]

fighting the cause of India. We feel that this result would not have taken place but for the great influence Your Excellency exercised over the Home administration and the success with which India's cause was placed before the Capitulation Tribunal.

Sir, this is all that, within the short time at my disposal, I can refer to of the work which you have done for India, but let me not forget to point out the great work you have done in this Council. Many of my colleagues often had differences with you on questions of principle but I am sure they all realised your wide experience and great knowledge of military science and finance, and though there were these differences of opinion sometimes between Honourable Members and Your Excellency due weight and consideration has always been given by you to the Opposition. You have impressed this Council with your great fluency of speech and sedate eloquence, which I may say, without disparagement to my other colleagues, has been rarely shown in this Council. You have proved yourself a great debater and a tactful opponent, and though as a matter of fact your military career in this country will come to an end in a few months, we know that there is still in store many opportunities for you to serve your motherland and His Majesty's Government. We can do nothing more now but wish Your Excellency a respectful and affectionate farewell. I am sure that whenever or wherever you may be or employed, you will still carry a soft corner in your heart for this country and we sincerely wish you in the evening of your life the best of health and all manner of happiness. (Applause.)

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : I would like you, Sir, to believe, and I would like all my Honourable colleagues in this Council to believe, how very deeply I appreciate the kind words you, Sir, have seen fit to use in alluding to my impending departure. For five years now as Commander-in-Chief I have had to pretend that in addition to being a Commander-in-Chief I was also a politician! I am afraid it has deceived very few—especially of my colleagues opposite! I am afraid, Sir, that the military jackboot has always been more in evidence in my case than the portfolio of a minister, and I am afraid that I may on occasion have used, when I have been speaking in this House, rather abrupt terms, which come more naturally from the mouth of a soldier than the more polished periods we so often hear from the professional politicians in the House. But if that is the case, Sir,—and I fear it is the case,—I do owe you, Sir, and my Honourable colleagues a deep debt of gratitude for all the kindness and courtesy which you have extended to me while I have been a Member of this House, and especially for the fair hearing that you have always given me when I felt that it was necessary to give my views on matters of defence. And I like to think, Sir, that you and this House have extended that courtesy and kindness to me because you have known that, whenever I have found it necessary to speak on military subjects, everything I have said on those occasions has been dictated by the deep interest I take in the Army in India and the deep concern I have for that army which holds now and always will hold so great a place in my heart. (Applause.)

I shall go now, Sir, to my home in England after 46 years of military service, 17 of the happiest of which has been spent in India. I shall go there

with a deep sense of gratitude to India for what I have learned there and for the many friends I have made, some of whom at least, I hope, are in this House, and especially for what I have learned and the friends I have made in the last seven years, which have been the most interesting of all my career. And from my retirement I shall watch with absorbed interest and sympathy the further progress of India,— all the more because these last seven years have, I hope, given me an insight into the feelings and aspirations of India which I could not possibly have had unless I held an official position in her Government. Now, Sir, as India moves forward inevitably to her place as a great and honoured partner in the Commonwealth of Nations on the British Empire, more and more depends on men like yourselves, on men of understanding and consequence. May I, Sir, wish you all in that capacity God-speed and wise judgment in the high and important tasks which lie before you ?

Sir, I thank you. (Applause.)

---

The Council then adjourned *sine die*.