

Wednesday, 3rd February, 1932

59

THE
LEGISLATIVE ASSEMBLY DEBATES

(OFFICIAL REPORT)

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THIRD SESSION

OF THE

**FOURTH LEGISLATIVE ASSEMBLY,
1932**



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CENTRAL PUBLICATION BRANCH
1932

Legislative Assembly.

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MR. B. SITARAMARAJU, M.L.A.

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LEGISLATIVE ASSEMBLY.

Wednesday, 3rd February, 1932.

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

MEMBER SWORN:

Sir Charles Edgar Wood, Kt., M.L.A. (Madras: European).

QUESTIONS AND ANSWERS.

INCOME FROM INCREASED INCOME-TAX ON SALARIES OF GOVERNMENT SERVANTS.

80. *Mr. Goswami M. R. Puri: (a) Will Government be pleased to state what would be the total income on account of the proposed surcharge only on income-tax on the salaries of Government servants during the current year?

(b) Will Government be pleased to state what would be the total earnings on account of the proposed enhanced income-tax from the salaries of the Government servants during the current year?

The Honourable Sir George Schuster: (a) I do not understand the expression "proposed surcharge" but if the Honourable Member refers to the surcharge imposed by the last Finance Bill the answer is Rs. 22.31 lakhs.

(b) I regret that I cannot understand this part of the question at all but if the Honourable Member will speak to me I will endeavour to give him the information which he desires.

WITHDRAWALS FROM THE GENERAL PROVIDENT FUND FOR INVESTMENT IN STERLING INSURANCE POLICIES.

81. *Mr. S. C. Mitra (on behalf of Mr. A. Das): (a) Will Government be pleased to furnish the following information:

(i) the amounts withdrawn for the year ending 31st December, 1931, from the General Provident Fund (Civil) per Presidency, per Province and from Burma; by each of the following communities, i.e., Europeans, Anglo-Indians and Indians, and invested in single premium sterling policies, or in sterling policies on which the premiums are payable by instalments; and

(ii) the names of insurance offices and the amounts withdrawn from the General Provident Fund (Civil), throughout India and Burma and paid to each insurance office for such policies in sterling which were assigned to the Secretary of State for India?

(b) Are Government aware of the efforts of a retired Indian Civil Service officer from the Punjab, who issues periodically pamphlets and advice to the Members of the Indian Imperial Services to invest in such policies in sterling to take their money out of India?

(c) Are Government aware of the article contributed by Mr. J. F. Darling, C.B.E. (a distinguished Banker and a Director of one of the "Big Five Banks in London", viz., Midland Bank) to the *Daily Mail*, dated 9th December, 1931?

The Honourable Sir George Schuster (a) (i) Information so far as it is available in accounts offices is being obtained and a statement will be communicated to the Honourable Member.

(ii) I cannot undertake to furnish details of the business done by individual Insurance Offices in these policies.

(b) It is understood that pamphlets dealing with various means of converting rupee Provident Fund deposits into sterling insurance policies have been issued by certain insurance brokers in the ordinary course of their business practice.

(c) Government have not seen the article in question.

TRAINING OF BRITISH SOLDIERS IN HANDICRAFTS IN INDIA.

82. ***Mr. S. C. Mitra** (on behalf of Mr. A. Das): (a) Is it the policy of the Military Department of the Government of India with regard to British privates and others below the rank of an officer to train them before their discharge and before leaving India for England, in such handicrafts as carpentry, motor engineering, etc., so that on their arrival in England they would get employment and not be on the "unemployed list"?

(b) How many privates and other soldiers have been trained in India in the above handicrafts during the year ended 31st December, 1931?

(c) What is the total cost of their training and tools during the year ended 31st December, 1931, and was this sum paid by the Government of India or the British Government?

Mr. G. M. Young: (a) Selected soldiers of good character who are about to leave the colours are trained in certain trades in order to assist them to obtain employment on return to civil life.

(b) About 1,200.

(c) The cost of the training and of tools is paid by the men themselves.

TRAINING AND DISCHARGE OF CERTAIN SOLDIERS.

83. ***Mr. S. C. Mitra** (on behalf of Mr. A. Das): (a) Is it a fact that six privates belonging to the Buffs stationed in Rangoon were trained in the Government Carpentry School at Allahabad and after their training sent to England some time during November or December, 1931?

(b) Is it a fact that after their training these six privates had to go back from Allahabad via Calcutta to Rangoon, give up their arms, get their papers of discharge and return all the way from Rangoon after staying only four days there, to Allahabad via Calcutta and from Allahabad proceeded to Bombay to embark for England?

(c) What was the total cost of fares by rail, steamer, salaries, travelling allowance for these six privates from Allahabad to Rangoon and back to Allahabad as above and thence to Bombay?

(d) What amount was paid for their training to the Government Carpentry School at Allahabad and for tools for their use when under training?

(e) Is it the Indian Government or the British Government that bore this expenditure for their training in India to fit them for employment in England?

(f) Could not all this expenditure have been avoided by the deposit of their arms in the Arsenal at Allahabad and a few annas in postage stamps for any papers to be got from their regiment in Rangoon?

Mr. G. M. Young: (a) Yes. The soldiers were due for discharge from the colours on their return to England.

(b) and (c). The information has been called for and will be furnished to the Honourable Member on receipt.

(d) Nil.

(e) The men pay the cost themselves.

(f) I am obliged to the Honourable Member for the suggestion, and will gladly consider it.

ADMISSION OF INDIANS TO THE ARMY IN INDIA RESERVE OF OFFICERS.

84. ***Kunwar Hajee Ismail Ali Khan:** (a) Will Government kindly inform the Assembly whether Indians are taken in the Army in India Reserve of Officers, without previous military experience?

(b) Is it a fact that some competent Indians were refused commissions in the Army in India Reserve of Officers mainly on the ground that they had no previous military experience while Anglo-Indians were exempted from it?

Mr. G. M. Young: (a) and (b). Suitable Indian candidates, without previous military experience, are eligible for, and have been admitted into, the Reserve in certain categories, such as Recruiting, Medical Dental, and Veterinary. In other categories previous military experience is essential. This rule applies equally to Anglo-Indian candidates.

INSANITARY CONDITIONS IN THE HEDJAZ.

85. ***Kunwar Hajee Ismail Ali Khan:** (a) Are Government aware that the present sanitary condition of the Hedjaz is not satisfactory on account of the recent strike in the Public Health staff of the Hedjaz Government?

(b) If the answer to above is in the affirmative, do Government propose to send some medical mission with the Indian pilgrims during the Haj season?

Sir Evelyn Howell: (a) No, Sir. The Government of India are satisfied that reports to this effect which have appeared in the press are greatly exaggerated.

(b) Does not arise.

Mr. Muhammad Anwar-ul-Azim: Will Government kindly tell us whether the Egyptian Government send every year at their own expense a medical mission to look after the pilgrims?

Sir Evelyn Howell: I understand they always do.

Dr. Ziauddin Ahmad: What is the source of Government's information that the conditions are not bad?

Sir Evelyn Howell: His Majesty's Minister at Jeddah. He said that he saw no cause for unusual anxiety and he gave certain information about the number of doctors and so forth in the Hejaz.

Dr. Ziauddin Ahmad: Did Government ask him to report on this matter?

Sir Evelyn Howell: Yes, Sir.

TRANSFER OF APPEALS FROM ONE INCOME-TAX COMMISSIONER TO ANOTHER.

86. ***Sardar Sant Singh** (on behalf of Lala Hari Raj Swarup): (a) Is it a fact that the present Income-tax Act does not give power to the Commissioner of Income-tax or the Central Board of Revenue to transfer appeals from the jurisdiction of one Assistant Income-tax Commissioner to that of another Assistant Income-tax Commissioner?

(b) If the answer to part (a) be in the negative, will Government be pleased to quote the sections giving such power?

(c) If the answer to part (a) be in the affirmative, how do Government propose to remove this anomaly in order to bring the Income-tax Act into consonance with other Acts?

The Honourable Sir George Schuster: (a) Yes.

(b) Does not arise.

(c) The Government are considering legislation on this subject.

REVISION OF SCALES OF PAY OF GOVERNMENT SERVANTS.

87. ***Sardar Sant Singh** (on behalf of Lala Hari Raj Swarup): (a) Will Government be pleased to state if they have revised the permanent scale of pay of various services under their control? If not, why not?

(b) Are Government in a position to state what Provincial Governments have revised the permanent scales of pay of their respective services?

The Honourable Sir George Schuster: (a) Government are at present engaged in formulating revised scales of pay for future entrants to the services under their control. The general lines on which revised scales should be framed have been indicated to Departments and are under their consideration. Methods of fixing the provisional pay of new recruits pending settlement of permanent scales are also under consideration.

(b) Full information is not at present available.

EXPEDITING THE ESTABLISHMENT OF THE NEW CONSTITUTION IN INDIA

88. ***Sardar Sant Singh** (on behalf of Lala Hari Raj Swarup): (a) Will Government be pleased to state when the new constitution will come into force in this country?

(b) What steps do Government propose to take in order to expedite the establishment of the new constitution in India?

The Honourable Sir George Rainy: (a) and (b). It is not possible at present to say by what date the new constitution will be introduced, but I invite the Honourable Member's attention to the Prime Minister's statement of the 1st December, 1931, at the conclusion of the Round Table Conference. The arrangements therein indicated to carry forward the work of constitutional reform are being actively pursued.

ARRESTS IN THE NORTH-WEST FRONTIER PROVINCE.

89. ***Dr. Ziauddin Ahmad:** (a) What is the total number of persons in each sub-division of each district of the North-West Frontier Province arrested since 1st December, 1931?

(b) What is the total number of persons now in each jail of the North-West Frontier Province?

(c) How many persons arrested in the North-West Frontier Province were sent to jails outside the North-West Frontier Province?

(d) At what places have Government kept Khan Abdul-Ghafar Khan and Kazi Atta-ullah, Pleader, Mardan?

Sir Evelyn Howell: (a) and (b). A statement of figures is laid on the table. It includes all arrests, not merely those made in pursuance of the measures taken to combat civil disobedience.

(c) Four.

(d) Government do not consider that it would be in the public interest to supply the information.

(a) Peshawar District :

| | |
|----------------------------------|-------|
| Peshawar City | 1,096 |
| Sadr Sub-division | 413 |
| Nowshera Sub-division | 203 |
| Mardan Sub-division | 491 |
| Charsadda Sub-division | 843 |

Kohat District :

| | |
|-----------------|-------|
| Kohat | 1,160 |
| Hangu | 97 |

Bannu District

1,136

Dera Ismail Khan District :

| | |
|--|-----|
| Dera Ismail Khan and Kulachi | 40 |
| Tank | 279 |

Hazara District :

| | |
|----------------------|-----|
| Haripur | 69 |
| Mansehra | 113 |
| Abbottabad | 110 |

| | |
|---|-------|
| (b) Peshawar Central Jail | 2,434 |
| Dera Ismail Khan Central Jail | 1,790 |
| Kohat Jail | 388 |
| Abbottabad Jail | 218 |
| Bannu Jail | 431 |
| Haripur Central Jail | 4,422 |
| Mardan Judicial Lock-up | 177 |
| Charsadda Judicial Lock-up | 198 |

Dr. Ziauddin Ahmad: Did the Honourable Member give separately the figures of the persons who belonged to the unlawful assemblies and those who did not?

Sir Evelyn Howell: Only the totals are given.

Mr. Lalchand Navalrai: With reference to the answer to clause (d), have Government any objection to stating whether they are detained in British India or outside British India?

Sir Evelyn Howell: They are all in British India.

Mr. Gaya Prasad Singh: Is it not a fact that Khan Abdul Ghaffar Khan is in Hazaribagh Jail in my province? (Laughter.)

(No answer was given.)

PRISONERS EXPOSED TO THE COLD IN THE NORTH-WEST FRONTIER PROVINCE.

90. ***Dr. Ziauddin Ahmad:** (a) Is it not a fact that on account of want of accommodation in regular jails in the North-West Frontier Province, persons are kept in open enclosures?

(b) How many persons and in how many places are they kept in open enclosures?

(c) What is the minimum temperature at night in the North-West Frontier Province, at Bannu and Peshawar?

(d) Is it not a fact that the persons are given only one blanket?

Sir Evelyn Howell: (a) Prisoners have been in some cases detained in internment camps pending transfer to Haripur Jail. Shelter is provided in these camps.

(b) It is not possible to give the number of persons, as such enclosures are clearing stations for Haripur Central Jail and persons are not detained in them longer than is necessary for their evacuation. Such enclosures exist at Bannu, Kohat and Dera Ismail Khan.

(c) The minimum average temperature for December in Bannu and Peshawar is 43 degrees.

(d) Prisoners are in all cases now provided with adequate bedding although there was some dislocation during the first few days owing to the large influx of prisoners.

Dr. Ziauddin Ahmad: Is it not a fact that Government had planned beforehand that arrests would be made on a particular day? Then why were not blankets provided in time?

Sir Evelyn Howell: No, Sir. The measure was thrust upon Government at a moment's notice.

Dr. Ziauddin Ahmad: Is it not a fact that the persons were kept in the open from the 26th December to 8th January and when they were all soaked at night on account of rain, tents were provided afterwards?

Sir Evelyn Howell: I have no information on the point but I will certainly ascertain.

INSUFFICIENT FOOD AND BLANKETS FOR PRISONERS IN THE NORTH-WEST FRONTIER PROVINCE.

91. ***Dr. Ziauddin Ahmad:** (a) What is the quantity of flour sanctioned for each prisoner in the North-West Frontier Province?

(b) Are Government aware that most of the prisoners are given only one thin piece of bread at each meal?

(c) Are Government aware that people of North-West Frontier Province can not live on one thin piece of bread and covered with one blanket living under the sky?

Sir Evelyn Howell: (a) 10 chattaacks and 8 chattaacks as prescribed in paragraph 920 of the Punjab Jail Manual.

(b) All prisoners receive full jail rations according to the scale prescribed in paragraph 920 of the Punjab Jail Manual, although there was some dislocation in the arrangements in the beginning for the same reason as given in answer to question No. 90(d).

(c) The Honourable Member's attention is invited to the reply given to parts (a), (b) and (d) of question No. 90.

Dr. Ziauddin Ahmad: Is there any machinery to ensure that the rations granted by the Government are actually given to the prisoners?

Sir Evelyn Howell: Yes, Sir; it is the duty of the Superintendent to see that it is.

Dr. Ziauddin Ahmad: Has it not often been found by experience that Superintendents do not discharge their duties properly? Is there any supervision over them?

Sir Evelyn Howell: Yes; of course there are arrangements for supervision.

RUMOURED INTENTION TO USE HOUNDS TO DISPERSE CROWDS IN THE NORTH-WEST FRONTIER PROVINCE.

92. ***Dr. Ziauddin Ahmad:** Is there any truth in the rumour that the Government of the North-West Frontier Province are contemplating to use hounds for dispersing crowds?

Sir Evelyn Howell: No, Sir. There is no truth in the rumour.

COMPOSITION OF THE INDIAN IMMIGRATION COMMITTEE IN THE MALAY PENINSULA.

93. *Mr. Nabakumar Sing Dudhoria: Will Government be pleased to state:

- (a) the number of members that compose the Indian Immigration Committee in the Malay Peninsula;
- (b) (1) the number of European; } representatives on that
(2) the number of Malayan; and } committee;
(3) the number of Indian;
- (c) the status and position of the Indian members; and
- (d) the number of officials and non-officials?

Sir Frank Noyce: (a) 16.

- (b) (1) 14.
- (2) Nil.
- (3) 2.

(c) One of the Indian members is a retired Court Interpreter at Kaula Lumpur, Federated Malay States, and the other is the Foreman of the Penang Gazette Press at Penang, Straits Settlements. Both are Justices of the Peace.

(d) 5 officials and 11 non-officials.

DRINK EVIL IN MALAYA.

94. *Mr. Nabakumar Sing Dudhoria: Will Government be pleased to state:

- (a) whether they are aware that the toddy-imbibing vice is increasing at an abnormal rate among the Indian immigrants in Malaya;
- (b) if the answer is in affirmative, the step or steps that they know the Malay Government has taken to put down that evil;
- (c) the step or steps which they propose to adopt from this country in order to cope with that growing evil among a section of Indians abroad; and
- (d) whether they are aware that numerous foreign liquor shops have recently been opened near Indian labour colonies in Malaya?

Sir Frank Noyce: (a) Government have no information. For comparative figures of the number of toddy shops and the amount of revenue derived therefrom for the years 1929 and 1930, I would refer the Honourable Member to paragraph 19 of the report of the Agent of the Government of India in Malaya for 1930, a copy of which is available in the Library of the House.

(b) As stated in the reply given on September 17, 1931, to part (e) of Mr. Bhuput Sing's question No. 469, the Malayan Governments have adopted a common policy with a view to restricting the number of toddy shops and limiting the hours of sale.

(c) The Government of India keep in close touch through their Agent with all matters affecting the welfare of Indian labourers in Malaya and make representation to the Colonial authorities whenever necessary.

(d) Government have no information but will make enquiries.

INDIANS REPATRIATED FROM MALAYA.

95. *Mr. Nabakumar Sing Dudhoria: Will Government be pleased to state:

(a) the number of Indians repatriated from Malaya at the expense of the local Indian Immigration Committee since June, 1930 up to date; and

(b) the causes which necessitated the repatriation of Indians from that colony of late?

Sir Frank Noyce: (a) The number of Indian labourers and their dependents who were repatriated from Malaya between the 1st June, 1930, and the 31st December, 1931, was 1,30,781. The cost of repatriation is borne wholly or in part by the Malayan Government, the Indian Immigration Fund and the employers of labour, according to the circumstances of each case.

(b) The main causes are unemployment owing to depression in the rubber and tin industries and also, in some cases, to unwillingness to accept work on reduced wages.

ACUTE FINANCIAL CONDITION OF INDIAN LABOURERS IN SOUTH AFRICA AND MALAYA.

96. *Mr. Nabakumar Sing Dudhoria: Will Government be pleased to state:

(a) whether they are aware that most acute financial conditions are prevailing among the Indian labourers in South Africa and Malaya due to retrenchment, consequent upon the slump in local trade and industry;

(b) if the answer is in the affirmative, whether they propose to take effective steps to see that no Indian labourer leaves his home in India without a guarantee of a definite minimum wage which must not be altered from time to time?

Sir Frank Noyce: (a) Yes.

(b) Recruitment of Indian labourers for Malaya has already been stopped and only such persons are assisted to emigrate as have left their families in that country. As regards South Africa, emigration for purpose of unskilled work is not permissible under the Indian Emigration Act.

DEPUTATIONS AND DELEGATIONS TO SOUTH AFRICA.

97. *Mr. Nabakumar Sing Dudhoria: Will Government be pleased to state:

(a) the names of different deputations and delegations that visited South Africa on their behalf during the last thirty years;

(b) the main purpose or purposes for which each visited that country;

(c) the achievements made by each in Indian's interests; and

(d) the total amount that those deputations and delegations have cost the Indian exchequer up to date?

Sir Frank Noyce: (a), (b) and (c). I would refer the Honourable Member to the reply given to Mr. Bhuput Singh's question No. 597 on the 21st September last. Only one delegation other than those mentioned in the reply to that question has been sent to South Africa during the last thirty years, and that is the delegation under the leadership of Sir Fazl-i-Husain which is now engaged in conference with the representatives of the Union Government at Cape Town. The subjects to be discussed at this Conference are (1) the Cape Town Agreement of 1927 in the light of the experience gained, and (2) the position in the Transvaal with which the Transvaal Asiatic Tenure (Amendment) Bill was intended to deal.

(d) The only information which is readily available is that an expenditure of Rs. 57,000 was incurred in 1925-26 in connection with the deputation led by Sir George Paddison. The estimated cost of the delegation led by Sir Muhammad Habibullah in 1926-27 was Rs. 1,17,000 and the estimated cost of the present delegation is Rs. 80,000. I trust that the Honourable Member will not press for information regarding actual expenditure as its compilation will involve considerable expenditure of time and trouble.

Dr. Ziauddin Ahmad: Has any good come out of these delegations?

Sir Frank Noyce: Yes, Sir.

Dr. Ziauddin Ahmad: Can the Honourable Member mention some of them?

Sir Frank Noyce: I would mention the existing Cape Town Agreement.

Dr. Ziauddin Ahmad: Is that all? The agreement that has been obtained?

Sir Frank Noyce: I hardly think, Sir, that I am called upon to enter into a debate on the subject of the results of past delegations.

RESULT OF THE RECENT INDIAN DELEGATION TO SOUTH AFRICA.

98. ***Mr. Nabakumar Singh Dudhoria:** Will Government be pleased to state:

(a) the net result affecting Indian interests achieved by the recent Indian delegation to South Africa led by the Honourable Sir Fazl-i-Husain; and

(b) the subject or subjects that come within the purview of discussion between that Indian delegation and the South African Government?

Sir Frank Noyce: (a) The Conference between the representatives of the Government of India and the Union Government has not yet concluded its deliberations.

(b) The information is contained in the reply which I have just given to the immediately preceding question.

PURCHASE OF *Lathies* BY THE GOVERNMENT OF INDIA.

99. *Mr. Nabakumar Sing Dudhoria: Will Government be pleased to state:

- (a) whether it is a fact that the Central Government through their Stores Purchase Department have purchased a vast quantity of *lathies*;
- (b) if the answer is in affirmative, the total amount spent on such a transaction;
- (c) the number of *lathies* purchased; and
- (d) whether the purchase of *lathies* is strictly for imperial interests?

The Honourable Sir Joseph Bhoré: No.

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

STATUS OF INDIA AS A MEMBER OF THE LEAGUE OF NATIONS.

100. *Mr. Nabakumar Sing Dudhoria: Will Government be pleased to state:

- (a) whether it is in the capacity of a dominion or dependency that India is a free and independent member of the League of Nations; and
- (b) if the answer be that she is there as a dependency of England, whether there is any other country which is a dependency of another country but is still an independent member of the League?

Sir Lancelot Graham: (a) The Honourable Member is referred to paragraph 1 of article 1 of the Covenant of the League from which he will observe that India is an original member in the capacity neither of a Dominion nor of a dependency but in the capacity of a signatory named in the annex to the Covenant.

(b) Does not arise.

Sir Hari Singh Gour: Is it not a fact that under the Covenant of the League of Nations only self-governing Dominions can become members of the League, and for that purpose membership of the League is restricted to the self-governing Dominions?

Sir Lancelot Graham: I would suggest that the Honourable Member should read the Covenant.

Sir Hari Singh Gour: It is because I have read the Covenant that I have asked the question.

Sir Lancelot Graham: I would then suggest that he should read and understand it.

Sir Hari Singh Gour: Has the Honourable Member read and understood it?

Sir Lancelot Graham: Yes.

Dr. Ziauddin Ahmad: Is it not a fact that India was allowed an independent position on account of the money which she contributed—for financial reasons only?

Sir Lancelot Graham: I have already given the reason: India signed the Treaty.

STATE OF CENTRAL REVENUES.

101. ***Mr. Nabakumar Sing Dudhoria:** Will Government be pleased to state:

- (a) whether they apprehend any deficit in the Central revenues in the forthcoming Budget;
- (b) if the answer is in affirmative, the probable amount of such deficit;
- (c) how such a deficit is sought to be met; and
- (d) whether they contemplate a Finance Bill after the presentation of the annual Budget?

The Honourable Sir George Schuster: I would ask the Honourable Member to wait until I make the usual statement through my Budget speech. In the meanwhile I would refer him to the speech made by His Excellency the Governor-General in this Assembly on January, 25th.

CONVICTIONS UNDER THE NEW ORDINANCES.

102. ***Rai Bahadur Sukhraj Rai:** (a) Will Government be pleased to state the total number of persons convicted in the present civil disobedience movement under the different Ordinances in various parts of India?

(b) Is there any truth in the rumour that the leaders will be deported to an island called Korea Morea?

(c) How long do Government propose to keep these persons in jail? Will they be all released as soon as the British committees arrive in India to ensure a calm atmosphere for the discussion of constitutional reforms?

(d) Are Government aware of the effect on commerce and industry of this repressive policy?

The Honourable Sir James Crerar: (a) The Government of India have arranged with Local Governments for the supply of monthly figures, and those for the month of January will be available about the 15th of February. I shall then communicate them to the Honourable Member.

(b) No.

(c) The persons concerned will be detained in jail in the ordinary course for the period of their sentences subject to such remissions as may be earned by good conduct in accordance with the Remission Rules. The second part of the question does not arise.

(d) The renewal of the civil disobedience movement, and not the steps or measures taken by Government to deal with it, must be held responsible for any adverse effect there may be on commerce and industry.

Mr. Gaya Prasad Singh: Do I understand the Honourable Member to say that the figures will be placed on the table?

The Honourable Sir James Crerar: I have no objection.

PRESENT REPRESSIVE POLICY OF THE GOVERNMENT.

103. ***Rai Bahadur Sukhraj Rai:** (a) Will Government be pleased to state whether their attention has been drawn to the news published in certain newspapers sent from their Delhi correspondent that the present repressive policy was decided upon by them under instructions from His Majesty's Government so as to smooth the way for the introduction of the new constitution in India, as otherwise the Congress leaders would have made bigger demands and would not have been satisfied with what would be given?

(b) If so, is the information correct? If it is not correct, what steps have been taken against the said correspondent for circulation of false reports?

The Honourable Sir James Crerar: (a) I have been unable to trace any such statement, which, if it has been made, is entirely without foundation.

(b) The question does not arise.

NON-ATTENDANCE AT A DURBAR IN THE NORTH-WEST FRONTIER PROVINCE.

104. ***Rai Bahadur Sukhraj Rai:** Is it illegal and punishable if any body decline to attend the official durbar in the North-West Frontier Province on grounds of ill-health?

Sir Evelyn Howell: No, Sir.

RESOLUTIONS ADOPTED BY THE LEGISLATIVE ASSEMBLY IN 1931.

105. ***Mr. Rahimtoola M. Chinoy:** Will Government be pleased to state what action they have taken or intend to take on each of the resolutions adopted by the Legislative Assembly during 1931?

The Honourable Sir George Rainy: The information is being collected and will be laid on the table in due course.

AMENDMENTS OF ACTS AFFECTING WORKMEN.

106. ***Mr. Rahimtoola M. Chinoy:** Will Government be pleased to state whether they intend to amend the Workmen's Compensation Act, the Trade Unions Act and the Trade Disputes Act, as recommended by the Royal Commission on Labour in India, in their report?

The Honourable Sir Joseph Blore: I hope to place before the House during the present session Bills for the amendment of the Workmen's Compensation Act and the Trade Disputes Act. The proposals of the Royal Commission on Labour relating to the amendment of the Trade Unions Act are under examination.

SEPARATION OF SIND FROM BOMBAY.

107. ***Mr. Rahimtoola M. Chinoy:** Will Government be pleased to state what progress has been made in the consideration and solution of the question regarding the separation of Sind?

The Honourable Sir George Rainy: I would refer the Honourable Member to the announcement made on this subject by His Excellency the Viceroy in this House on Monday last.

RETRENCHMENT AFFECTED IN VARIOUS DEPARTMENTS.

108. ***Mr. Rahimtoola M. Chinoy:** Will Government be pleased to lay on the table of the House a statement showing the retrenchment effected up to date in each of the departments?

The Honourable Sir George Schuster: I would invite the Honourable Member's attention to the memoranda which were circulated to the Members of this House on the 4th November, 1931, regarding the action taken on the recommendations of the various Retrenchment Sub-Committees. Further statements giving more up-to-date information will be laid before this House in due course in connection with the Demands for Grants for the next year.

INDIAN REPRESENTATION IN THE SECRETARIAT OF THE LEAGUE OF NATIONS.

109. ***Mr. Rahimtoola M. Chinoy:** (a) Will Government be pleased to state whether it is a fact that the nationals of India are inadequately represented in the Secretariat of the League of Nations and, if so, what steps they have taken to secure adequate representation for them?

(b) How many Muslims are there among the Indians employed in the Secretariat of the League of Nations?

Sir Lancelot Graham: (a) A statement showing the extent of India's representation in the Secretariat is laid on the table. Government must leave the Honourable Member to form his own opinion as to its adequacy. For the second part of the question I would refer the Honourable Member to the reply in the Council of State to part (b) of question No. 37 of the 4th March, 1929.

(b) So far as the Government of India are aware there are no Muslims employed in the League Secretariat.

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Statement showing the number of Indians employed in the League of Nations, their names, their designations, their duties, and the salary paid to each.

| Name. | Designation. | Duties. | Salary. |
|----------------------------|---------------------|---------------------------------|---|
| <i>League Secretariat.</i> | | | |
| Mr. J. Dalal . . . | Member of Section . | Legal Section | Pay of post 13,700—800—19,000 Swiss francs. Present pay understood to be 13,700 Swiss francs. |
| Mr. S. M. Dhume . | Do. . . | Economic and Financial Section. | Pay of post 13,700—800—19,000 Swiss francs. Present pay unknown. |

| Name. | Designation. | Duties. | Salary. |
|-------------------------------------|--|---|---|
| <i>League Secretariat—contd.</i> | | | |
| Mr. A. C. Chatterjee | Member of Section . | Information Section | Pay of post 13,700—800—19,000 Swiss francs. Present pay unknown. |
| Mr. S. N. Ghose . | Junior Assistant . | Information Section | Pay of post 7,500—200—9,500 Swiss francs. Present pay unknown. |
| <i>International Labour Office.</i> | | | |
| Mr. K. Kuriyan . | Member of Section . | Section A of the Diplomatic Division dealing with Rati-fications and Appli-cation, etc., of Con-ventions. | Pay of post 13,700—800—19,000 Swiss francs. Present pay unknown. |
| Mr. R. K. Das . | Member of Section Class A. | Section C of the Dip-lomatic Division dealing with Labour in Colonies, Protec-torates, etc. | Pay of post 19,000—800—28,000 Swiss francs. Present pay understood to be 20,600 Swiss francs. |
| Dr. P. Pillai . . | Is at present the representative of the In-ternational Labour Office and Director of its Indian Branch with rank superior to that of Chief of Section at Geneva. Understood to hold lien on post of Member of Section. | | Pay of post tempora-rily fixed at 24,000 Swiss francs. |

NOTE.—In addition Dr. Pillai is authorised to engage four office Assistants in India for the purpose of his work.

Dr. Ziauddin Ahmad: Is it not a fact, Sir, that the representation of India in the Secretariat of the League of Nations is not proportionate to the contribution which India makes?

Sir Lancelot Graham: Does the Honourable Member say that that should be the state of affairs?

Dr. Ziauddin Ahmad: I first want to know the facts, and afterwards I shall ask supplementary questions.

Sir Lancelot Graham: If the Honourable Member will wait for a later answer, I think he will get the facts. I am not quite sure, but I think he will be satisfied.

Dr. Ziauddin Ahmad: Will the Government try and press on the authorities of the League of Nations to have Indian representation in proportion to our contribution?

Sir Lancelot Graham: I should be very sorry to be Secretary-General of the League if that obligation is laid upon me.

Dr. Ziauddin Ahmad: Then will it be right on our part if we propose that the contribution should be stopped?

~~GOVERNMENT LOANS IN 1931.~~

110. ***Kunwar Hajee Ismail Ali Khan** (on behalf of Mr. M. Maswood Ahmad): Will Government please lay on the table of the House a statement containing information under the following heads:

- (a) The date and amount of loans issued by the Government of India in 1931;
- (b) Date of issue of prospectus of the loans;
- (c) List when opened;
- (d) List when closed;
- (e) Amount applied for;
- (f) Date of maturity;
- (g) Issue price;
- (h) Nominal rate of interest per cent.;
- (i) Redemption yield on the terms offered;
- (j) Redemption yield on the first day of January, 1932;
- (k) What amount of previous loans were converted into these loans and
- (l) Amount of previous securities converted into loans of 1932?

The Honourable Sir George Schuster: I lay a statement on the table of the House.

Loans issued by the Government of India in 1931.

| | In England. | In India. |
|---|--|--|
| (a) 5 $\frac{1}{2}$ per cent. Stock 1936— 38. £12,000,000 cash £5,000,000 conversion. | 6 per cent. Bonds 1933-34 £10,000,000 | 6 $\frac{1}{2}$ per cent. Treasury Bonds 1935. No limit was specified. |
| (b) 7th February 1931 | 20th May 1931 | 1st September 1931. |
| (c) 9th February 1931 | 20th May 1931 | 15th September 1931. |
| (d) $\left\{ \begin{array}{l} 9\text{th February 1931 for} \\ \text{cash} \\ 10\text{th February 1931 for} \\ \text{conversion.} \end{array} \right\}$ | $\left\{ \begin{array}{l} 31\text{st May 1931} \\ \end{array} \right\}$ | $\left\{ \begin{array}{l} 12\text{th December 1931.} \\ \end{array} \right\}$ |
| (e) £14,660,200 cash | £10,000,000, of which £3,801,650 was by public subscription and £6,198,350 by underwriters. | About 16 $\frac{1}{2}$ crores. |
| (f) Latest 15th July 1938 Earliest 15th July 1936. | 15th December 1934 15th December 1933 | 15th September 1935. |
| (g) 97 per cent. | 100 per cent. | Rs. 100 per cent. |
| (h) 5 $\frac{1}{2}$ per cent. | 6 per cent. | 6 $\frac{1}{2}$ per cent. |
| (i) 6.016 (taking the latest date) 6.150 (taking the earliest date) | $\left\{ \begin{array}{l} 6 \text{ per cent.} \\ 6 \text{ per cent.} \end{array} \right\}$ | $\left\{ \begin{array}{l} 6 \frac{1}{2} \text{ per cent.} \\ 6 \frac{1}{2} \text{ per cent.} \end{array} \right\}$ |
| (j) This part of the question is not understood. So far as Government are concerned the redemption yield remains the same throughout the currency of the loans. | | |
| (k) £5,000,000 5 $\frac{1}{2}$ per cent. Stock 1932. | | Rs. 2,94,00,000 of 6 per cent. 1932 Bonds. |
| (l) No loans have yet been raised in 1932. | | |

NUMBER OF POLITICAL PRISONERS DETAINED UNDER RECENT ORDINANCES.

111. ***Mr. S. C. Mitra:** Will Government please state the number of political prisoners detained in jail up to the 15th January, 1932, in the different provinces under the several Ordinances promulgated in 1931 and 1932?

The Honourable Sir James Crerar: I have asked for figures of persons detained without trial under the various Ordinances and will supply them to the Honourable Member in due course.

Mr. S. C. Mitra: Will the Honourable Member kindly place those figures on the table of the House?

The Honourable Sir James Crerar: I am quite prepared to place them on the table of the House.

Dr. Ziauddin Ahmad: Then we will be able to put supplementary questions.

DESPATCH OF TROOPS TO CHITTAGONG AND ARREST OF ABSCONDERS.

112. ***Mr. S. C. Mitra:** (a) Is it a fact that detachments of the Army have been sent to Chittagong under Ordinance No. XI of 1931; if so, will Government please state the number of troops sent there?

(b) Will Government please state the total cost involved for the soldiers stationed at Chittagong up till the 15th January, 1932?

(c) Is it a fact that the troops are being maintained in Chittagong mainly for the purpose of arresting the absconding accused in the Chittagong armoury raid case?

(d) If so, what is the number of the absconders, and how many of them have since been arrested as the result of the military operations and the dates of their arrests?

The Honourable Sir James Crerar: (a) The answer to the first part of the question is in the affirmative. The following troops were sent:

The 1/5th Mahratta Light Infantry (less two platoons and Depot personnel).

Two companies of the 2/8th Gurkha Rifles.

One detachment of the Royal Signals (W/T Pack).

(b) The information is not available at present, but will be obtained and communicated to the Honourable Member.

(c) The arrest of absconders is one of the reasons for which the police, aided by troops, are employed.

(d) At the time of the promulgation of the Bengal Emergency Powers Ordinance (XI of 1931) on the 1st December 1931, the number of absconders was 18. One has since been arrested.

CLASSIFICATION OF LADY PRISONERS.

113. ***Mr. S. C. Mitra:** (a) Is it a fact that lady Congress workers arrested under the Ordinances in Delhi have mostly been classed as "C" class prisoners? If so, will Government please give reasons?

(b) Are Government aware that some of these ladies come from very respectable and high class families and will Government please explain why they have not been classed as 'A' class prisoners? Do Government now propose to put them in "A" class? If not, why not?

(c) Is it a fact that Sreemati Chando Bibi who has been placed in class "C" belongs to a family holding large landed properties?

(d) Are Government aware that she was accustomed to a high standard of living? If not, are Government prepared to make enquiries? If not, why not?

The Honourable Sir James Crerar: (a) and (b). The suggestion made by the Honourable Member is incorrect. Actually only one-third of the number convicted have been placed in "C" class after due enquiry.

(c) and (d). Sreemati Chando Bibi is an under-trial prisoner on bail and not in jail. The question of classification does not therefore arise.

Mr. Lalchand Navalrai: Is the Honourable Member aware that these ladies who were convicted on a former occasion were classed either as A or B class prisoners and not put under class C?

The Honourable Sir James Crerar: I have no information to that effect.

Mr. S. C. Mitra: Is not the Honourable Member aware that even under-trial prisoners in Bengal are entitled to be classified as A, B or C, because the period of trial may extend to some years?

The Honourable Sir James Crerar: I think if the Honourable Member will refer to the rules regulating the classification of prisoners, he will find that his assumption is not correct.

Mr. S. C. Mitra: Will he kindly refer to the Bengal rules, because there even under-trial prisoners are classified?

TRAINING OF APPRENTICES IN ORDNANCE FACTORIES.

114: ***Mr. S. C. Mitra:** (a) Will Government please state whether it is a fact that the theoretical training given to apprentices in the ordnance factories in India and particularly in the Rifle Factory at Ishapore, is being abolished? If so, why?

(b) Are Government aware that in the absence of proper theoretical training the certificates of the successful apprentices will have no value outside the ordnance factories?

(c) Will Government be pleased to state whether successful apprentices only with practical training from the Rifle Factory at Ishapore, and other ordnance factories in India will be appointed to higher posts as announced by the Army Department Notification, dated the 19th September, 1931, in the *Gazette of India* defining the rules and regulations for the recruitment and training of those apprentices?

(d) Do Government propose to maintain the existing arrangements and conditions for the training of apprentices in the ordnance factories in India, particularly those prevailing in the Rifle Factory at Ishapore? If not, why not?

(e) Will Government please state how they propose to employ the successful candidates who are at present undergoing training in the Ordnance Factories in India?

(f) Do Government propose to stop the theoretical training and the training in the Laboratories to the existing apprentices in the Rifle Factory at Ishapore? If so, why?

(g) Are Government aware that there has been a regular unrest and panic amongst the teachers and the apprentices in the Rifle and other Ordnance Factories at Ishapore in view of the abandonment of the theoretical and Laboratory trainings to the existing apprentices there? If not, do Government propose to enquire?

(h) Do Government propose to issue a circular protecting the rights and privileges of the existing apprentices with the direction to circulate the same amongst the apprentices in the Rifle and other Ordnance Factories at Ishapore? If not, why not?

Mr. G. M. Young: (a) and (d). Theoretical training during working hours is being greatly reduced in order to provide time for essential practical training. No other change is contemplated in the existing arrangements for training.

(b) No, Sir.

(c) and (e). Successful apprentices who show practical ability and power of control in workshops will be given preference when recruitment is made to the junior appointments in ordnance factories.

(f) Theoretical training is being greatly reduced as it is not essential for foremen mechanics.

(g) The answer to both questions is in the negative.

(h) No, Sir, there is no necessity, to do so.

†115.*

COST OF RELIEF AND TRANSFER OF BRITISH TROOPS.

116. ***Mr. A. Das:** Will Government be pleased to inform the House of the total cost involved (a) in getting fresh British troops from England to India, (b) in sending British troops from India to England, and (c) in the transfer of British troops in India from one station to another in India?

Mr. G. M. Young: The total cost of (a) and (b) is about Rs. 62½ lakhs annually.

(c) Separate figures for British troops are not available. The maximum annual cost of all moves of units, British and Indian, in India may be taken as Rs. 15½ lakhs. It has not exceeded Rs. 14 lakhs in either of the last two years, and a reduced sum of 10 lakhs will be provided on this account in 1932-33.

LACK OF TRAFFIC ARRANGEMENTS FOR PILGRIMS VISITING THE SHRINE OF NIZAMUDDIN OLIA AT DELHI.

117. ***Kunwar Hajee Ismail Ali Khan:** (a) Are Government aware that a great many pilgrims visit the shrine of Nizamuddin Olia (Delhi) every Thursday in general and the first Thursday of every (Arabic) month in particular?

*A

†Question withdrawn by the questioner.

(b) Is it a fact that there is no proper place and traffic police arrangement for parking cars and tongas?

(c) If the answer to above is in the affirmative, do Government propose to take the necessary action immediately?

The Honourable Sir James Crerar: (a) I am informed that about 20—25 persons visit the shrine on Thursdays and that this number is roughly doubled on the first Thursday of the Arabic month.

(b) It is a fact that no special parking ground exists for the conveyances of those visiting the shrine. The number of such conveyances is never large and they are invariably parked on Lodi Road.

(c) Does not arise.

FLYING OF A NATIONAL FLAG IN INDIA.

118. ***Mr. S. C. Mitra:** (a) Will Government please state whether the flying of the Indian national flag is considered as illegal or seditious? If so, why?

(b) Are Government aware that the different constituents of the British Commonwealth of Nations have their distinct and separate national flags?

(c) Are Government aware that several cases have been reported recently in the Press of the Indian national flag being pulled down by the police and the Union Jack being set up in its stead even in private places?

(d) Do Government contemplate taking steps prohibiting the police from interfering with the flying of the Indian national flag? If not, why not?

The Honourable Sir James Crerar: (a) I am not aware that the flying of any flag is in itself either illegal or seditious.

(b) Yes.

(c) I have seen reports of cases in which possession has been taken by Government of places under Ordinance No. IV of 1932 and the Union Jack has been flown in place of the flag previously flying there.

(d) The Honourable Member will no doubt recognise that action in this matter must depend largely on the particular circumstances and that no general order of the kind suggested would be appropriate.

CASUALTIES CAUSED IN DISPERSING CROWDS.

119. ***Mr. S. C. Mitra:** Will Government please lay on the table a statement of the casualties in dead and wounded in dispersing crowds under the ordinances in the North-West Frontier Province and other provinces separately, during the last six months?

The Honourable Sir James Crerar: I understand that the Honourable Member desires to have such information as is readily available regarding casualties arising out of the civil disobedience movement and the measures taken against it. I am obtaining certain figures and will communicate them in due course.

†120.*

†Question withdrawn by the questioner.

CONSTRUCTION OF A RAILWAY STATION AT FARIDPUR.

121. ***Mr. S. C. Mitra:** With reference to my starred question No. 878 of the 9th March, 1931, regarding the construction of the railway station at Faridpur within the municipal area, as recommended by the Government of Bengal, will Government please state if the plan and estimate prepared by the Eastern Bengal Railway authorities have reached the Railway Board yet; if so, whether any fund has been allotted for the purpose in the coming Railway Budget; if not, why not?

Sir Alin Parsons: A plan and estimate for the new station and a report on it have been prepared, but have not yet been submitted to the Railway Board. I understand that a note showing how traffic will be dealt with at this new station is under preparation. I also understand that a site for it has been selected which meets with general approval. I am afraid it will not be possible to find funds for the work next year.

CREATION OF A NEW APPOINTMENT IN THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.

122. ***Mr. S. C. Mitra:** (a) Will Government be pleased to say if it is a fact that one Secretariat Superintendent has recently been appointed as an officer attached to the office of the Director General of Posts and Telegraphs?

(b) What is the designation of the appointment?

(c) Is this a new appointment? If so, what are the reasons for its creation?

(d) If it is not a new appointment, why has a new designation been given?

(e) Was the officer all along drawing the Secretariat scales of pay?

(f) Was not an officer of the Posts and Telegraphs Department available and fit to hold the appointment?

The Honourable Sir Joseph Bhow: (a) and (b). The Honourable Member's reference is evidently to the appointment of the Superintendent of the Secretariat Branch in the office of the Director General of Posts and Telegraphs as Personal Assistant to the Director General.

(c) and (d). It is a new appointment replacing one of the more expensive appointments of Assistant Directors-General previously existing. The designation of the post corresponds to the duties of its incumbent.

(e) Yes.

(f) Yes, the officer in question was and is an officer of the Posts and Telegraphs Department.

Mr. S. C. Mitra: Will the Honourable Member please explain how he reconciles his answer to part (e) and part (f), because the officers in the Postal Service do not get salaries on the Secretariat scale. In answer to part (e) the Honourable Member says that the Personal Assistant to the Director General gets the Secretariat scale of pay, and in reply to part (f) he says that he is an officer of the Posts and Telegraphs Department. How will he reconcile those two statements?

The Honourable Sir Joseph Bhoré: I do not quite follow my friend, but if he will put his point to me separately I shall endeavour to satisfy him.

Mr. S. C. Mitra: Is it not a fact that the officers in the Postal Secretariat side are paid on inferior scale of pay lower than the scale adopted in the main Secretariat? Is it not a fact that the clerks of the Postal Secretariat do not get the ordinary Secretariat scale of pay because it is an attached office where a lower scale of pay obtains, at present?

The Honourable Sir Joseph Bhoré: I should like to have notice of that question. I am afraid I do not carry the scales of pay in my head.

SUBSTITUTION OF ASSISTANT DIRECTORS GENERAL BY ASSISTANT DEPUTY DIRECTORS GENERAL OF POSTS AND TELEGRAPHS.

123. ***Mr. S. C. Mitra:** (a) Are Government aware that the Posts and Telegraphs Sub-Committee of the Retrenchment Advisory Committee in para. 106 of their *interim* report recommended the substitution of Assistant Directors-General by Assistant Deputy Directors-General on a basic pay plus a special pay of 30 per cent. of their basic pay?

(b) If so, will Government be pleased to say whether the recommendation has been accepted in full?

(c) If not, what are the reasons for any deviation?

The Honourable Sir Joseph Bhoré: (a) Yes.

(b) The recommendation has been accepted with the modification that the officers in question should get a fixed special pay of Rs. 250 per mensem.

(c) Government consider that the most suitable and equitable form of remuneration would be a fixed special pay in addition to the officers' ordinary pay.

LEAVE RESERVE OF ASSISTANTS IN THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.

124. ***Mr. S. C. Mitra:** (a) Is it a fact that the leave reserve of the Assistants in the office of the Director General of Posts and Telegraphs, has been fixed in the grade of clerks?

(b) Are Government aware of the existence of a similar practice in any other attached office of the Government of India and the Secretariat?

(c) If the reply to part (b) is in the negative, will Government explain why the system has been introduced in this office only?

The Honourable Sir Joseph Bhoré: (a) Yes.

(b) No.

(c) The office of the Director General has recently been reorganised in the interests of economy and the arrangement in question which is expected to work satisfactorily, has been approved as a measure to that end.

STAFF OF THE LEAGUE OF NATIONS SECRETARIAT AND THE AMOUNT OF CONTRIBUTIONS MADE BY DIFFERENT NATIONS.

125. ***Mr. S. C. Mitra:** Will Government please state :

- (a) the number of officers and the subordinate staff in the Secretariat of the League of Nations and also the number of Indians in each Department;
- (b) the amount of contribution India makes towards the finances of the League as also the contributions by England, France, Japan and Italy; and
- (c) the total amount of contribution of all the members of the League of Nations, and the staff of officers and subordinates in the Secretariat from England, France, Japan and Italy?

Sir Lancelot Graham: (a), (b) and (c). The attention of the Honourable Member is invited to pages 1986-2021 of the Official Journal of the League of Nations, 12th Year, No. 10, October, 1931, a copy of which is in the Library.

Mr. B. Das: In view of the general retrenchment policy of the Government, have the Government of India considered the advisability of reducing the contribution which they make to the League of Nations by ten per cent.?

Sir Lancelot Graham: May I ask if that arises out of this question?

Mr. B. Das: Yes, out of part (b) of this question which says, "The amount of contribution India makes towards the finances of the League". It does arise out of that question and I want a reply.

Sir Lancelot Graham: Does the Honourable Member tell us that India should reduce her contribution?

Mr. B. Das: Yes, by ten per cent.

Sir Lancelot Graham: He does not realise the constitution of the League at all. We cannot reduce our subscription. We have got to pay the subscription which is put upon us.

Mr. B. Das: Is the Honourable Member aware that the League of Nations has reduced its expenditure by 30 per cent., and is the Honourable Member aware that we pay our contribution on a gold basis, and owing to the present exchange conditions India is paying nearly double the amount in rupees?

Sir Lancelot Graham: The Honourable Member does not seem to understand the position at all. We must either pay our subscription or resign.

Mr. B. Das: I could not hear the Honourable Member.

Sir Lancelot Graham: The Honourable Member does not seem to understand the position at all. We belong to the League of Nations, and one of the conditions of membership is that we pay our subscription. We should either resign from the League of Nations or pay our subscription. We cannot reduce our subscription simply because we are retrenching.

Mr. B. Das: May I repeat the question, so that some other Honourable Member on the Treasury Bench may answer? In view of the general retrenchment policy of the Government, have the Government of India considered the advisability of reducing our contribution to the League of Nations?

Sir Lancelot Graham: We cannot reduce . . .

Mr. B. K. Shanmukham Chetty: Is it a fact that the League of Nations have taken steps to reduce their expenditure by about 30 per cent. this year, and, if so, have the Government of India got any relief in that measure of retrenchment which the League of Nations has adopted?

Sir Lancelot Graham: We have been allotted a certain amount to pay, and till that sum is reduced by the League of Nations we have got to pay it.

Mr. B. Das: Do you pay in gold or in silver?

Mr. B. K. Shanmukham Chetty: I know that we have got to pay the League of Nations the subscription that is due from us, but what I want to know from Government is whether the Government have ascertained as a result of the retrenchment campaign in the League of Nations Secretariat if the Government of India will get any relief from that retrenchment campaign?

Sir Lancelot Graham: The reply to that is in the negative.

Mr. B. K. Shanmukham Chetty: The Government have not ascertained it?

Sir Lancelot Graham: No. We shall be duly informed if our subscription has been reduced.

Sir Hari Singh Gour: Have the Government of India ascertained who got the benefit of the 30 per cent. retrenchment effected by the League of Nations?

Sir Lancelot Graham: The answer to that is in the negative.

Sir Hari Singh Gour: Why not? A mere negative won't do. We want the reason for it.

Sir Lancelot Graham: That is a new question. I was asked whether we had ascertained. I said the reply is in the negative.

Sir Hari Singh Gour: I am entitled to ask why.

Sir Lancelot Graham: I am entitled to ask for notice.

Sir Hari Singh Gour: The Honourable Member was busy drawing up the Ordinances and he had no time to make enquiries. (Laughter.)

Dr. Ziauddin Ahmad: Will the Honourable Member say whether any other Government has retrenched or reduced its contribution to the League of Nations on account of its retrenchment?

Sir Lancelot Graham: Obviously no Government can retrench or reduce its contribution. It has either got to get out of the League or pay its subscription.

Diwan Bahadur Harbilas Sarda: Will the Government in the interests of the finances of this country make this enquiry and inform this House?

Sir Lancelot Graham: Make which enquiry?

Diwan Bahadur Harbilas Sarda: Whether any country is going to benefit by the retrenchment of about 30 per cent. effected by the League of Nations in its expenditure.

Sir Lancelot Graham: I see no reason for making that enquiry.

Mr. B. Das: Is it the opinion of the Honourable Member that payment should be made on a gold basis or in the currency

Sir Lancelot Graham: I understand I am asked for opinion.

Mr. B. Das: No opinion. I am asking for the fact.

Mr. President: The Honourable Member wants to know whether the payment made by the Government of India is in gold or in silver currency.

Sir Lancelot Graham: Payment is calculated on the basis of Swiss gold francs.

NUMBER OF AEROPLANES PURCHASED FOR THE AIR FORCE IN INDIA.

126. ***Mr. Rahimtoola M. Chinoy** (on behalf of Mr. Nabakumar Sing Dudhoria): Will Government be pleased to state:

- (a) the total number of aeroplanes that have been purchased for the use of the Air Force attached to the Indian Army;
- (b) the number of them that are serving in connection with the Air Force in India at the present moment;
- (c) the total outlay on aeroplanes for the Indian Air Force up to date;
- (d) the total expenditure that is annually incurred on the head of Air Force in India; and
- (e) whether mechanisation of transport included buying of aeroplanes?

Mr. G. M. Young: (a) No accurate records are available before the year 1925-26. 318 aeroplanes have been purchased since that year.

(b) 98 service aircraft are in commission in India at present.

(c) The total outlay on aircraft for the Royal Air Force in India since 1925-26 is Rs. 187 lakhs.

(d) The total expenditure in 1930-31 amounted to Rs. 246 lakhs. Considerable retrenchment has since been effected and it is estimated that the expenditure in 1932-33 will amount to Rs. 158 lakhs.

(e) No, Sir.

MILITARY POWER HOUSES.

127. ***Mr. Rahimtoola M. Chinoy** (on behalf of Mr. Nabakumar Sing Dudhoria): Will Government be pleased to state:

- (a) the number of military power-houses existing at the present moment in Cantonment areas in the United Provinces, the Punjab, and Central Provinces;
- (b) the names of places where within a couple of miles or so of such military power-houses there exist also power-houses for neighbouring city areas;

- (c) the annual expenditure that is incurred on the military power-houses in India;
- (d) the number of Europeans employed in connection with all the military power-houses; and
- (e) the scale of pay of a European electrical engineer in a military power-house?

Mr. G. M. Young: (a) 13. This figure does not include two stand-by power stations for use in emergency only.

(b), (d) and (e). I have called for the information and will communicate the Honourable Member when it is received.

(c) In 1929-30 the expenditure in stations throughout India where the M. E. S. generate electric energy, amounted to about Rs. 10.28 lakhs.

COMMISSIONED RESERVE OFFICERS IN THE INDIAN ARMY.

128. ***Mr. Rahimtoola M. Chinoy** (on behalf of Mr. Nabakumar Sing Dudhoria): Will Government be pleased to state:

- (a) the number of commissioned reserve officers that exist in the Indian Army at the present moment;
- (b) how many such officers are 1. Colonels, 2. Lt.-Colonels, 3. Majors, 4. Captains, and 5. Lieutenants; and
- (c) how many of such officers are on leave abroad at the present moment.

Mr. G. M. Young: I presume the Honourable Member is referring to officers and officers-designate of the Army in India Reserve of Officers. If so, the answer is as follows:

- (a) 1,646.
- (b) 13 Lieutenant-Colonels, 189 Majors, 817 Captains, 499 Lieutenants, 122 2nd-Lieutenants and 6 gentlemen whose rank has not yet been assigned.
- (c) Officers and officers-designate of the Reserve are not granted leave by the military authorities. I am unable to say how many of them are on leave from their civil employment.

COST OF SENDING EUROPEAN SOLDIERS TO THE HILLS.

129. ***Mr. Rahimtoola M. Chinoy** (on behalf of Mr. Nabakumar Sing Dudhoria): Will Government be pleased to state the normal amount that is annually spent on the European soldiers for their hill-station trips and sojourns?

Mr. G. M. Young: The normal annual expenditure on account of the moves of British troops to the hills is about Rs. 2½ lakhs.

COST TO INDIA OF THE ROUND TABLE CONFERENCE AND COMMITTEES.

130. ***Mr. Rahimtoola M. Chinoy** (on behalf of Mr. Nabakumar Sing Dudhoria): Will Government be pleased to state:

- (a) the total cost that it has involved the Indian exchequer for meeting the expenses of the last Round Table Conference; and
- (b) the amount that is expected to be incurred by the Indian Government in meeting the expenses of the three English Committees which have come out in connection with the last Round Table Conference?

The Honourable Sir George Rainy: (a) The expenditure incurred from Indian revenues up to the end of December, 1931, amounted approximately to Rs. 1,36,680.

(b) On the assumption that the Honourable Member has in mind the Franchise Committee, the Federal Finance Committee and the Indian States Enquiry Committee, the expenditure to be incurred from Indian revenues has been estimated at about Rs. 5.6 lakhs, of which Rs. 1.6 lakhs is estimated to be incurred in the current year and Rs. 4 lakhs in the next year. This estimate, however, is now under revision in the hope it may be reduced. His Majesty's Government have agreed to bear all the costs of the allowances of members from England except the cost of their travel in India. It is anticipated that the Treasury will also bear the cost of the Secretariat staff sent from England.

RECRUITMENT FOR THE INDIAN MEDICAL SERVICE.

131. ***Mr. Rahimtoola M. Chinoy** (on behalf of Mr. Nabakumar Sing Dudhoria): Will Government be pleased to state:

- (a) whether it is a fact that Indian applicants for the Indian Medical Service were told in their interview with the authorities that in case of their employment they would not be allowed to revert to the civil side as has hitherto been the practice;
- (b) how many of the applicants have accepted such a condition before accepting service;
- (c) the total number that has been recently recruited to the Indian Medical Service; and
- (d) how many of them are Indians?

Mr. G. M. Young: (a) All candidates who appeared before the Selection Board in India in November last were made aware of the conditions stated in the "Memorandum regarding Appointment to and Conditions of Service in His Majesty's Indian Medical Service" which contains the following remark in paragraph 28:

"It is not possible to state at present what, if any, prospects of employment on the civil side will be open to Indian Medical Service officers under the proposed new constitution for India."

(b) As none of the candidates withdrew his application, it is presumed that the condition was accepted by all.

(c) and (d). 66 officers were appointed to the Indian Medical Service during 1930 and 1931, of these 38 were Indians.

CLOSING OF THE RAILWAY STAFF COLLEGE AT DEHRA DUN.

132. *Mr. Rahimtoola M. Chinoy (on behalf of Mr. Nabakumar Sing Dudhoria): Will Government be pleased to state:

- (a) the reason or reasons for which the activities of the Railway Staff College at Dehra Dun have been suspended this year;
- (b) the normal amount that has been spent annually on that institution;
- (c) how long the institution has been in existence;
- (d) how long the institution is proposed to be kept closed; and
- (e) the manner in which the buildings of the institution and the services of the existing staffs of teachers and servants will be utilised during the period the institution is proposed to be kept closed?

Sir Alan Parsons: (a) and (d). I would refer the Honourable Member to the reply given to question No. 53 asked by Mr. Lalchand Navalrai on the 26th January, 1932.

(b) The total expenditure including interest on Capital and depreciation during the year 1930-31 was Rs. 3,76,778.

(c) The institution started to function in January, 1930.

(e) The buildings are being transferred to the Army Department to be utilised for the Indian Military Academy. Persons employed at present at the Railway Staff College who have a lien on a permanent post on a Railway will revert to such post. Efforts will be made to find suitable posts for others, failing which their services will be terminated.

SUSPENSION OR REDUCTION OF RECRUITMENT BY THE PUBLIC SERVICE COMMISSION.

133. *Mr. Rahimtoola M. Chinoy (on behalf of Mr. Nabakumar Sing Dudhoria): Will Government be pleased to state:

- (a) whether they contemplate circumscribing the normal activities, in the matter of enlistment and recruitment, of the Public Services Commission during this year;
- (b) if the answer is in the affirmative, (1) the particular service or services where fresh recruitment is proposed to be suspended altogether; and (2) the departments where their activities will be only partially suspended; and
- (c) the period for which such suspension is likely to last?

The Honourable Sir James Crerar: I am ascertaining the position and will send a reply to the Honourable Member in due course.

RUMOURED FURTHER 10 PER CENT. CUT IN SALARIES.

134. *Mr. Rahimtoola M. Chinoy (on behalf of Mr. Nabakumar Sing Dudhoria): Will Government be pleased to state:

- (a) whether there is any truth in the rumour that there will be a further 10 per cent. cut in the salaries;
- (b) if the answer is in the affirmative, the month from which the new cut is to take effect;

- (c) the minimum salary which will be exempt from the operation of the new cut;
- (d) the saving likely to result from the operation of such a fresh cut; and
- (e) whether the period of the fresh cut is to last for the same period as that for the 10 per cent. cut already imposed?

The Honourable Sir James Crerar: (a) No. The rumour was contradicted in a Government communiqué which issued on the 26th January, 1932.

(b), (c), (d) and (e). Do not arise.

CONTRIBUTIONS TO THE CENTRAL GOVERNMENT FROM THE PROJECTED PROVINCES OF THE NORTH-WEST FRONTIER AND SIND.

135. ***Mr. Rahimtoola M. Ohinoy** (on behalf of Mr. Nabakumar Sing Dudhoria): Will Government be pleased to state:

- (a) whether in their report to the Home Government they have recommended that on the creation of a province in the North-Western Frontier and in Sind those provinces will have to contribute towards the expenses of the Central Government; and
- (b) if the answer is in the affirmative, the probable amount which each of such prospective provinces will have to contribute for that purpose?

The Honourable Sir George Rainy: (a) No.

(b) Does not arise.

RETRENCHMENT IN THE STAFF OF THE GEOLOGICAL SURVEY OF INDIA.

136. ***Mr. Rahimtoola M. Ohinoy** (on behalf of Mr. Nabakumar Sing Dudhoria): Will Government be pleased to state:

- (a) how many officers there existed in the Geological Survey Service before the introduction of the retrenchment;
- (b) how many of those officers have been axed for the sake of retrenchment;
- (c) how many of the officers retrenched are Indians; how many of the officers retained are Europeans; and
- (d) what is the net amount to be saved by the retrenchment of the officers only in that department?

The Honourable Sir Joseph Bhore: (a), (b) and (c). There were 36 gazetted officers in the Geological Survey prior to retrenchment. Of these 19 were Europeans, 16 were Indians and 1 was an officer of European parentage and Indian domicile. One European and one Indian officer are retiring in the ordinary course. Of the remainder, 7 Europeans and 3 Indians will be finally retrenched. Four other Indian officers have also been served with notice of termination of their service, but I hope to be able to offer them re-employment in a lower gazetted grade of the Survey than that in which they are at present serving. If they are so employed, the number of officers, remaining will consequently be 11 Europeans, 12 Indians, and 1 European with Indian domicile.

(d) About Rs. 1,17,000 per annum.

PENSIONS OF OFFICERS OF THE INDIAN MUSEUM, CALCUTTA.

137. *Pandit Satyendra Nath Sen: Will Government please refer to the answer to the starred question No. 10, dated the 26th January, 1931 (regarding contribution to pensions by the Trustees of the Indian Museum, Calcutta), and say whether officers that serve in a private institution like the Indian Museum could draw their whole pension from the Government of India?

Sir Frank Noyce: Officers of Government whose services are lent to a private institution draw their pensions from Government. An officer whose pay is met from a local fund or from a fund which is akin to a local fund and who is not a Government servant may draw pension from Government only if, with the approval of Government, the authority administering the fund makes a permanent arrangement for contribution towards that pension.

CHARGE FOR THE COST OF ESTABLISHMENT OF THE INDIAN MUSEUM, CALCUTTA.

138. *Pandit Satyendra Nath Sen: Will Government please refer to the answer to part (b) of starred question No. 474, dated the 5th March, 1930, stating that the charge on account of the cost of establishment of the Trustees of the Indian Museum falls on the Government of India and not on the Trustees of the Indian Museum and reconcile the same with the statement made, in reply to the starred question No. 12 (a), dated the 26th January, 1931, in the Legislative Assembly that the late Head Clerk of the Office of the Trustees of the Indian Museum drew his pay from the funds at the disposal of the Trustees?

Sir Frank Noyce: There is no inconsistency in the two statements mentioned in the Honourable Member's question. The position is that Government make an annual grant-in-aid to the Trustees of the Indian Museum from which the cost of the establishment employed by them is met.

REPAYMENT OF ADVANCES FROM PROVIDENT FUNDS.

139. *Pandit Satyendra Nath Sen: Will the Honourable Member in charge of the Finance Department be pleased to state whether with a view to mitigate the hardship caused by the emergency cut in the salaries of Government servants they are prepared to consider giving them an option of repaying the advance given to them from Provident Fund in a maximum of 36 instalments instead of 24 as at present?

The Honourable Sir George Schuster: Action on the lines indicated has already been taken; and a copy of the orders issued is placed on the table of the House.

Extract from a letter No. 3699-R-II, dated the 16th January, 1932, from the Government of India, Finance Department to all concerned.

(b) *Repayment of advances.*—A sanctioning authority may, on a subscriber's written request, sanction the following extensions of the period of repayment of a current advance:—

- (1) If the advance is recoverable in 12 instalments, the monthly instalment payable may be reduced thenceforward to one-half (rounded to the nearest rupee) on condition that the additional instalment on account of interest shall be at 5 per cent. and not 3½ per cent. of the principal;
- (2) If the advance is repayable in 24 instalments, the monthly instalment may be reduced thenceforward to two-thirds (rounded to the nearest rupee) on condition that the two additional instalments on account of interest shall be at 4½ per cent. and not 3½ per cent. of the principal.

CLOTH SEIZED BY THE POLICE AT BHAGALPUR.

140. *Mr. Bhuput Sing: (a) Has the All-India Spinners' Association been declared illegal by the Government of India? If so, on what grounds?

(b) Is it a fact that Khaddar clothes worth lakhs of rupees have been seized by the Government of Bihar and Orissa at Bhagalpur and other places from the various branches of the All-India Spinners' Association and taken away by the police in bullock-carts? If so, has this been done by them on their own initiative or under instructions from the Government of India?

(c) Are Government aware of the panic caused in the business market and the effect on Indian trade and industry by this action of the police?

The Honourable Sir James Crerar: (a) The answer to the first part of the question is in the negative.

(b) I have no information of any such action but I am making enquiries.

(c) Does not arise.

RUMOURED RELEASE OF MR. GANDHI.

141. *Mr. Bhuput Sing: (a) Will Government be pleased to state whether there is any truth in the rumour that Mahatma Gandhi is to be released on parole?

(b) If not, are Government in a position to say how the rumour originated? Was an undertaking not to support the civil disobedience movement demanded from him by Government? If so, when and how and by whom?

The Honourable Sir James Crerar: (a) No.

(b) The answer to both parts is in the negative.

I would refer the Honourable Member to the correspondence which was published in the Gazette of India of January 16th last.

DEPORTATION FROM THE NORTH-WEST FRONTIER PROVINCE OF FATHER ELWIN.

142. *Mr. Gaya Prasad Singh: (a) Will Government kindly state why Father Elwin has been deported from the Frontier Province?

(b) With what institutions is he connected?

Sir Evelyn Howell: (a) Father Elwin was deported from the North-West Frontier Province under section 4(1)(c) of the Emergency Powers Ordinance, 1931, because his presence there was considered undesirable.

(b) Government have no information.

STAFF OF THE VETERINARY HOSPITAL AT MHOW CANTONMENT.

143. ***Mr. Gaya Prasad Singh:** (a) Is there a veterinary hospital at Mhow Cantonment (Central India), in which there is an Indian officer getting about Rs. 75 per month; and two European officers getting about Rs. 1,200 each per month?

(b) What are the functions of these officers?

(c) How far has the scheme of retrenchment affected the Indian and the European officers and staff of the hospital; and is it proposed to retrench at least one European officer? If not, why not?

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

(b) The senior British officer is the Deputy Assistant Director, Veterinary Services, Mhow District, and is also the Officer Commanding the Military Veterinary Hospital at Mhow. He is responsible for the supervision and treatment of all animals in the District.

The junior British officer is in veterinary charge of animals at Mhow, Nasirabad, Neemuch and Mount Abu and also acts for the Deputy Assistant Director during his absence on tour.

The Indian officer is a Veterinary assistant surgeon and is responsible, under the orders of the Officer Commanding the Hospital, for the general supervision of the hospital establishment. He assists the Officer Commanding in his veterinary duties.

(c) No retrenchment has been found possible in these posts. All three officers and their subordinates are fully employed.

CONSTRUCTION OF RAILWAY LINES BETWEEN DOHAD OR RUTLAM AND GALIAKOT.

144. ***Mr. Gaya Prasad Singh:** (a) Has the project of railway construction between Dohad and Galiakot (Bombay, Baroda and Central India Railway) been sanctioned? If so, when, and what is the estimated cost?

(b) Has the project of constructing a railway line from Rutlam Junction on the Bombay, Baroda and Central India Railway, main line, to Galiakot, via Sailana, been examined and abandoned? If so, why?

Sir Alan Parsons: (a) and (b). No.

INCOME AND EXPENDITURE FROM CUSTOMS AND ADMINISTRATION OF KARACHI AND INCOME-TAX IN SIND.

145. ***Seth Haji Abdoola Haroon:** (a) Will Government be pleased to lay on the table a statement showing the total income by way of customs duty and actual expenditure incurred on the administration of the port of Karachi during the last official five years, say 1926-27, 1927-28, 1928-29, 1929-30, 1930-31, separately for each year?

(b) Will Government be pleased to lay on the table a statement showing total income by way of income-tax and actual expenditure incurred on the administration of that department in the province of Sind during the last financial five years 1926-27, 1927-28, 1928-29, 1929-30, 1930-31, separately for each year?

The Honourable Sir George Schuster: (a) A statement showing the information asked for by the Honourable Member is placed on the table. I have assumed that the Honourable Member refers to expenditure on the Customs administration of the port, not on the general administration of the port.

(b) A statement is laid on the table.

Statement showing the income on account of custom duty and actual expenditure incurred on the administration of the port of Karachi.

| | 1926-27. | 1927-28. | 1928-29. | 1929-30. | 1930-31. |
|--|-------------|-------------|-------------|-------------|-------------|
| Customs duty excluding salt (Import and Export duties) . . . | 5,83,67,738 | 5,71,78,631 | 6,30,91,776 | 6,05,63,886 | 6,32,39,226 |
| Expenditure . . . | 7,35,756 | 7,81,307 | 7,56,294 | 7,79,589 | 7,63,638 |

Statement showing the total income by way of income-tax and the actual expenditure incurred on the administration in the province of Sind during the last financial five years, 1926-27 to 1930-31.

| Year. | Income by way income-tax and super-tax. | Actual expenditure. |
|-------------------|---|------------------------|
| | Rs. | Rs. |
| 1926-27 | 12,09,013 | 1,83,811 |
| 1927-28 | 15,70,965 | 1,89,977 |
| 1928-29 | 17,42,516 | 1,90,916 |
| 1929-30 | 16,77,967 | 1,95,158 |
| 1930-31 | 17,52,061 | 2,08,936 |

Dr. Ziauddin Ahmad: I have not seen the statement. Will the Honourable Member inform us whether the money realised during the last two months in customs is the same as he expected.

The Honourable Sir George Schuster: I would ask you whether that question arises out of the original question.

Mr. President: Next question, please.

CASUAL LEAVE AND GATE ALLOWANCES OF CREW STAFF AND TICKET COLLECTORS OF THE EAST INDIAN RAILWAY.

146. ***Dr. Ziauddin Ahmad:** (a) Is it a fact that Government have sanctioned casual leave and gate allowances to the crew staff and the old ticket collectors of the East Indian Railway?

(b) Are these allowances given in every division uniformly?

(c) Are these allowances given to persons serving in the Dinapur division?

(d) Are these allowances given to persons serving in the Howrah and Lucknow divisions? If not, why not?

Sir Alan Parsons: I have called for the information from the Agent, East Indian Railway, and will communicate it to the Honourable Member on its receipt.

Dr. Ziauddin Ahmad: Will the Honourable Member place the information on the table of the House so that Members may ask questions?

(No reply was given.)

AVOIDANCE OF BREAK IN SERVICE OF RAILWAY OFFICIALS RETRENCHED AND RE-EMPLOYED.

147. ***Dr. Ziauddin Ahmad:** (a) Have Government taken measures to avoid break of services of persons who were retrenched and subsequently reinstated in the Railway Service?

(b) Have they lost their seniority in grade?

Sir Alan Parsons: (a) The question of condoning the break in service will be considered at the time of subsequent employment.

(b) Seniority on subsequent appointment will be fixed in each case by the appointing authority. I am sending the Honourable Member a copy of the Railway Board's letter No. 683-E. G., dated the 3rd March, 1931, to Agents of State-managed railways which indicates that special consideration in certain matters will be shown to men whose services are terminated on reduction of establishment and who are subsequently employed.

Lieut.-Colonel Sir Henry Gidney: Will the Honourable Member inform the House whether it is a fact or not that condonation of service is always considered by Railway Agents at the termination and not at the beginning of a man's re-employment?

Sir Alan Parsons: I am not able to give a definite answer without notice, but my impression is that when a man who has been discharged is re-employed, the terms on which he will be re-employed are then considered.

Lieut.-Colonel Sir Henry Gidney: Will the Honourable Member obtain correct information on this point and inform this House? I believe I am correct in what I said but I should like to be corrected.

Sir Alan Parsons: If the Honourable Member will put down a question, I shall certainly give him a reply on that point.

PURCHASE OF THE BENGAL AND NORTH-WESTERN RAILWAY.

148. ***Dr. Ziauddin Ahmad:** What steps have Government taken to purchase the Bengal and North-Western Railway? Will Government be pleased to lay on table the correspondence that has passed between the Government of India and the Secretary of State and between the Secretary of State and the Director of the Company since August, 1931?

Sir Alan Parsons: At the request of the Government of India the Secretary of State is now conducting negotiations with the Boards of Directors of the Bengal and North-Western and Rohilkund and Kumaon

Railway Companies on the basis of the Resolution adopted by the Assembly last September. The question of publishing the correspondence on the subject will be considered when the negotiations are complete.

WORK OF THE RAILWAY RETRENCHMENT SUB-COMMITTEE AND THE EXPERT COMMITTEE.

149. *Dr. Ziauddin Ahmad: (a) Is it not a fact that Government stopped the Railway Retrenchment Sub-Committee from visiting running lines on the ground that they were appointing an expert Committee to carry on the work in October and November, 1931?

(b) Is it not a fact that the Railway Retrenchment Sub-Committee finished its work by examining Members of the Railway Board and a few other officers at Simla?

(c) When will the contemplated expert Committee begin its work?

(d) Do Government propose to ask the Railway Retrenchment Sub-Committee to finish its work if the expert Committee is not appointed immediately?

The Honourable Sir George Rainy: (a) No.

(b) Yes.

(c) Immediately after the report of the Railway Retrenchment Sub-Committee was received efforts were made to obtain suitable personnel for an expert committee in the hope that its enquiries could be undertaken this cold weather. I regret however that, owing to the urgent preoccupations of the leading railway and financial experts, in the present very difficult times our efforts were not successful and the constitution of the Committee has therefore, owing to causes beyond the control of the Government of India, had to be postponed till next year.

(d) The Retrenchment Sub-Committee, in paragraph 212 of their report, expressed the opinion that the further investigation could be more usefully undertaken by a small committee composed mainly of financial and railway experts. Government agree with this view.

Dr. Ziauddin Ahmad: This particular paragraph referred to by the Honourable Member was written on the understanding that the expert Committee would meet in October 1931; otherwise there would not have been that paragraph. We understood very clearly that the expert Committee would meet in October and November.

The Honourable Sir George Rainy: I am indebted to the Honourable Member for the information he has communicated.

I cannot, without notice, answer a question as to what information was or was not supplied to the Railway Retrenchment Sub-Committee, but I should be very glad if the Honourable Member will either put down a question or ask me privately on the subject.

Dr. Ziauddin Ahmad: I sent this question several times to the Honourable the Finance Member for discussion in the General Purposes Retrenchment Sub-Committee, but I got no reply.

GRIEVANCES OF POSTAL OFFICERS.

150. ***Dr. Ziauddin Ahmad**: Have Government seen the issue of the Postal Officers' Association India, Monthly Notes for December, 1931 (Vol. III, No. 12)? What steps do Government propose to take to meet the grievances mentioned therein?

The Honourable Sir Joseph Bhoré: Yes. I presume that the Honourable Member refers to the retrenchment measures described in these Monthly Notes. These have been adopted by Government only after the most careful consideration and on the advice of the Posts and Telegraphs Sub-Committee of the Retrenchment Advisory Committee, as means of economy. Government have every sympathy with those officers whose position or prospects have been prejudiced by the action taken, but at the same time regret that it is quite impossible to reconsider their decision.

SUGAR PURCHASED FOR MILITARY CONSUMPTION.

151. ***Seth Haji Abdoola Haroon**: (a) Will Government be pleased to lay on the table exact figures of sugar bought for military consumption during the last three official years, separately for brown and white sugar?

(b) Are Government aware that the difference between the prices of white and brown sugar has been minimised considerably?

(c) Do Government propose in future to give preference to and buy Indian sugar, which resembles brown Java and is sold at the same price as the latter?

(d) Are Government prepared to invite tenders whenever they intend to buy sugar for military consumption?

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

| | Brown. | White. |
|-------------------|-------------|------------------|
| 1928-29 | 3,964 tons | .. |
| 1929-30 | 3,769½ tons | .. |
| 1930-31 | 4,228 tons | 3 tons, 12 cwts. |

(b) Yes.

(c) Indian sugar will be purchased whenever it is procurable at or below the price of Java brown sugar, inclusive of all overhead charges for delivery at final destination. 816 tons of Indian sugar have been purchased during the current financial year.

(d) No, Sir. A trial of this method of purchase was made last September and proved unsuccessful. Sugar for military consumption is purchased from contractors on the approved list of the Director of Contracts. By means of wide advertisement in the press, English and vernacular, ample opportunities have been provided to persons engaged in the sugar trade to have their names included in the approved list of contractors.

Dr. Ziauddin Ahmad: Is it not desirable that the Military Department ought to encourage the home industry as compared with the Java trade?

Mr. G. M. Young: I think, Sir, that calls for an expression of opinion.

Diwan Bahadur A. Ramaswami Mudaliar: Are Government aware that the Army Retrenchment Sub-Committee have suggested that open tenders should be invited in all these cases?

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

Diwan Bahadur A. Ramaswami Mudaliar: Will the Honourable Member be also glad to take the suggestion from that Sub-Committee?

Mr. G. M. Young: Every suggestion of the Army Retrenchment Sub-Committee will receive the fullest consideration.

FALSE CINEMA FILMS SHOWN IN INDIA.

152. ***Seth Haji Abdoola Haroon:** (a) Has the attention of Government been drawn to a leaflet in Urdu published recently at the Barki Press, Delhi, under the signatures of various persons, requesting them to stop the showing of false cinematograph films in theatres in connection with ladies of the family of the late Moghul Emperors and descendents of Mahomed, the Holy Prophet of Mussalinans?

(b) What action do Government propose to take to put a stop to the use of the false films referred to above?

The Honourable Sir James Orerar: (a) I have not seen the leaflet to which the Honourable Member refers.

(b) Local Governments have power to deal with objectionable films under the provisions of the Indian Cinematograph Act, and I have no doubt that they will take action when this is necessary.

FLIGHT OF GOLD FROM INDIA.

153. ***Lala Hari Raj Swarup:** (a) Will Government be pleased to state the total exports of gold from India month by month, since the promulgation of the Currency Ordinance of 1931?

(b) What steps have Government taken to prevent this flight of gold from the country?

The Honourable Sir George Schuster: (a) The figures of exports of gold are as follows:

| (In thousands of Rs.) | |
|--|-----------------|
| From 22nd September 1931 to the end of September | 25,04 |
| For October 1931 | 9,05,44 |
| For November 1931 | 8,57,45 |
| From December 1931 to 23rd January 1932 approximately | 24,45,00 |
| Total | 42,32,93 |

(b) Government have not considered it desirable to take any steps.

EFFECT OF NEW CURRENCY POLICY.

154. ***Lala Hari Raj Swarup:** Will Government be pleased to state the effect of the new currency policy adopted under the Ordinance of 1931, on the gold reserves of the Government in India and England?

The Honourable Sir George Schuster: The amount of the Gold Reserve of the Government of India has remained practically unchanged. Its value in rupees has increased in proportion to the depreciation of the rupee in terms of gold and on the 22nd January was approximately 62·68 crores.

Mr. E. K. Shanmukham Chetty: Has the gold in the Paper Currency Reserve been revalued on the present basis in terms of rupees?

The Honourable Sir George Schuster: In the published returns the gold is still given according to the original valuation.

REPORTS OF RETRENCHMENT COMMITTEES.

155. ***Lala Hari Raj Swaraj:** (a) Will Government be pleased to state if all the retrenchment committees, appointed by Government in pursuance of the Resolution of the Assembly have submitted their final reports? If not, what committees are still to submit such reports?

(b) Will Government be pleased to make a statement before this House as to the further steps and action taken by them on the various reports after the November session of the Assembly?

The Honourable Sir George Schuster: (a) Final or supplementary reports are still expected from the following sub-committees:

- (1) The General Purposes Sub-Committee.
- (2) The Army Sub-Committee.
- (3) The Posts and Telegraphs Sub-Committee.
- (4) The Stores, Stationery and Printing Sub-Committee.

(b) In connection with the Budget statement a memorandum will be furnished to the House indicating the action taken up to date or proposed to be taken on the various reports which have been received by Government.

Mr. Lalchand Navalrai: Will the Honourable Member be pleased to say whether the Government propose to place all these reports of Retrenchment Sub-Committees before this House for discussion during this session.

The Honourable Sir George Schuster: As far as I am aware, Sir, all the reports that have been received have already been circulated to Members of this House. It is the Government's intention to adopt a timetable which, if it is properly availed of by Honourable Members, should afford ample opportunity for discussing the retrenchment proposals.

CLASSES OF IMPRISONMENT AWARDED TO POLITICAL PRISONERS.

156. ***Mr. Lalchand Navalrai:** Will Government be pleased to make a statement as to the present policy of awarding classes to political prisoners both male and female?

The Honourable Sir James Crerar: The principles which regulate the classification of prisoners in Indian prisons have been explained in the communiqué of 19th February, 1930.

Mr. Lalchand Navalrai: May I ask the Honourable Member if there has been any change in the rules that had been framed for the classification of prisoners?

The Honourable Sir James Crerar: No, Sir.

Mr. Lalchand Navalrai: Will the Honourable Member be pleased to say whether at present the rules are not being properly enforced in the sense that ladies and gentlemen are being put in classes different from those in which they should have been put because of their position only and not in order to give them harder punishment?

The Honourable Sir James Crerar: No, Sir. I have no information of that kind.

Diwan Bahadur A. Ramaswami Mudaliar: Is the Honourable Member aware that whereas on the last occasion some of these very ladies and gentlemen were classed as A class prisoners, on the present occasion, they are classed as C class prisoners, and does the Honourable Member think that it is because they have been lowered in status, or is there any circular from the Government of India regarding these classifications?

The Honourable Sir James Crerar: I am not aware, Sir, of the facts cited by the Honourable Member, but I can inform him that no such circular has been issued.

Mr. Lalchand Navalrai: Will the Honourable Member be pleased to make inquiries, so far as Sind is concerned, and find out for himself that ladies of very high position have been given class C, whereas on the former occasion such ladies were given class A? Will the Honourable Member make inquiries and find out, and not merely say that, "There is no information available"?

The Honourable Sir James Crerar: If the Honourable Member will give me specific instances, I should be glad to consider them.

Mr. Lalchand Navalrai: The cases of Miss Gomi and Miss Lalwani are two typical cases. (After some interval) May I get a reply from the Honourable Member?

The Honourable Sir James Crerar: The Honourable Member was making a statement of which I duly took a note. I do not think it called for a reply from me.

Diwan Bahadur A. Ramaswami Mudaliar: Will the Honourable Member consider the suggestion of issuing general instructions to Provincial Governments on the subject that no distinction in classification is made because of the severity of the Ordinances?

The Honourable Sir James Crerar: The reply to the Honourable Member's question must be this, that the principles on which this classification was based were very carefully considered at the time; that no circumstances have arisen to modify those classifications; the principles are still in force, and I find no necessity to issue any circular on the subject.

Mr. Lalchand Navalrai: The Honourable Member should take it from us that there has been a difference in the rules, and what is required at the present moment is to find out whether Government propose to send a communiqué to all Provincial Governments drawing attention to the changes in classification now made.

The Honourable Sir James Crerar: I am unable to agree with the Honourable Member's statement that a difference has been made in the rules. I know perfectly well that no difference has been made in the rules.

SEIZURE OF CONGRESS FUNDS.

157. ***Rai Bahadur Sukhraj Rai:** Will Government be pleased to state:

- (a) the total sums of money that have been seized by the police, from the different banks of India, as belonging to the Congress;
- (b) whether the amounts will be confiscated to Government or these will be returned to the Congress when the movement is over;
- (c) whether this action was taken also during the last civil disobedience movement; if not, why this time; and
- (d) whether Government are aware of the effect of this on the stability of the Indian banks?

The Honourable Sir James Crerar: (a) The police have no such powers of seizure. I have no definite information of the total sum. 12 Noon. in regard to which the Local Governments have taken action under section 7 of Ordinance No. IV of 1932.

(b) If the Honourable Member will refer to section 7 of Ordinance No. IV of 1932, he will find that under that section the Local Government may order the forfeiture of money, securities or credits which are being used or are intended to be used for the purposes of an unlawful association. The Honourable Member may assume that when an order of forfeiture is passed, the money will not be returned.

(c) No. The powers have been taken on this occasion, because Government consider they will be of value in combating an unlawful movement.

(d) They are not aware of any adverse effect.

UNSTARRED QUESTIONS AND ANSWERS.

DISPOSAL OF FILES IN THE OFFICE OF THE COMMISSIONER OF INCOME-TAX, BENGAL.

14. **Mr. S. C. Mitra:** (a) With reference to the answer given in the Council of State on 21st September 1931 by the Honourable Mr. A. H. Lloyd to question No. 107(d) asked by the Honourable Mr. S. C. Ghosh Maulik, will Government be pleased to state if it is a fact that a large number of files pending disposal for years together in the Office of the Commissioner of Income-tax, Bengal, including a considerable number of a very important nature, were disposed of during November and December, 1931, when the permanent Personal Assistant to the Commissioner, Mr. S. K. Ghosh, was on leave and Mr. M. Ameen was acting in his place?

(b) Is it a fact that the practice of issuing prompt circular instructions on questions of general interest raised in the Inspection Notes of the various inspecting authorities including those of the Member, Central Board of Revenue, has ceased in recent years in most cases? If so, why?

(c) Is it a fact that, besides the arrears already made up as referred to in part (a) above, there are still a number of files pending disposal for years together? If so, how many and why?

(d) Is it a fact that the forms for monthly returns which are submitted by Income-tax Officers to the Commissioner of Income-tax, Bengal, were found defective years ago?

(e) Is it a fact that a revision of these forms has been under contemplation?

(f) Is it a fact that the file dealing with this revision has been pending disposal for years together with the result that the Income-tax Officers have been compelled to submit the monthly returns in the old defective forms which are being typed for the purpose every month all these years and which have thrown a considerable amount of unnecessary work on the typists of the department?

The Honourable Sir George Schuster: (a) The answer is in the negative. Some old files were disposed of in November, 1931.

(b) and (c). The answer is in the negative.

(d), (e) and (f). The forms in question are satisfactory, and the Commissioner has not had any reason to regard them as defective, or to consider their amendment.

TRAVELLING ALLOWANCE DRAWN ON INSPECTION TOURS BY MR. F. W. STRONG, COMMISSIONER OF INCOME-TAX, BENGAL.

15. Mr. S. C. Mitra: (a) With reference to the answer given on 21st September, 1931, by the Honourable Mr. A. H. Lloyd to question No. 109 asked by the Honourable Mr. S. C. Ghosh Maulik, will Government be pleased to state the amount of travelling allowance drawn by Mr. Strong, as referred to in answer to part (c) of the question?

(b) Was he entitled to this amount of travelling allowance in its entirety under the rules in force governing inspections with recess (*vide* Item No. 3 (ii) of Government of India's orders under S. R. 129 as published in Posts and Telegraphs Compilation)? If not, to what amount was he entitled?

(c) Has the difference, if any, been recovered by the Audit Officer concerned? If so, when? If not, do Government propose to direct the Audit Officer to do the same now?

(d) Is it a fact that the inspection which Mr. Strong made at Jalpaiguri on his way to Kalimpong, where he recessed for a month, is the only inspection which he has made during the first 8 months of the current financial year, although he has got to inspect about 40 offices both in Calcutta and in the mofussil in course of one financial year?

(e) Will Government be pleased to state whether mere intimation of change of intention on the part of the Commissioner, as referred to in answer to part (a) of the question (No. 109 of 21st September, 1931, Council of State referred to above) was sufficient to justify his going to recess, or whether previous permission of the Central Board of Revenue was necessary? If permission was necessary, was such permission asked for and given, and is it on record? Was necessary intimation in respect of this recess given to the Audit Officer, as contemplated in Item No. 4 (iii) of the Government of India's orders under S. R. 129 (P. & T. Compilations)?

The Honourable Sir George Schuster: (a), (b) and (c). The whole of this question is based on an erroneous assumption, namely, that Mr. Strong visited Kalimpong on recess. The issues raised do not therefore arise.

(d) Yes. These inspections are usually made in the cold weather. The Commissioner started on a tour inspection in December 1931, but had to return to Calcutta on urgent official business, after inspecting Khulna and Backerganj.

(e) Mr. Strong actually took his recess in October after obtaining the Board's approval. He also informed the Audit Officer.

INSPECTIONS MADE BY MR. F. W. STRONG, COMMISSIONER OF INCOME-TAX, BENGAL.

16. **Mr. S. C. Mitra:** Will Government be pleased to place on the table a statement showing the number of inspections, *year by year*, and *office by office*, made by Mr. F. W. Strong, Commissioner of Income tax, Bengal, during his term of office, the inspections made by Mr. Graham during the periods Mr. Strong was on leave being included and indicated as such, and also the inspections made from records called for from some Calcutta Districts and not by personally visiting them being also clearly pointed out?

The Honourable Sir George Schuster: A statement is laid on the table.

Office inspections made by Mr. F. W. Strong, I.C.S., Commissioner of Income-tax, Bengal, during the year 1926-27.

| | | |
|-------------------------------|---|-----------------------|
| Calcutta District No. II (1). | } | Detailed Inspections. |
| Calcutta District No. II (2). | | |
| Calcutta District No. VI. | | |
| Calcutta Companies. | | |
| Dacca, | } | Detailed Inspections. |
| Mymensingh, | | |
| Backerganj, | | |
| Chittagong, | | |
| Tipperra, | | |
| Howrah, | | |
| Hooghly, | | |
| Burdwan-Birbhum, | | |
| Midnapore-Bankura, | | |
| Murshidabad-Nadia. | | |
| Rajshahi-Pabna, | | |
| Jalpaiguri-Darjeeling. | | |

Mr. Strong believes that he visited various other Calcutta Offices to inspect progress of assessment work but brief notes that may have been recorded have not been preserved.

Office inspections made by Mr. F. W. Strong, I.C.S., and Mr. H. Graham, I.C.S., Commissioner of Income-tax, Bengal, during the year 1927-28.

Mr. F. W. Strong, I.C.S., was on leave for 5 months and 29 days with effect from 1st April 1927.

Detailed Inspections.

Jalpaiguri-Darjeeling,
Dinajpur-Malda,
Faridpur,
Hooghly,
Midnapore-Bankura,
Burdwan-Birbhum,
Murshidabad-Nadia,
Khulna-Jessore,
Rangpur-Bogra,
Rajshahi-Pabna,
Dacca,
Mymensingh,
Tippera-Noakhali,
Chittagong,
Backergunj.

} Inspections of these offices were done by Mr. H. Graham, I.C.S., Offg. Commissioner.

Mr. Strong visited the Calcutta districts in the cold weather with the particular object of inspecting progress of assessment work and brief inspection notes were recorded.

Office inspections made by Mr. F. W. Strong, I.C.S., Commissioner of Income-tax, Bengal, during the year 1928-29.

| | | |
|-------------------------------|---|-----------------------|
| Calcutta District No. IV (1). | } | Detailed inspections. |
| Calcutta District No. IV (2). | | |
| Calcutta District No. V. | | |
| Calcutta District No. V-A. | | |
| Calcutta District No. VI. | } | Records inspection. |
| Calcutta District No. II (1). | | |
| Calcutta District No. II (2). | } | Detailed inspections. |
| Midnapore-Bankura. | | |
| Burdwan-Birbhum, | | |
| Hooghly, | | |
| Howrah, | | |
| Khulna-Jessore, | | |
| Murshidabad-Nadia, | | |
| Dacca, | | |
| Mymensingh, | | |
| Backergunj, | | |
| Chittagong, | | |
| Tippera-Noakhali, | | |
| Jalpaiguri-Darjeeling, | | |
| Faridpur, | | |
| Dinajpur-Malda. | | |
| Rangpur-Bogra, | | |
| 24-Parganas, | | |

As usual Mr. Strong visited the Calcutta offices in the cold weather and recorded brief notes on progress of assessment work.

Office inspections made by Mr. F. W. Strong, I.C.S., Commissioner of Income-tax, Bengal, during the year 1929-30.

Records Inspections.

Companies District I.
Companies District II.
Calcutta District I (1).
Calcutta District I (2).
Calcutta District II (1).
Calcutta District, II (2).
Calcutta District III (1).
Calcutta District IV (2).
Calcutta District IV (3).
Calcutta District V.
Calcutta District VI.

Detailed Inspections.

Burdwan-Birbhum,
 Murshidabad-Nadia,
 Midnapore-Bankura,
 Khulna-Jessore,
 Jalpaiguri-Darjeeling,
 Dinajpur-Malda,
 Rangpur-Bogra,
 Rajshahi-Pabna,
 Faridpur,
 Dacca,
 Mymensingh,
 Backergunj,
 Chittagong,
 Tippera-Noakhali,

As usual Mr. Strong visited the Calcutta offices in the cold weather and recorded brief notes on progress of assessment work.

Office inspections made by Mr. F. W. Strong, I.C.S., and Mr. H. Graham, I.C.S., Commissioners of Income-tax, Bengal, during the year 1930-31.

Mr. F. W. Strong, I.C.S., was on leave with effect from 22nd April 1930 for 6 months and 8 days

Detailed Inspections.

Jalpaiguri-Darjeeling,

Khulna-Jessore,

Chittagong,

Mymensingh,

Dacca,

Backergunj,

Tippera-Noakhali,

Burdwan-Birbhum,

Midnapore-Bankura,

Murshidabad-Nadia,

Hoogly,

Rajshahi-Pabna,

Rangpur-Bogra.

Inspections made by Mr. H. Graham,
 I.C.S.,

Inspected by Mr. F. W. Strong,
 I.C.S.,

As usual Mr. Strong visited the Calcutta districts in the cold weather and recorded brief notes on progress of assessments, etc.

Inspections made by Mr. F. W. Strong, I.C.S., Commissioner of Income-tax, Bengal, during the year 1931-32, up till now.

Records Inspections.

Calcutta District No. I (1).

Calcutta District No. I (2).

Calcutta District No. II (1).

Calcutta District No. II (2).

Calcutta District No. III (1).

Calcutta District No. III (2).

Calcutta District No. IV (1).

Calcutta District No. IV (2).

Calcutta District No. IV (3).

Calcutta District No. V.

Calcutta District No. VI.

Detailed Inspections.

Jalpaiguri-Darjeeling,

Khulna-Jessore,

Backergunj.

**OFFICE HOUSE KEPT BY MR. F. W. STRONG, COMMISSIONER OF
INCOME-TAX, BENGAL.**

17. **Mr. S. C. Mitra:** (a) Is it a fact that the income from Calcutta income-tax offices forms the bulk of income-tax revenue from Bengal? Is it a fact that the Income-tax Commissioner makes less inspections in Calcutta offices than in the mofussil offices? If so, will Government please state the reason?

(b) Is it a fact that the Commissioner leaves office generally at 1-30 p.m. and therefore does not get sufficient time to inspect Calcutta offices even as often as he inspects the mofussil offices, and that he also leaves out large arrears in work?

(c) Will Government be pleased to verify the fact that all former Commissioners of Income-tax, Bengal, including the Honourable Mr. Prentice had to work in office fully six hours a day, if not more, to cope with the work, and do Government propose to ask Mr. Strong to follow suit, if necessary?

(d) Is it a fact that Mr. Strong is a semi-invalid and cannot sit in office beyond lunch hours?

The Honourable Sir George Schuster: (a) The bulk of the revenue from taxes on income in Bengal is, no doubt, derived from Calcutta. As requested by the Honourable Member in another question, I have laid on the table a statement giving full details of the inspection made by the Commissioner of Income-tax, Bengal, from 1926-27 up to 1931-32, inclusive.

(b) I am informed that during the hot weather and the rains, the Commissioner on occasions works at home after lunch when the state of business is not such as to require his presence in office. I am satisfied that there are not large arrears of work in the Commissioner's office, and I must emphatically repudiate the implication contained in the question that the present Commissioner is not adequately discharging his duties.

(c) No further enquiries appear to be necessary.

(d) No.

**RECRUITMENTS IN THE OFFICE OF THE DEPUTY ACCOUNTANT GENERAL,
POSTS AND TELEGRAPHS.**

18. **Mr. S. C. Mitra:** (a) Is it a fact that in December, 1930, 32 men in the office of the Deputy Accountant General, Posts and Telegraphs, Calcutta, were confirmed in the Upper Division Scale of Rs. 60—230, out of whom 17 men were from the temporary list, recruited in 1926-27 and 15 were from the Lower Division clerks who passed the departmental examination?

(b) Is it a fact those 17 men were confirmed on the score of having completed 3 years' service as required by the Accountant General, Posts and Telegraphs' order of November, 1930?

(c) Is it a fact that after these men had been confirmed, order was issued to reserve 16 posts exclusively for the minority communities for compensating past inequalities of communal position and as such 16 men of the minority communities, who were very junior and had a few years'

service, were placed above the men who had been recruited prior to their admission and who had already 3 to 4 years' continuous service and were recruited in the ratio of 2: 1, and were waiting for confirmation?

(d) Is it a fact that as duly qualified recruits from the minority communities (as required by the Manual of Standing Order of the Office of the Deputy Accountant General, Posts and Telegraphs, Calcutta, *viz.*, Honours Graduates or M. As.) were not available, no men of the minority communities were admitted when these 17 men from the majority community were admitted into the department in 1926-27 and subsequently confirmed?

(e) Is it a fact that when the order was received for recruiting from the minority communities men with minimum qualifications of graduates, the standard ratio of temporary hands in the office, *viz.*, 2: 1 was being strictly maintained?

(f) Will Government kindly state:

(i) why adjustment of past inequalities is at all necessary as the ratio of 2:1 is being rigidly maintained;

(ii) if Government have considered the desirability of keeping future vacancies reserved and recruiting men from the minority community to the extent of the number required in the future vacancies, officiating or permanent, thus not affecting the present position of recruits who have been recruited already at the ratio of 2: 1; and

(iii) why 16 posts were ordered to be reserved in adjustment instead of 8, as the number of men made permanent in 1930 was 17 and not 32, 15 men representing departmental promotions?

The Honourable Sir George Schuster: Enquiry is being made and a reply will be sent to the Honourable Member in due course.

QUARTERS IN THE ARCADE BUILDING OF THE CALCUTTA GENERAL POST OFFICE.

19. Mr. S. C. Mitra: (a) Will Government be pleased to state if it is a fact that there are three quarters on the top floor of the Arcade Building of the Calcutta General Post Office?

(b) Is it a fact that one of the quarters has been allotted to the Presidency and another two to Asst. Postmasters?

(c) Is it a fact that one of the quarters which was recently in October last occupied by Mrs. I. Palmer, Asst. Postmistress, is being occupied by the present Postmaster General?

(d) If the reply to part (c) be in the affirmative, will Government please state from what date he has occupied the quarter?

(e) Is it a fact that the Postmaster General, Bengal and Assam Circle, gets house rent allowance?

(f) If so, will Government please state (i) whether he has drawn any house rent during the period when he has been occupying the Assistant Presidency Postmaster's quarters and (ii) whether he has paid any house rent for the quarter in question?

Mr. T. Ryan: (a) Yes.

(b) No. The actual allotment is—one quarter to the Presidency Postmaster, one to the Deputy Presidency Postmaster and the third to an Assistant Presidency Postmaster.

(c) The quarters occupied by Mrs. Palmer, Assistant Presidency Postmistress, were vacated by her at the end of July, 1931, and then lay empty. The Postmaster-General, who was unable to secure suitable accommodation elsewhere, occupied the quarters in question as a temporary measure.

(d) From the 13th (afternoon) to the 20th December, 1931 (forenoon).

(e) No.

(f) (i) Does not arise.

(ii) Yes.

RETRENCHMENTS IN THE POSTAL SERVICE.

20. **Mr. S. C. Mitra:** (a) Will Government please state as to what action has been taken (i) to abolish the posts of Assistant Directors General, (ii) to reduce the number of Deputy Postmasters General, Telegraph Traffic, (iii) to retrench 32 Superintendents of Post Offices, and (iv) to abolish the Dacca and Shillong Ranges, as recommended by the Retrenchment Committee and accepted by the Government of India?

(b) Is it a fact that not a single post mentioned above has yet been retrenched? If not, why not?

Mr. T. Ryan: (a) (i). Five posts of Assistant Directors-General have been abolished and three are being kept unfilled and will be abolished as soon as the officers now holding a lien upon them can be provided for elsewhere or retire.

(ii) One post has been abolished and four are being kept unfilled and will be abolished as soon as the officials now holding a lien upon them can be provided for elsewhere or retire. The question of reducing two more posts is under consideration.

(iii) Five posts have been abolished and the question of the abolition of the remaining twenty-seven is being pursued.

(iv) The matter is under consideration.

(b) No.

REDUCTION OF SELECTION GRADE POSTS IN THE BENGAL AND ASSAM POSTAL CIRCLE.

21. **Mr. S. C. Mitra:** (a) Is it a fact that the Director General of Posts and Telegraphs has decided to replace 146 selection grade appointments of the Bengal and Assam Circle, by time-scale clerks?

(b) Will Government be pleased to state what is the total number of selection grade posts in that Circle and what percentage will be reduced?

(c) Is it a fact that the Retrenchment Committee recommended 8 per cent. selection grade posts for the Post Office and R. M. S.?

(d) If so, what is the cause of such drastic reduction?

Mr. T. Ryan: (a) No.

(b) The total number of non-gazetted selection grade posts is 341. No decision has yet been reached as to the number of such posts which can be reduced.

(c) Yes.

(d) Does not arise in view of the replies to (c) and (b) above.

**APPOINTMENT OF HEAD MISTRESS OF THE MUNICIPAL CITY GIRLS' SCHOOL,
AJMER.**

22. **Khan Bahadur Haji Wajihuddin:** (a) Will Government please enquire and state whether it is a fact (1) that the Municipal City Girls' School, Ajmer, is a vernacular school, where English is not taught; (2) that an undergraduate lady has been recently appointed as the Head Mistress of the said school; (3) that the said Head Mistress is an untrained teacher; and (4) that the said Head Mistress does not hold any vernacular teachers' certificate?

(b) If what are stated at part (a) above are facts, will Government please enquire and state why the said lady teacher has been appointed as Head Mistress of the said school in spite of her not possessing such qualifications as are necessary for the post she holds?

(c) Is it a fact that the said Head Mistress has been given a starting salary of Rs. 60 per mensem? If so, why has such pay been given her as is higher than the usual starting pay of the Head Mistress of a vernacular school?

(d) Is it a fact that the post held by the said Head Mistress is a newly created post? If so, why has this new post been created in this time of financial distress?

(e) Is it a fact that the assistant mistresses of the said school have not been given the annual increments due to them in this financial year? If so, why?

Sir Frank Noyce: The information asked for in questions Nos. 22—26 and 28 is not available at present, but it is being collected and will be supplied as soon as possible.

**ALLEGED LACK OF QUALIFICATION OF A TEACHER IN THE MUNICIPAL
BOARD CITY BOYS' SCHOOL, AJMER.**

†23. **Khan Bahadur Haji Wajihuddin:** (a) Will Government please enquire and state whether it is a fact that only vernaculars are being taught in the Government aided Municipal Board City Boys' School, Ajmer, and not English?

(b) Will Government please enquire and state whether it is a fact (1) that a matriculate, having no vernacular teachers' certificate, is working on the teaching staff of the said school; (2) that in each of the last two years only one boy, out of 30 taught by the said teacher, has been found fit for promotion; and (3) that the Head Master of the said school brought the above fact to the notice of the managing committee of the said school, but no action was taken by the said committee to remedy the defective teaching responsible for the failure of 29 out of 30 boys?

(c) If what are stated at part (b) above are facts, what steps do Government propose to take in the matter in the interest of sound education and proper use of public funds?

AMOUNT OF GRANT-IN-AID MADE TO THE EDUCATION FUND OF THE
MUNICIPAL BOARD, AJMER.

†24. **Khan Bahadur Haji Wajihuddin:** (a) Will Government please state the annual amount of Government grant-in-aid to the Education Fund of the Municipal Board, Ajmer, and the proportion which it bears to the total annual expenditure estimated to be incurred in the current financial year for educational purposes by the Municipal Board, Ajmer?

(b) Will Government please state whether they are aware that the money appropriated for education by the said Municipal Board is not being economically spent? If so, what steps do Government propose to take in the matter?

SCHOLARSHIPS AWARDED AT THE GOVERNMENT CENTRAL GIRLS' SCHOOL,
AJMER.

†25. **Khan Bahadur Haji Wajihuddin:** (a) Will Government please enquire and state if the scholarships from Government funds allotted to the Government Central Girls' School, Ajmer, are awarded on the basis of the scholarship-holders' poverty or educational efficiency or both?

(b) Is it a fact that a daughter of the Assistant Superintendent of Education, Ajmer-Merwara, has been receiving one of the scholarships allotted to the said school? If so, on what basis has the said scholarship been awarded her?

(c) In case the scholarship referred to in part (b) above has been awarded to the daughter of the Assistant Superintendent of Education, Ajmer-Merwara, will Government please enquire and state her position in the order of merit in her class in the last annual examination?

(d) What is the total amount of money annually spent from Government funds in awarding scholarships to the pupils of the Government Central Girls' School, Ajmer?

(e) Will Government please place on the table of the House a statement relating to the Government Central Girls' School, Ajmer, showing (1) the total number of pupils, (2) the number of Christian pupils, (3) the number of non-Christian pupils, (4) the total number of scholarship-holders, (5) the number of Christian scholarship-holders, and (6) the number of non-Christian scholarship-holders?

(f) Are Government aware that all or almost all the Christian pupils of the said school are at present scholarship-holders, whereas a far smaller proportion of non-Christian pupils is receiving scholarships? If so, why?

(g) Is it a fact that the Head Mistress of the said school, and the Assistant Superintendent of Female Education who inspects this school, and the Superintendent of Education who is in control of this school, are all Christians?

ALLEGED GRANT OF CERTIFICATES TO INELIGIBLE CANDIDATES TO APPEAR
AT EXAMINATIONS IN AJMER.

†26. **Khan Bahadur Haji Wajihuddin:** (a) Is it a fact that during the last five years complaints have been made from time to time, regarding a certain subordinate of the Superintendent of Education, Ajmer-Merwara's signing and countersigning false certificates with a view to enable ineligible candidates to appear at certain examinations?

†For answer to this question, see answer to question No. 22.

(b) Is it a fact that, after the complaints referred to in part (a) above had been made the employee in question, by countersigning a false certificate, enabled one Munni, a girl student of the Government Central Girls' School, Ajmer, to appear as a private candidate for the Girls' Vernacular Lower Middle Examination of 1931, for which she was not eligible as a private candidate in consequence of her being a regular student of the Government Central Girls' School, Ajmer, in the academic year 1930-31?

(c) Is it a fact that, after the complaints referred to in part (a) above had been made, the said person has signed or countersigned a false certificate to enable an unmarried girl named Shyam Devi, daughter of Mr. Sanwal Das, barber of Ajmer, to appear as a private candidate for the High School Examination to be held in 1932 by the Rajputana, Ajmer-Merwara, Central India, and Gwalior Board, for which she is ineligible as a private candidate, because she has passed her 8th class from the Government Central Girls' School, Ajmer, in 1931 and, consequently, has not completed a term of 18 months after passing the 8th class examination as prescribed by the said Board?

(d) If what are stated at parts (a) to (c) above are facts, what steps do Government propose to take to put a stop to the illegal practice under reference?

SUGGESTIONS FOR RETRENCHMENT IN THE AJMER-MERWARA EDUCATION DEPARTMENT.

27. **Khan Bahadur Haji Wajihuddin:** Will Government please enquire and state whether it is a fact that Government have received a letter dated the 5th October, 1931, on the subject of "Suggestions for Retrenchment in Ajmer-Merwara, Education Department" sent by Swami B. Anand of Ajmer? If so, will Government please state what steps have been taken on the contents of the said letter? If not, why not?

Sir Frank Noyce: The letter referred to by the Honourable Member has been received and is under consideration.

TIME TABLE OF CLASSES AT THE GOVERNMENT HIGH SCHOOL, AJMER.

†28. **Khan Bahadur Haji Wajihuddin:** (a) Will Government please enquire and state whether it is a fact that the first and second year special classes opened for the Vernacular Final Examination-passed students in the Government High School, Ajmer, are taught only for 27 periods out of 42 periods per week and there is no arrangement for their teaching like the other classes in the said school for the remaining 15 periods per week?

(b) If what are stated in part (a) above are facts, what steps do Government propose to take to set right the matter? If so, when? If not, why not?

(c) Will Government please place on the table of the House a copy of the time table of the weekly teaching of all the classes of the said school for 1931-32 with the names of the teachers who teach the classes in each period?

†For answer to this question, see answer to question No. 22.

(d) Is it a fact that the first and second periods of the first year special class and the whole of the 4th and most of the 7th and 8th periods of the second year special class are vacant and no teacher is directed to teach the boys regularly in those periods? If so, who is responsible for this neglect?

(e) Has the Superintendent of Education, Ajmer-Merwara, detected this defect and passed any remarks on the matter referred to in part (d) above in his inspection report? If so, when and what? If not, why not?

DISPUTES BETWEEN THE ISTIMRARDAR OF PISANGAN AND HIS TENANTS.

29. Khan Bahadur Haji Wajhuddin: (a) Will Government please enquire and state whether it is a fact (1) that the Istimrardar of Pisangan has informed the Commissioner, Ajmer-Merwara, that he has compromised finally with his tenants and all the disputes with them have been settled, (2) that the Tahsildar of Ajmer was informed by the said Istimrardar of the said compromise and settlement on his investigation, and (3) that a case against the said tenants by the said Istimrardar is still pending in the Court of the Sub-Judge, Ajmer?

(b) If what are stated in part (a) above are facts, what steps do Government propose to take in the matter?

Sir Frank Noyce: (a) (1) In July, 1931, the Istimrardar of Pisangan informed the Commissioner that for the time being harmony had been restored between himself and his tenants. The Istimrardar's assurance was not interpreted to mean that any final settlement of all outstanding disputes had been arrived at.

(2) It is not likely that anything the Istimrardar may have said to the Tahsildar of Ajmer created the impression in the latter's mind that a final compromise and settlement had been arranged.

(3) A suit regarding grazing rights in the Pisangan estate has been instituted in the Court of the Sub-Judge, Ajmer, by the Istimrardar. One of the points at issue is understood to be the tenant's assertion that the matter has already been settled by compromise.

(b) The matter is *sub-judice* and must be left to the decision of the Court.

GOVERNMENT OFFICERS AND STAFF RETRENCHED.

30. Mr. S. O. Mitra: Will Government be pleased to lay on the table a statement showing under the following heads details of persons retrenched under the recent retrenchment campaign:

- (1) the posts of superior gazetted officers with their names, pay and length of service;
- (2) posts of other gazetted officers with their names, pay and length of service;
- (3) posts of other officers under central services class II with their names, pay and length of service;
- (4) posts of subordinate staff with names, pay and length of service of each; and
- (5) number of posts of inferior servants?

The Honourable Sir George Schuster: Government regret that they cannot afford, in the interests of economy, to collect, and publish the voluminous lists asked for by the Honourable Member, but statements of all posts retrenched are being compiled and will be published in due course.

RECOMMENDATIONS OF RETRENCHMENT COMMITTEES.

31. **Mr. S. C. Mitra:** Will Government be pleased to lay on the table a statement giving the following details:

- (1) the recommendations of the different Retrenchment Advisory Committees which have been given effect to *in toto*;
- (2) recommendations of such committees that have been rejected altogether with reasons for such rejection;
- (3) recommendations which have been partially given effect to with reasons for not accepting *in toto*; and
- (4) recommendations that are still under consideration?

The Honourable Sir George Schuster: I would invite the Honourable Member's attention to the answer I have just given to a similar question by Mr. Rahimtoola M. Chinoy.

APPLICATION OF THE TEN PER CENT. CUT.

32. **Kunwar Raghbir Singh:** To how many departments has the 10 per cent. cut been applied? Why not to other departments as well?

The Honourable Sir James Greer: The reply to the first part of the question is—all departments. The second part does not arise.

PANEL OF CHAIRMEN.

Mr. President (The Honourable Sir Ibrahim Rahimtoola): I have to inform the House that under rule 3(1) of the Indian Legislative Rules I nominate Sir Hari Singh Gour, Mr. Arthur Moore, Sir Abdur Rahim and Sir Cowasji Jehangir on the Panel of Chairmen for the current session.

ELECTION OF A MEMBER TO THE COUNCIL OF THE INDIAN INSTITUTE OF SCIENCE, BANGALORE.

Mr. President (The Honourable Sir Ibrahim Rahimtoola): Honourable Members will now proceed to elect a Member to represent the Assembly on the Council of the Indian Institute of Science, Bangalore. There are two candidates whose names are printed on the ballot papers which will now be supplied to Honourable Members in the order in which I call them.

(The ballot was then taken.)

Mr. Abdul Matin Chaudhury: Some of the Members who were absent when their names were called have now come into the House. Can they vote now?

Mr. President (The Honourable Sir Ibrahim Rahimtoola): Those Honourable Members whose names were called can exercise their right of voting till the ballot is closed.

REPORT OF THE PUBLIC ACCOUNTS COMMITTEE.

The Honourable Sir George Schuster (Finance Member): Sir, I beg to present the Report of the Committee on Public Accounts for the year 1929-30.

COMPOSITION OF THE COMMITTEE ON PUBLIC ACCOUNTS WHICH MET IN 1931 (*VIDE* RULE 51 OF THE INDIAN LEGISLATIVE RULES).

Chairman.

1. The Honourable Sir GEORGE SCHUSTER, Finance Member.

| <i>Elected Members.</i> | <i>Date of election.</i> |
|--|--------------------------|
| 2. Mr. S. C. MITRA | 16th March, 1931. |
| 3. Kunwar Hajee ISMAIL ALIKHAN | Do. |
| 4. Sardar SANT SINGH | Do. |
| 5. Mr. T. N. RAMAKRISHNA REDDI | Do. |
| 6. Mr. B. DAS | Do. |
| 7. Mr. ABDUL MATIN CHAUDHURY | Do. |
| 8. Rao Bahadur M. C. RAJAH | Do. |
| 9. Mr. MUHAMMAD ANWAR-UL-AZIM | Do. |

| <i>Nominated Members.</i> | <i>Date of nomination.</i> |
|---|----------------------------|
| 10. Maulvi Sir MUHAMMAD YAKUB | 21st March, 1931. |
| 11. Mr. J. RAMSAY SCOTT | Do. |
| 12. Dr. R. D. DALAL | 23rd September, 1931. |

REPORT OF THE PUBLIC ACCOUNTS COMMITTEE ON THE ACCOUNTS OF 1929-30.

I.—EXCESS VOTES.

General Summary.—The following table compares the total grants voted by the Legislative Assembly with the total expenditure against those grants:—

(In lakhs of rupees.)

| | Original grant. | Supplementary grant. | Final grant. | Actual expenditure. |
|---|-----------------|----------------------|--------------|---------------------|
| Expenditure charged to Revenue | 1,10,66 | 4,61 | 1,15,27 | 1,12,93 |
| Expenditure charged to Capital | 36,03 | 18 | 36,21 | 32,46 |
| Total Expenditure | 1,46,69 | 4,79 | 1,51,48 | 1,45,39 |
| Disbursements of Loans and Advances | 15,01 | 82 | 15,83 | 15,87 |
| Grand Total | 1,61,70 | 5,61 | 1,67,31 | 1,61,26 |

[Sir George Schuster.]

2. The following table compares the non-voted appropriations sanctioned by the Government of India with the total expenditure against such appropriations :—

(In lakhs of rupees.)

| | Original appropriation. | Supplementary appropriation. | Final appropriation. | Actual expenditure. |
|--|-------------------------|------------------------------|----------------------|---------------------|
| Expenditure charged to Revenue | 1,16,66 | 2,09 | 1,18,75 | 1,17,82 |
| Expenditure charged to Capital | 15 | 2 | 17 | 21 |
| Total Expenditure | 1,16,81 | 2,11 | 1,18,92 | 1,18,03 |

3. The position regarding total expenditure, voted and non-voted, is as follows :—

(In lakhs of rupees.)

| | Original grant. | Final grant. | Actual expenditure. |
|--|-----------------|----------------|---------------------|
| Expenditure charged to Revenue | 2,27,32 | 2,34,02 | 2,30,75 |
| Expenditure charged to Capital | 36,18 | 36,38 | 32,67 |
| Total Expenditure | 2,63,50 | 2,70,40 | 2,63,42 |
| Disbursement of Loans and Advances | 15,01 | 15,83 | 15,87 |
| Grand Total | 2,78,51 | 2,86,23 | 2,79,29 |

4. *Savings.*—There was thus a saving of 6,94 lakhs or 2.4 per cent. of the final grant. This percentage compares as follows with the results of previous years—

| | 1925-26. | 1926-27. | 1927-28. | 1928-29. | 1929-30. |
|---|------------|------------|------------|------------|------------|
| Expenditure charged to Revenue | 3.0 | 2.9 | .6 | 1.1 | 1.4 |
| Expenditure charged to Capital | 15.5 | 5.8 | 3.4 | 3.8 | 10.2 |
| Disbursements of Loans and Advances | 36.7 | 16.1 | .1 | — .3 | — .3 |
| Combined percentage | 6.7 | 3.8 | 1.0 | 1.4 | 2.4 |

It is to be noted, however, that the saving under capital expenditure was particularly large. For this the Railways were mainly responsible, and the result thus attained in their case was due to the deliberate policy of postponing new projects which had to be adopted by the Railway Board owing to the general financial situation and the necessity for restriction of borrowing by the Government of India.

5. The following table compares the percentage of savings under voted grants for expenditure proper (*i.e.*, exclusive of disbursements of loans and advances) with that of savings in non-voted appropriations :—

| Year. | Voted. | Non-voted. |
|-------------------|--------|------------|
| 1925-26 | 7·8 | 1·4 |
| 1926-27 | 5·2 | 1·0 |
| 1927-28 | —·4 | 2·8 |
| 1928-29 | 2·4 | ·3 |
| 1929-30 | 4·0 | ·8 |

If it is remembered that out of a total saving of 609 lakhs under voted expenditure a saving of nearly 2 crores occurred under capital expenditure in circumstances explained in the preceding paragraph, it may be stated that the steady and continuous improvement in estimating noticed in the last year's report was maintained during the year under review.

6. *Excesses.*—In the following cases the actual expenditure exceeds the voted grants and an excess vote of the Assembly is accordingly required :—

| Item No. | Number of Grant. | Grant. | Amount voted by the Assembly. | Actual expenditure. | Excess. |
|----------|------------------|--|-------------------------------|---------------------|-------------|
| | | | Rs. | Rs. | Rs. |
| | | <i>Civil.</i> | | | |
| 1 | 22 | Irrigation, Navigation, etc. | 26,44,000 | 29,65,754 | 3,21,754 |
| 2 | 25 | Interest on Ordinary Debt, etc. | 1,41,77,000 | 2,20,75,225 | 78,98,225 |
| 3 | 32 | Public Service Commission | 86,000 | 86,411 | 411 |
| 4 | 35 | Finance Department | 10,85,000 | 10,87,973 | 2,973 |
| 5 | 43 | Administration of Justice | 55,000 | 55,644 | 644 |
| 6 | 46 | Lighthouses and Lightships | 10,90,000 | 13,68,423 | 2,78,423 |
| 7 | 70 | Mint | 27,18,000 | 28,21,746 | 1,03,746 |
| 8 | 81 | Rajputana | 5,43,000 | 5,44,199 | 1,199 |
| 9 | 93 | Capital outlay on Lighthouses and Lightships | 8,000 | 12,821 | 4,821 |
| 10 | 95 | Delhi Capital Outlay | 1,31,58,000 | 1,32,80,295 | 1,22,295 |
| 11 | 97 | Loans and Advances bearing Interest | 14,92,41,000 | 15,01,36,936 | 8,95,936 |
| | | <i>Posts and Telegraphs.</i> | | | |
| 12 | 23 | Indian Posts and Telegraphs Department | 11,13,29,000 | 11,31,03,774 | 17,74,774 |
| | | <i>Railways.</i> | | | |
| 13 | 1 | Revenue—Railway Board | 12,61,000 | 12,63,196 | 2,196 |
| 14 | 4 | Revenue—Working expenses—Administration | 13,50,25,000 | 13,62,87,820 | 12,62,820 |
| 15 | 10 | Revenue—Appropriation from Depreciation Fund | 11,50,00,000 | 11,76,18,314 | 26,18,314 |
| 16 | 13 | Revenue—Appropriation from the Reserve Fund | 86,30,000 | 2,08,21,706 | 1,21,91,706 |

[Sir George Schuster.]

7. We offer the following comments in regard to the various excesses :—

Item 1.—The excess occurred in the North-West Frontier Province and was due to the fact that under a misapprehension the *net* expenditure only (inclusive of anticipated recoveries) was provided for in the original demand instead of the *gross* expenditure.

Item 2.—The excess mainly occurred under the Sub-head "Other appropriations" for reduction or avoidance of debt. There was a saving under the non-voted section of this sub-head due to the non-utilization of the provision for redemption of India's outstanding liability in respect of the British 5 per cent. War Loan, 1929—47. As the total provision for reduction or avoidance of debt is fixed in accordance with the Government of India, Finance Department, Resolution of the 9th December, 1924, the saving in the non-voted section of the grant led to a corresponding excess in the voted section.

Item 3.—The excess is trifling being less than $\frac{1}{2}$ of one per cent. of the grant.

Item 4.—Although there is an excess over the grant, both voted and non-voted, the Accountant General has observed that the estimating and control represent, on the whole, an improvement over those of previous years.

Item 5.—The excess represents the leave salary of an officer on foreign service debited through the Exchange Accounts for adjustment towards the close of the year, when it was too late to obtain additional grant.

Item 6.—The original amount provided for transfer to the General Reserve Fund of Lighthouses and Lightships was Rs. 1,26,800. The actual surplus realized and transferred during the year was Rs. 6,57,518, the excess being due to an increase in receipts and some decrease in expenditure. The year 1929-30 was the first year in which the Lighthouse administration was centralised and we were informed that it was an extremely difficult task to make a correct estimate of revenue.

Item 7.—This is the first year, in recent years, in which an excess has occurred in the voted grant. Heavier receipts of uncurrent silver coins in the Bombay Mint led to an increase in the loss on coinage. The loss represents the difference between the face value of the coins and their bullion value on the basis of one rupee per *tola*. The supplementary grant obtained in February 1930 proved to be inadequate as receipts of coin in February and March were unexpectedly large.

Item 8.—The excess is trifling, being less than $\frac{1}{4}$ th of one per cent. of the grant.

Item 9.—As in the case of revenue expenditure, estimating and control of capital expenditure on Lighthouses and Lightships were rendered difficult by the fact that the administration of the subject was taken over by the Government of India for the first time in 1929-30.

Item 10.—The excess over the voted grant was approximately 9 per cent., and the Accountant General, Central Revenues, has observed that, compared with the three preceding years when there was a saving of 43, 40 and 17 per cent., respectively, the control over expenditure during the year under review shows a considerable improvement. The excess was due to the fact that the lump deduction of Rs. 15,53,500 for probable savings was not fully realized.

Item 11.—The excess was mainly due to the transactions of the Provincial Loans Fund. Smaller repayment by one province towards the close of the year and over-drafts in two other provinces which had to be converted into regular advances in the accounts of the year contributed to the result.

Item 12.—The excess was chiefly due to an under-estimate of the requirements under "Samps, Post cards, etc." and under "Stationery and Printing" and to an inadequate appreciation of the effect of revisions of pay and other concessions sanctioned in recent years. We are assured that estimating has now considerably improved and that sufficient experience has now been gained to make it possible for the estimating officers to make a fairly accurate allowance for the effect of revisions of pay and other concessions.

Item 13.—The excess is trifling, being about $\frac{1}{6}$ th of one per cent. of the grant.

Item 14.—The largest part of the excess occurred on the Great Indian Peninsula Railway and was mostly due to extra expenditure incurred on account of the strike on that Railway. The Director of Railway Audit has remarked that the budgeting under this grant has, on the whole, been very close.

Item 15.—As pointed out by the Director of Railway Audit, there have been excesses for three consecutive years under this grant. Despite the fact that the excess this year was due to a special adjustment on account of write-back of credit for

released materials, the Director has remarked that the successive excesses for three years are a "blemish" in estimating. We would invite the attention of the Railway Board to these remarks and hope for improvement in future years.

Item 16.—When the supplementary grant under this head was applied for in February 1930, the weekly railway earnings showed an upward tendency and it was hoped that it would be possible to pay the full contributions to general revenues by drawing not more than 86 lakhs from the Reserve. But the hopes of permanent improvement were not realised, partly due to the world depression and partly due to the strike in the Great Indian Peninsula Railway, with the result that a withdrawal of about 208 lakhs from the Reserve was rendered necessary.

8. The total number of voted grants in which there has been an excess during the year compares as follows with the corresponding numbers in the last three years :—

| | |
|-------------------|----|
| 19 6-27 | 15 |
| 1927-28 | 13 |
| 1928-29 | 11 |
| 1929-30 | 16 |

If allowance be made for the fact that 2 out of the 16 items, though technically excesses in expenditure, were due to short fall in revenue, and that another item was due to recoveries being taken in deduction of the original demand but not taken as a deduction from actual expenditure in the Appropriation Accounts, it may be stated that the position during the year does not compare unfavourably with that in recent years. We recommend that the Assembly assent to the excess grants detailed in paragraph 6 above, which the Governor General in Council will place before them in due course.

9. *Re-appropriations, etc.*—Rule 52 (2) of the Indian Legislative Rules requires that we should bring to the notice of the Assembly every re-appropriation from one grant to another grant; every re-appropriation within a grant, which is not made in accordance with such rules as may be prescribed by the Finance Department; and all expenditure which the Finance Department have requested should be brought to the notice of the Assembly. We are glad to be able to report that there have been no re-appropriations falling under these categories during the year; nor have the Finance Department requested us to bring to the notice of the Assembly any particular item of expenditure.

II.—COMMENTS ON MATTERS OUTSTANDING FROM PREVIOUS REPORTS.

10. *Reviews of commercial undertakings—Civil Department.*—Our predecessors rightly attached considerable importance to the question of obtaining more up-to-date reviews of Government commercial undertakings than those with which the Public Accounts Committee were furnished in the ordinary course, and their main objective was to arrive at a comparison of the results of a series of years including the audited figures of the year subsequent to the one which was normally under the Committee's scrutiny. So far as the Civil Department is concerned, the Director of Commercial Audit has, in addition to the Commercial Accounts Appendix to the Appropriation Accounts, furnished us with a summary of working results of a number of commercial concerns of the Government of India for the financial year 1930-31. We agree with the Auditor General that the form in which the Appendix has been produced on the present occasion has been considerably improved, one notable feature of the present Appendix being the inclusion of a number of financial reviews by the officers in administrative charge of the commercial concerns. We are glad to state that much has been done to meet the wishes of the Public Accounts Committee as expressed on previous occasions and we desire to place on record our appreciation of the very useful work done by the Director of Commercial Audit in this matter. In view of the importance to the tax-payer of the introduction of proper commercial accounts in all the strictly commercial concerns of the Government and of the careful watching of results in these concerns, we recommend that proposals for retrenchment in connection with the Commercial Audit Department should be so adapted as to ensure that the continuance of the very useful work hitherto done by the Department in this regard, should not be jeopardised. We particularly desire that the Appendix to the Appropriation Accounts on commercial concerns should be continued in its present form, which should further be supplemented by a more up-to-date summary of working results such as that compiled and presented by the Director in the current year.

[Sir George Schuster.]

11. *Reviews of commercial undertakings—Railway Department.*—As regards Railways, the Public Accounts Committee in last year's Report recommended that the Railway Department should prepare "a simple form of report on the working of the Railways, summarising the reports of Agents, taking out the salient points therein, and bringing out the sort of features, to which the Chairman of a public Railway Company would call attention in his speech at the annual meeting of the shareholders". The Committee thought that "such a report might well be supplemented by simplified statistics on the one side and on the other by a note giving simple instructions as to how to interpret, and what points to look for in, Railway statistics". We observe that, although we have been supplied with supplementary statistics and an explanatory note (Appendix XXV) these are capable of improvement as pointed out below (paragraph 14), while our main requirement, namely, presentation of a general picture for all the Railways bringing out the points of real importance in their working, has not been met. In the absence of any general picture in each case, prepared so as to bring out the salient and important points we are inevitably forced to go into a large number of details, and minor cases of irregularities which, under existing arrangements, are presented to us in a disconnected fashion and not classified so as to illustrate any principle. We consider this wrong both from the point of view of the Public Accounts Committee and the Railways. While the Railway authorities, on the one hand, may not unreasonably—as is apparently the case—feel that neither the Assembly nor the Public Accounts Committee should attempt to interfere with the ordinary daily administration of a large commercial undertaking, the Committee, on the other hand, has a legitimate complaint in that it is not being presented with a clear and helpful picture which would enable it to concentrate on points on which representatives of the public have a right to interfere and ask for information. Our requirements in this connection have to be considered together with the manner in which the Appropriation Accounts are presented. On this latter point we have to record in a separate paragraph of this report (paragraph 25) our dissatisfaction with the manner of presentation for the year under review and that paragraph must be read together with these comments. We think it desirable to record at this stage somewhat fully our conception of the task which should be performed by the Public Accounts Committee in connection with the Railways and what it requires from the Railway authorities in order to enable them to perform this task.

12. According to our conception the task is of a two-fold nature:—

- (a) To watch the general financial results of the working of the Railways.
- (b) To see that public money voted for Railway expenditure is properly expended and accurately accounted for.

In order to perform part (a) of the task, an exhaustive and clear general review of the working of the Railways, on the lines described above, is required. The duty of compiling such a report properly belongs to the administrative officers of the Railways, i.e., the Agents of the various Railway systems and the Chief Commissioner. In order to perform part (b) of the task, the Appropriation Accounts should be presented in an informative manner. The duty in this respect properly appertains to the Chief Accounting Officer, *viz.*, the Financial Commissioner. As already noted, we have dealt more fully with this in paragraph 25 of this report.

13. As an illustration of the sort of point which the Committee ought to watch in connection with part (a) of its task, we would refer to Statement A in the Auditor General's letter, which shows that the capital at charge at the close of the year 1924 was 595 crores and that at the end of 1931-32, according to budget estimates, 795 crores. It is vitally important that the representatives of the public should be able to form a view as to whether these 200 crores (or more properly 160 crores allowing for 40 crores which merely represented the gain on converting sterling expenditure at 1s. 6d. instead of 2s.) have been so invested as to produce an adequate financial return and as really to benefit India. We do not consider that the information now supplied to us is adequate to enable us to discharge this function. While we desire to record our appreciation of the reports on individual Railways which have been circulated to us this year and the note on the interpretation of railway statistics (Appendix XXV) attached to those reports, both of which are highly useful, we would like to point out that these reports on individual Railways do not give figures later than 1929-30, and that there is no clear summary of the railway results for India as a whole, putting together a combined picture, calling attention to the salient points, making comparisons between one Railway and another and generally pointing to the lessons to be drawn from the points brought out. Nor is there a general review of the progress of capital expenditure and of the results obtained from recent investments in railway extensions in which we are specially interested. It appears from our

examination of the Chief Commissioner of Railways that he had not fully understood what the Committee wanted last year, but now that this has been made clear we understand that he will do his utmost to meet our wishes in future.

14. As regards the precise points for improvement in the presentation of the reports and statistics (referred to in the preceding paragraph) we note the following. In the first place, we would like to have the reports on the working of the individual railway systems completed up to the end of the preceding financial year in the same way as the general review mentioned above. In the second place, we suggest that each of these reports on individual Railways should include, in addition to the information now given, a short summary note from each Agent giving an expression of his views and conclusions drawn from the actual results recorded. Thirdly, we have noted certain discrepancies between the figures given in these reports on individual Railways and those in Statement B of the Auditor General's letter, and we suggest that the figures in the Railway Board's notes should in future be prepared on the same basis as the Auditor General's statement.

15. *Reviews of commercial undertakings—Army Department.*—As regards trading accounts on the military side, the Public Accounts Committee last year proposed to await the result of the joint examination by the Directors of Army and Commercial Audit as to the necessity for preparation and publication of such trading accounts for the Army, Ordnance and Clothing Factories and for other manufacturing or producing concerns of the Army. We have been furnished with a Memorandum on the subject by the Director of Army Audit showing the results of the joint examination by him and the Director of Commercial Audit (*vide* Annexure A to Appendix XVIII). At the instance of the Military Accounts Committee, which considered the Military Appropriation Accounts, this Memorandum is being examined by the military authorities, the Military Accountant-General and the Financial Adviser, Military Finance. We prefer to await the views of the military authorities and the Military Accounts Committee before we make any specific recommendations, but we have no hesitation in endorsing the observations of the latter that, from the point of view of the Government and the tax-payer, it is of vital importance to ensure that the actual cost of production of articles manufactured by Government concerns is reasonable.

16. *Indian Stores Department.*—The question of making the Indian Stores Department self-supporting, which has for some years had the attention of the Public Accounts Committee, again requires notice in connection with the accounts of the year 1929-30. In pursuance of the previous recommendations we were furnished by the Chief Controller of Stores with a note on the separate exhibition of the expenditure of the commercial and non-commercial activities of the Department in consultation with the Audit Officer, Indian Stores Department, and the Director of Commercial Audit (*vide* Appendix XXIV). The profit and loss account of the Department for 1930-31 (Annexure B to Appendix XXIV), drawn up on the basis of the allocation of expenditure suggested in the Chief Controller's note, shows the loss on the commercial and non-commercial activities as about Rs. 6 lakhs and Rs. 3½ lakhs, respectively. We had no time to examine fully the basis of allocation of expenditure between the two classes of activities. We are further not in a position to judge how the recommendations of the Retrenchment Sub-Committee will affect the financial position of the Department as disclosed in the new form of profit and loss account. We note that the whole question of the present and future position of the Department is under investigation by the Retrenchment Sub-Committee. We, therefore, refrain from making any recommendation this year in regard to such matters as the adequacy of the present rate of commission charged by the Department, the relations between the Department and the two big purchasing Departments of the Government of India, namely, the Railways and the Army, etc., and shall await a full report next year on the subject in the light of the recommendations of the Retrenchment Sub-Committee. We request that this report should be accompanied by a statement showing the financial position of the commercial and non-commercial activities of the Department separately and for this purpose it is necessary that the Chief Controller's note (Appendix XXIV) referred to above, regarding allocation of expenditure should be carefully examined by the Finance Department in consultation with the Auditor General.

17. *Stores Accounting on the East Indian Railway.*—The Public Accounts Committee last year viewed with great concern the state of affairs in the Stores Accounts Section of the East Indian Railway and asked for an *interim* report to be submitted early in February 1931. The Controller of Railway Accounts furnished us with an *interim* report (Annexure A to Appendix XIX) on the 5th February 1931, which was followed by his final report (Annexure B to Appendix XIX) on the 20th June 1931. We are glad to note, on the testimony of the Director of Railway Audit, that the Controller

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has carried out his assurance to the last Public Accounts Committee, and has made the Stores Accounts of the Railway such that they can be described as giving a true and correct record of the stores transactions of the Railway. As pointed out by the Director, practical experience alone will afford a true test of the efficiency of the new organisation, but in order to ensure the success of the new system we asked for, and obtained, an assurance from the Financial Commissioner that there would not be any diminution of vigilance on the part of the Chief Accounts Officer. We wish further to stress the importance in this connection of continuity as well as efficiency of the staff employed in the Stores Accounts Section of the particular Railway.

18. We endorse the following observations of the Director of Railway Audit (*vide* Appendix XIX) on the lessons to be learnt from this unfortunate episode :—

“The history of the East Indian Railway Stores accounting affords three important lessons, and, if these are kept in mind, there should be no recurrence of similar unfortunate episodes. In the first place, it is necessary that, when any big and new scheme which has an important effect on accounts is to be introduced, whether it be the amalgamation of two railways or the introduction of a machine system of accounting, it must be worked out carefully down to the smallest detail, if disorganisation and the consequent waste of Government money is not to result. In the second place, the maintenance of an up-to-date and standard nomenclature is the prime essential for the correct accounting of Stores transactions. Thirdly, when Stores accounts become disorganised or fall into arrears, accounting authorities must concentrate on removing the disorganisation, in the final event by heroic methods if others fail, before disorganisation becomes a chronic state; and it is essential that the higher controlling officers in the Railway Department should keep a constant watch on the state of the Stores accounts on the various railways.”

We have specially requested the Financial Commissioner to address the Agents of all Railways in regard to this matter and to ask them to make a special record of it. We were informed that all Chief Accounts Officers have already been addressed on the subject but we have emphasised that Agents should also be separately addressed.

19. *Combined Audit and Accounts Office for the Andamans.*—The establishment of a combined Audit and Accounts Office for the Andamans has engaged the attention of the Public Accounts Committee since 1926-27. As considerable expenditure is being incurred on the development of various undertakings in the Island, and as owing to the fact that irregular shipping service between India and the Andamans and other conditions make it difficult to watch the progress of expenditure, the committee of last year reiterated the recommendation of its predecessors that a combined Audit and Accounts Office should be established in the Island as early as possible. We have been informed that owing to financial stringency the scheme has been for the present dropped. We consider this unfortunate. The Accountant General, Central Revenues, has pointed out in his Appropriation Accounts that large variations under certain sub-heads of the Grant indicate the necessity of more careful estimating and control over expenditure on the part of the Local Administration and the Commissariat officer, and the Auditor General has added that the Chief Commissioner is at present in a very difficult position, as no form of proper financial advice is available to him locally. The Auditor General has suggested that the position might be met by deputing a trained Assistant Accounts Officer to do the work of the Treasury Officer, and also to look after the accounts and give financial advice to the head of the Administration. We consider that the matter ought not to be regarded as permanently dropped, and recommend that even in the present financial stringency it is desirable from the point of view of financial control that an effort should be made to improve the present position. We, therefore, commend the economical proposal of the Auditor General for the consideration of the Government, and we suggest that any extra expenditure involved in this might be more than counterbalanced by a reduction in general administrative staff.

20. *Kangra Valley Railway.*—Before we conclude this section of our report, we wish to refer to a matter of some general importance arising out of a railway transaction which formed the subject of a previous recommendation of the Public Accounts Committee, *viz.*, the Kangra Valley Railway. We examined the Chief Commissioner for Railways last year on the question of control over project estimates with reference to this particular scheme, and we were informed that a Committee was then sitting and making an investigation into the matter. This question was again referred to in the Legislative Assembly during the discussion on the Report of the Public Accounts Committee in February 1931, while in the course of the debate on the Railway budget the

Financial Commissioner stated that though the Committee appointed to investigate the matter had reported and the Government of India had practically formed their conclusions on the subject, the matter was still under correspondence with the Secretary of State and that the decision, when arrived at, would be made known to the members of the Assembly and the Public Accounts Committee. Although a final decision had since been reached, owing to some misunderstanding it was not communicated to us until we asked for it. We must comment upon this as unsatisfactory, and we must record our view that when any transactions, which are the subject of recommendations by the Public Accounts Committee, are concluded, the final result should invariably be reported to the Committee at the earliest available opportunity. In the present case the Railway Board have now provided us with copies of the Report and a note on the action taken (Appendix XXVIII).

21. *Other outstanding points.*—The record of our treatment of other outstanding questions is included in the records of our proceedings which should be read together with this report and dealt with in exactly the same manner. This was the first year when the Government of India did not issue their resolution on the recommendations of the Public Accounts Committee and the Finance Department prepared quarterly statements of action taken by various Departments on the Committee's recommendations. While recording our appreciation of these quarterly statements, we wish to point out that the Finance Department has yet to evolve an entirely satisfactory machinery to expedite and co-ordinate departmental action on our recommendations. Various instances came to our notice where it appeared that Departments adopted a dilatory attitude in regard to our recommendations. We consider that each Department should delegate the duty of scrutinising our Report to a responsible Officer of the Department and that such Officer should be in close touch with the Secretary of the Public Accounts Committee throughout the year. We desire to make a special note of the following points :

(1) A number of recommendations made by previous Committees are still outstanding, pending consideration in connection with the impending constitutional changes. They have been brought to our notice in the usual way by inclusion in the list of outstandings prepared by the Finance Department. We suggest that these recommendations be noted in a special appendix for necessary action at the proper time, and that the appendix need not be printed and circulated to the Committee in future.

(2) The attention of the Public Accounts Committee was drawn last year to the large stocks of quinine held by the Central Government, and the Committee suggested that the Government of India should try to dispose of 20 per cent. of the stocks at a special cheap price and thereby create a better demand for the balance. We were informed this year that the stock on the 30th June last, amounted to 300,000 lbs., that 150,000 lbs. were adequate for emergencies, and that the Department of the Government of India concerned was considering, in consultation with Local Governments, a new method of disposing of the surplus (in special phials at a cheap price) as suggested by the Director General, Indian Medical Service. We consider it unjustifiable that a large amount of surplus stock should be held, and recommend that the surplus should be disposed of in some way so as either to bring money to the Government of India or to give benefit to the malaria-stricken population of India.

III.—IMPORTANT COMMENTS ON MATTERS ARISING OUT OF THE ACCOUNTS FOR 1929-30.

22. *Purpose of the Appropriation Accounts.*—As the heading of this section implies, we, in the Public Accounts Committee, while studying generally the whole of the Appropriation Accounts and the Reports thereon, can give special attention only to the more important points arising therefrom and it is necessary, as pointed out by the Auditor General, that all authorities concerned with the controlling of grants should study, carefully and in detail, those portions of the Appropriation Accounts which relate to the grants under their control, together with the connected comments and suggestions of the officers of the Audit or Accounts Department. The object of such a study by the controlling officers should be to apply the lessons of the Appropriation Accounts to their future administration of public funds. In the words of the Auditor General, "if an understanding of this kind is definitely established, the educative effect of appropriation audit will be greatly promoted, without the Public Accounts Committee being required to enter into detail to an extent which is neither practicable nor suitable". We strongly endorse these observations of the Auditor General and desire to emphasise the principle on which they are based, *viz.*, that the study of their accounts is an essential part of the normal functions of administrative officers and that they should take advantage of their lessons and correct irregularities without relying on the audit staff or the Public Accounts Committee to call their attention to these points. We consider that the Finance Department of the Government of India should watch the fulfilment of this essential purpose of the Appropriation Accounts. We shall further be glad if the Auditor General will bring to our notice

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any cases in which he or his principal auditor may have reason to believe that sufficient action has not been taken on the suggestions in the Appropriation Accounts in all cases, regardless of whether they have been specially commented on by us or not.

23. *Form of the Appropriation Accounts—Civil Department.*—We may now turn to a general question regarding the form of the Appropriation Accounts and of the reports thereon. We have already stated that we approve of the form in which the Director of Commercial Audit has presented the review of the commercial concerns in the present year. We have no important suggestions for improvement to make in regard to the form of the Appropriation Accounts compiled by the Accountant General, Central Revenues.

24. *Form of the Appropriation Accounts—Army Department.*—As regards the Appropriation Accounts relating to the Army, prepared by the Financial Adviser, Military Finance, the form of the Accounts has, on the present occasion, been considerably improved and the narrative survey is a particularly interesting and useful document. We have made some detailed suggestions in our proceedings, including the proceedings of the Military Accounts Committee, for making the document more informative and, subject to any changes necessary in the light of these suggestions, we recommend that future Accounts should continue to be prepared in the same form as those for the year 1929-30. We have no suggestions to make in regard to the Report of the Director of Army Audit.

25. *Form of the Appropriation Accounts—Railway Department.*—As regards the Appropriation Accounts of Railways prepared by the Financial Commissioner, Railways, however, we have to note that, in their present form, these Accounts entirely fail to meet our requirements. We have been presented merely with a document containing the bare figures of the Appropriation Accounts, together with explanatory footnotes on individual items. While the Financial Commissioner has, by presenting a document in this form, supplied the prescribed details and formally complied with the orders on the subject, the information is given in such a form as to fail to meet the substantial purpose which we consider should be attained. There is no general picture of the financial results, no general survey of the state of the financial administration. Nor is there an analysis of the results of the audit scrutiny conducted by the Railway Accounts Department as part of the internal check of Railway Accounts. In other words, a general picture of all the main facts which lie behind the Railway Appropriation Accounts, such as is available to us in the case of the Military Appropriation Accounts, is lacking. We have discussed this matter very fully with the Financial Commissioner, who has undertaken to bring his Appropriation Accounts into line with those prepared by the Military Financial Adviser. Having obtained this undertaking, further comment may be deferred until the Public Accounts Committee has before it next year the Accounts in the improved form which has been promised. In this connection we desire particularly to endorse the remarks in the Auditor General's letter about the functions and relative importance of the Appropriation Accounts and the Report of the Director of Railway Audit. We may quote the following passage from this letter :—

“It follows also, and it is, I think, generally acknowledged, that the accounts organisation though described as purely ‘accounts’ is responsible not only for the task of accounting but also for the duties of internal audit and the tendering of financial advice which under the system previously existing were entrusted to the combined offices of accounts and audit. The accounting organisation retains, to some extent at any rate, the duty of criticising the financial administration, of preventing financial irregularities, and so forth. And it will further be evident that the accounting organisation is in a better position than the Audit Department to discharge these functions, since the former is in continuous touch with the financial administration, and passes in review from day to day, series of transactions of the same kind, whereas audit, on the other hand, being merely a test audit, must confine itself in the main (1) to scrutinising the general procedure and processes of accounting, and (2) to examining isolated items of expenditure or receipt. It must be accepted, as a principle underlying the separation of accounts from audit, that the former becomes the predominant influence in regulating current financial administration. It will be clear, therefore, I think, that the accounting organisation is better able to present a general picture of the financial results and the state of the financial administration, which lie behind the figures of the Appropriation Accounts prepared by itself; and I suggest that it should be required to undertake this function.”

As already noted, it now remains to see how the Financial Commissioner meets these requirements in the Appropriation Accounts to be considered next year. This paragraph is to be read together with paragraphs 11 to 14 of this report.

26. While recognising the limitations, pointed out by the Auditor General, of the functions which can properly be fulfilled by the Report of the Director of Railway Audit, we nevertheless consider that this report should be of considerable value to the Public Accounts Committee and that its present form could be substantially improved. In the first place, we must point out that it is difficult for the Public Accounts Committee to form conclusions from a mere enumeration of unclassified individual instances of financial irregularity. The most useful results can be obtained if it is possible to institute comparisons between the positions on different Railways and also on the same Railway from year to year. For this purpose we think it is desirable to have a more classified report of the irregularities. While we recognise that the present exhibition of the irregularities under the particular grants may be logical, we must point out that it is not helpful for our purposes. The Auditor General reminded us that the Director's audit is only a test audit of transactions for the selection of which individual judgment must play a great part, and further that the Director is not in continuous contact with financial administration in the same way as provincial Accountants General, and that for this reason, the Report of the Director cannot be expected to give a complete and correct picture of the efficiency of administration in the various Railways. Nevertheless we consider that even a comparison of the results of test audit from year to year would still be useful if the results of the comparison were tabulated in the manner suggested by us above. We are glad to find that the Auditor General is able to accept our views on this subject, and has undertaken to instruct Mr. A. C. Badenoch, Director of Railway Audit, to investigate, during his examination of the separated audit of Railway expenditure and receipts in the coming cold weather, in what directions test audit could be usefully directed and how the form of presentation of the results of the test audit could be improved.

27. *New Service.*—The Auditor General has, as usual, prepared a memorandum of doubtful cases of "New Service" appearing in the Accounts for 1929-30 (Appendix IX).

28. *Expenditure on traffic surveys on the Great Indian Peninsula Railway.*—During the course of the year the Administration incurred expenditure on eight traffic surveys, involving individually in that year charges varying from Rs. 1,000 to Rs. 14,000. None of these cases was specifically provided for or contemplated in the budget of the year. Three of them, however, had been specifically provided for in the recent budget although expenditure had been postponed. The Auditor General has pointed out that these traffic surveys do not commit the Administration to further expenditure, and he has suggested that the undertaking of such a survey, although not contemplated in the budget of the year, need not, unless the expenditure rises, or is thought likely to rise, to a considerable sum which the Public Accounts Committee might specify, be looked upon as a "new service" or a "new instrument of service" so as to require a specific vote of the Legislature. We agree that so long as the cost of any individual traffic survey is confined within reasonable limits, such expenditure should not properly be considered a "new service" or a "new instrument of service" in view of the fact that traffic surveys have been carried out as a normal part of railway administration from the inception of railways in India. We further accept the suggestion of the Auditor General that Rs. 10,000 may be considered to be a reasonable limit, and that the vote of the legislature may be held to be necessary for expenditure on individual surveys exceeding Rs. 10,000.

29. *Railway Capital expenditure.*—Before leaving the subject of Railways, we should like to refer to a question of paramount importance in the sphere of Railway finance to which reference has already been made in the more general remarks contained in paragraph 11 of this report—viz., the *capital expenditure incurred since the separation of Railway from General Finances*. It has been suggested by the Auditor General that the Public Accounts Committee should consider this question from two practical standpoints:—

- (1) whether, after duly discounting the effect of recent abnormal conditions, the productivity of capital expenditure incurred since the separation has conformed to expectations? and
- (2) what, judged in the light of recent and present experience, should future policy be in the matter of incurring further capital expenditure?

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We were reminded by the Chief Commissioner for Railways that the full effect from investments of capital on Railway construction can normally be seen only after a considerable period from the date of the completion of a project—say, about 7 years—; but we consider that the present occasion, when because of the financial position it has in any case become necessary to call a halt in capital expenditure, affords a suitable opportunity for a comprehensive and thorough review of the whole position. We think that this may properly fall within the functions of the Expert Committee, which has been recommended by the Railway Retrenchment Sub-Committee. We would add that if, and when, such an Expert Committee takes up the examination of this question it would be useful for them to carry back their investigation to a point earlier than the separation of Railway from General Finances and to examine the results of all new capital expenditure incurred since the War.

30. In this connection we may quote the following paragraph from the Report of the Director of Railway Audit:—

“170. The railways have in recent years embarked upon several electrification schemes in different parts of India. Although progress in this direction is no doubt inevitable on such general grounds as additional public convenience, yet in most cases financial benefits have also loomed largely as an incentive to change. In many of the schemes it will be difficult to calculate in the face of a number of changing factors what has been the financial effect of electrification. The Great Indian Peninsula Railway however hopes to be able to separate out the accounts of their electrified sections and the results when presented may serve as a useful guide for future programmes.”

We should like to emphasise the desirability of getting an accurate picture of the financial effects of electrification on various Railways apart from the larger question of the productivity of capital expenditure incurred on Railways generally. We have been told by the Controller of Railway Accounts that there may be certain difficulties in the allocation of expenditure between the electrification scheme and the other branches of the Railway. We recommend that the question should be scientifically studied by the Railway Board, which should find out from British Railways what they have done in similar circumstances and how they have calculated the financial results of their electrification schemes.

31. *Military Accounts Committee.*—Before we proceed to consider the Military Appropriation Accounts, we desire to refer to the question of the functions of the Public Accounts Committee in relation to those Accounts. We note that the question has already been examined by the Departments of the Government of India and that it has been held that constitutionally, the Military Appropriation Accounts stand on the same footing as the other Appropriation Accounts, so far as the right of the Committee to deal with the Appropriation Accounts and connected documents is concerned (*vide* Appendix XXIX). We recognise, however, that the present practice of subjecting the Military Appropriation Accounts to a preliminary examination by an *ad hoc* Committee, called the Military Accounts Committee (consisting of the Hon'ble the Finance Member, the Financial Secretary and the Controller of Civil Accounts), has its own advantages in view of the highly specialised and complicated nature of much of the material in those Accounts. We do not accordingly desire to suggest any fundamental change in this procedure, which has become accepted as a convention. The Auditor General informed us that the post of the Controller of Civil Accounts would shortly be converted into that of a Deputy Auditor General and that the latter Officer, exercising as he will no independent function but being essentially a Deputy to the Auditor General, could not suitably be appointed to the Military Accounts Committee. There would thus arise the question of replacing the Controller of Civil Accounts on that Committee and we take this opportunity of recommending a change in the constitution of the Committee, which should, in future, consist of the Hon'ble the Finance Member as Chairman, the Financial Secretary and three unofficial members nominated by the Public Accounts Committee from among themselves.

32. *Military Accounts—Abolition of priced stores ledgers.*—The Military Accounts Committee has considered very carefully the proposals made by the Financial Adviser for the abolition of priced stores ledgers in Arsenals and other storage depots (*vide* Appendix XVIII). This question has been discussed by the Army Retrenchment Sub-Committee as a measure of economy expected to result in an annual saving of about Re. 4½ lakhs. We considered this matter at some length with the assistance of the Financial Adviser, the Auditor General, and the Military Accountant General, and in all our discussions we set prominently before us the proper requirements of the public in regard to information enabling them to scrutinise public expenditure.

Viewed from this standpoint the main questions on which it is important that the public should have information are :—

- (1) *As regards the transactions of the year.*—To what extent cash expenditure on stores during a year represents something more or something less than the normal consumption?
- (2) *As regards the position at the end of the year.*—To what extent quantities of stocks held are excessive or deficient as compared with the standard quantities required?

Information on both these questions will enable the public to know whether current expenditure has been more or less than what is normally to be expected, and whether a situation is arising which is likely to upset the budgetary position in the future as a result of the creation of deficiencies which will eventually have to be made up out of revenue. There is also a third and equally important question for assessing the position, namely, to what extent fluctuations in prices have affected expenditure during the year? It was explained by the Financial Adviser, Military Finance, that the only way of providing a statement of the stocks held, which would be intelligible to the public for the purpose of making a comparison from year to year, is to compile a priced list—thus converting all stocks into the common measure of money. Comparison of quantities is hardly possible owing to the vast number of items—about 80,000. On the other hand, he stated emphatically, the comparisons made on the basis of the existing priced lists were really valueless, because these lists only referred to stocks held in certain depots and took no account of stocks held with units, etc. As a practicable measure he proposed to follow the British practice of giving values of stocks for certain categories, and also to present, in connection with the annual budget estimates, a statement showing how the annual cash expenditure compared with consumption of stocks in respect of certain categories of stores. He further undertook to include in the statement information regarding the effect and extent of price fluctuations during the year, and also to furnish in his Appropriation Accounts an informative statement indicating any important variations from normal holdings under different categories of stores. The statement would in the usual course be test-audited by the Director of Army Audit. We asked the Auditor General for his views on the proposals of the Financial Adviser, and we were informed that he was definitely of opinion that the present statement is of very little practical value and that statements on the lines proposed by the Financial Adviser, designed so as to give information under the heads stated above, would be more useful. Having regard to the views of the Auditor General and to the British practice in the matter and to the direct economies which will result, we express our approval of the proposal made by the Financial Adviser.

33. *Control over stores and stocks.*—We have referred in preceding paragraphs, and also in various parts of our proceedings, to the important question of control over stores and stores accounting. In his Appendix to the Appropriation Accounts of the Central Government for 1929-30, the Director of Commercial Audit has made some important comments on the subject, and has also dealt with the question of annual verification of stores and stocks, *vide* paragraphs 20-22 of the Appendix. We endorse the comments and observations in these paragraphs, and we suggest that these paragraphs be circulated to all Departments of Government.

34. *Financial position of the Indian Posts and Telegraphs Department.*—We have examined the memorandum (Appendix XXII) furnished by the Department of Industries and Labour on the financial prospects of the Posts and Telegraphs Department, after taking into account the effects of the retrenchment proposals and the measures for increasing revenue, and also the effect of the recommendations of the Posts and Telegraphs Accounts Enquiry Committee. We most emphatically endorse the view that, as a matter of principle, the Department should be self-supporting and that whatever steps are necessary to bring this about should be taken, and further that the efforts in the direction should not be relaxed until this result has been achieved. In our view there are three principal lines of action which may help to achieve this purpose :—

- (1) Retrenchment in normal expenditure—including revision of establishment, conditions of pay and service;
- (2) Adjustment of charges to the public; and
- (3) Improvement in commercial management—to secure greater efficiency and increased business—resulting in increased net revenue.

As regards the first line of action, we consider that the recommendations of the Retrenchment Committee hold the field and that at present the main task is to concentrate on giving effect to these. As to the second, we consider, having regard to the

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substantial increases recently introduced, that nothing further can be done at present in the direction of adjusting the charges made to the public. As regards the third and last line of action, we are of opinion that it may possibly be advantageous to have an expert enquiry at some later stage but that such an enquiry is not opportune at the present juncture.

35. *Loans to Provincial Governments and Indian States.*—Our attention has been drawn by the Auditor General to the comments on page 606 of the Appropriation Accounts of the Accountant General, Central Revenues, regarding the great, and apparently unanticipated, increase in the liability of the Bahawalpur Durbar. We are grateful to our Chairman for a full explanation of the position in this case. We note that he further informed us that the question of technical and financial reconstruction of the project is now actually under investigation by a highly qualified expert committee. After hearing the Chairman we desire to place on record our view that the whole question of examination of the financial prospects of projects for which the Government of India is asked to advance loans either to the Provincial Governments or to Indian States is a matter of extreme importance. According to our appreciation, in a number of cases of projects, which are now approaching completion, it is becoming increasingly apparent that the original estimates were faulty, either as regards the cost of the project or as regards the return to be expected, and that heavy losses are likely to be incurred. This indicates that the financial examination by the Government of India in the first place was inadequate. We wish to point out that although the Government of India may in these cases merely have advanced money to the authorities undertaking the projects and may not be itself directly interested in the commercial results, nevertheless the failure of a large project may so upset the financial position of the borrowing authority that it would be unable to meet the services of the loans which it had raised from the Government of India. It is for this reason that the Government of India must, in our opinion, satisfy itself as to the merits of each project for which it is asked to advance money. We desire to record our view that such an examination must be regarded as one of the most vitally important duties of the Government of India, and that the responsibility for it should be clearly laid down so as to avoid any possibility of misunderstanding as to where it lies at all stages of the consideration of any business. We consider that the ultimate responsibility must rest with the Finance Department, which should be properly organised to discharge such responsibility and should receive the co-operation of all other Departments in doing so.

36. In conclusion, we have to mention a subject which was specifically referred to us by the Finance Department at the instance of the Auditor General (*vide* Appendix XXVII), and in which the Legislative Assembly will be interested. The report of the Railway Retrenchment Sub-Committee contained certain recommendations for reduction in expenditure of Railway audit and accounts. These recommendations are being examined by the Government, but we were asked in connection with this examination whether we should be prepared to assent to any substantial diminution in the information as regards railway receipts and expenditure, and in the facilities for financial control, which have been afforded to the Legislature by the existing system. After careful consideration we have to record that our answer to the specific question put to us must be decisively in the negative, more especially as we feel that even with the existing facilities the opportunities for financial control by the Legislature over railway expenditure are not entirely adequate or satisfactory.

GEORGE SCHUSTER.

S. C. MITRA.

ISMAIL ALI KHAN.

T. N. RAMAKRISHNA REDDI,

B. DAS.

M. C. RAJAH,

M. A. AZIM.

MD. YAKUB.

R. D. DALAL.

J. RAMSAY SCOTT

V. K. ARAVAMUDHA AYANGAR,

Secretary.

THE INDIAN COMPANIES (SUPPLEMENTARY AMENDMENT)
BILL.

The Honourable Sir George Rainy (Member for Commerce and Railways): (Sir, I beg to move that the Bill to amend the Indian Companies (Amendment) Act, 1930, for a certain purpose, be taken into consideration. This is a very small Bill, Mr. President, which proposes to make a very small change in the law. It arises in this way. Under section 144 of the principal Act, *i.e.*, the Act of 1913:

"No person shall be appointed or act as an auditor of any company other than a private company unless he holds a certificate entitling him to act as an auditor of companies."

Now, under the amending Act of 1930 provision was made for the case of a firm of Accountants and it was provided that:

"A firm whereof the partners all hold such certificates may be appointed by its firm-name to be auditor of a company, and may act in its firm-name."

The necessity for that arose from the fact that there was no provision for giving any certificate to the firm as such. Since the amending Act was passed, it was brought to the notice of Government that there were certain firms who, in addition to the partners resident and practising in India, had also partners who do not reside in India nor do they practise in India. And it seemed to the Government of India that to disqualify such firms from acting as auditors of companies would not be reasonable, nor in accordance with the real underlying intention of the law. For that reason it seemed desirable to make the small amendment proposed in this Bill which merely proposes to substitute for the condition that all the partners must hold certificates the condition that all the partners practising in India must hold certificates. That, Sir, is the substance of the Bill, and I do not think I need say more in explanation of it. I should only like to add, because I know it is a matter in which several Members of this House are interested, that we hope all our arrangements will be complete and that we shall be able to notify the coming into force of the amending Act of 1930 with effect from the 1st April next. It was therefore appropriate to make this amendment in the amending Act now so that the law will be in a right condition at the time it actually takes effect.

Sir, I move.

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

The Honourable Sir George Rainy: Sir, I move that the Bill be passed.

The motion was adopted.

THE EMPLOYERS AND WORKMEN (DISPUTES) REPEALING BILL.

The Honourable Sir Joseph Bhore (Member for Industries and Labour): Sir, I beg to move that the Bill to repeal the Employers and Workmen (Disputes) Act, 1860, be taken into consideration.

It is, I think, Sir, unnecessary for me to add anything to the Statement of Objects and Reasons and to what I said on the occasion when I moved for leave to introduce this Bill. It is a perfectly simple and straightforward measure and I venture to think that it will not arouse any controversy.

Sir, I move.

Mr. N. M. Joshi (Nominated Non-Official): Sir, before I make up my mind to vote for this Bill, I should like to know from the Government of India what they propose to substitute in place of the Act which they are asking this House to repeal. The Act referred to in the Bill is an Act intended to provide for the speedy termination of certain disputes between workmen engaged in railways and other public works and their employees. Sir, I think that this old piece of legislation contains some provisions which I will not insist upon repealing, and contains some provisions which I would repeal immediately, but on the whole I am not in favour of that Act at all. But I should like to know from the Government of India what they have done to give effect to the recommendations of the Royal Commission on Labour for making provision for speedily terminating disputes, first, on the Indian railways. The Royal Commission on Labour has made certain recommendations with a view that railway disputes shall be speedily and properly settled. We are now repealing an Act which was intended to serve this purpose. I should like to know from the Government of India what they have done during the last six months or more after the publication of the Royal Commission's Report to bring about a machinery for the speedy and proper settlement of the disputes on Indian railways. Secondly, Sir, this Act which we are now seeking to repeal also applies to certain public works. I may call these public works the public utility services. In connection with the disputes in the public utility services the Royal Commission on Labour has also made certain recommendations. The Royal Commission felt that in the present Trade Disputes Act, which we enacted only a few years ago, the employees of the public utility services have been placed at a disadvantage. While their right to go on strike is restricted, they are not given an assurance that their grievances would be considered; and the Royal Commission on Labour therefore recommended that this defect in the Trade Disputes Act, which we enacted only two years ago, should be removed and a consideration of the subject should be undertaken by Government at an early date. This is what the Royal Commission on Labour says on this question:

"In our view the weakest point of the Indian provision is that while it restricts the powers of workers in public utility services to force their employers it gives in return no assurance that their grievances will receive a hearing. We have made elsewhere proposals to alter the position of railway workers in this respect."

That is one point on which I want information. The second is:

"With regard to the other classes to whom the section applies, we think the question of providing means for the impartial examination of disputes should have early consideration."

The Report of the Royal Commission on Labour was published early last year and it is now many months since that report was published; I want to know whether early consideration was given to the subject by the Government of India, and if so what they propose to do in that respect.

The Royal Commission on Labour has also made certain recommendations for the speedy and proper termination of disputes; they have recommended that conciliation officers should be appointed by the Government. They are necessary; they may be necessary in certain departments of the Government of India. They may be necessary for the Local Governments. It is quite true that the Government of India cannot take steps for the appointment of conciliation officers for Local Governments, but certainly the Government of India can bring this to the notice of the Local Governments and impress upon them the necessity. It is also true that under the present circumstances Local Governments may find it difficult to find the money for appointing new officers. But on that point let me say this: that both the Government of India and the Local Governments are spending huge amounts of money at present in order that there should be peace in the country; and the appointment of these officers is intended to serve that object. The appointment of these officers is recommended by the Royal Commission in order that there should be peace in the industry everywhere. I therefore think that, in spite of the hard times through which the Local Governments and the Government of India are passing, this is a subject on which they should spend money even in these bad days. I want to know from the Government of India what has been done in these respects before I vote for the consideration of this measure.

The Honourable Sir Joseph Bhoré: Sir, in the first place I should like to invite the attention of the House to the fact that the immediate repeal of this Act has been recommended by the Royal Commission on Labour, of which my Honourable friend, Mr. Joshi, was a Member; and the recommendation was not made contingent upon the acceptance of any other recommendation. I think that that is a correct statement of fact.

Mr. N. M. Joshi: But the Royal Commission made their recommendations as a whole.

The Honourable Sir Joseph Bhoré: I would next like to invite the attention of the House to the fact that the Royal Commission's recommendations number not less than three hundred, as far as my recollection goes; and the consideration of these recommendations is a matter of time, more especially when in the present circumstances I have not merely no extra staff but the existing staff that I have is likely to be cut down. It is inevitable therefore that the consideration of the measures recommended should take some considerable time. But I can assure my Honourable friend Mr. Joshi and I can assure the House that no avoidable delay is occurring, and that I think is borne out by the fact that during this present session I am placing before the House no less than four legislative measures. In addition to these, I may say that references have been made to Local Governments and we ourselves have taken executive action in more than one particular case. For instance, in regard to our Central Public Works Department we have formulated certain instructions based upon the recommendations of the Commission.

Turning now to the specific point which my Honourable friend has raised in respect of the railways, I would like to assure him that the recommendations of the Commission in respect of the machinery suggested

[Sir Joseph Bhore.]

by them for the settlement of future disputes is receiving the consideration of Government. As he and as the House is aware, we have at the present moment available the Trade Disputes Act, the provisions of which are intended for the settlement of disputes in respect of railways, as in respect of other industrial disputes. As my Honourable friend is aware, at the present moment a court of inquiry is sitting with the specific object of settling a railway dispute which at present exists. As far as my recollection goes, the Royal Commission only recommended the immediate amendment of one section of the Trade Disputes Act, and that was not the section to which my Honourable friend refers. However that may be, the House is of course perfectly aware that the Trade Disputes Act will expire in another two years; and both in respect of the administrative machinery recommended by the Commission for the settlement of disputes on railways and in respect of the future of the Trade Disputes Act, the Government are giving active consideration to the proposals that have been made, and I need hardly assure the House that we will have come to some conclusions and we will, I hope, be in a position to lay before it such proposals as we think necessary to take the place of the Trade Disputes Act before it finally expires.

So far as the Act now being repealed is concerned, I think a reference to it would satisfy the House that it should no longer remain on the Statute-book. I do not know whether a copy of the existing Act is in the hands of Honourable Members—I shall be happy to provide a copy if any one desires to look into its provisions. As I have said, the Royal Commission have, without qualification of any description, recommended the immediate repeal of this Act and this Bill is placed before the House in pursuance of that recommendation.

Mr. President: The question is:

“That the Bill to repeal the Employers and Workmen (Disputes) Act, 1860, be taken into consideration.”

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

The Honourable Sir Joseph Bhore: Sir, I move that the Bill be passed.

Mr. N. M. Joshi: I would like to say one word. The Honourable Member stated that the Royal Commission had made only one recommendation for the immediate amendment of this Act.

But I read to him and read to the House this sentence:

“With regard to the other classes to whom the section applies, we think the question of providing means for the impartial examination of disputes should have early consideration.”

“Early consideration”, I take it, means immediate amendment.

Mr. President: The question is that the Bill be passed.

The motion was adopted.

**THE INDIAN FINANCE (SUPPLEMENTARY AND EXTENDING)
AMENDMENT BILL.**

The Honourable Sir George Schuster (Finance Member): Sir, I move for leave to introduce a Bill to amend the Indian Finance (Supplementary and Extending) Act, 1931, for a certain purpose.

At this stage I think I need only call the attention of the House to three points in connection with this measure. The first point is its object. That is shortly and clearly set out in the Statement of Objects and Reasons. The object is to provide an opportunity for simplifying the procedure in the assessment of small incomes. This simplification will, we believe, be convenient to the assessee, expedite the collection of revenue, and help to keep down the cost of the staff required for assessment and collection.

The second point which I wish to make clear is also explained in the Statement of Objects and Reasons. It is that the Bill in no way affects the right of an assessee. The simplified procedure will only be applied if the assessee himself acquiesces in it. It cannot be forced on him against his will. He remains entirely free to claim assessment according to the existing and more complicated procedure if he desires that.

The third point that I want to make clear is that this Bill has been drafted in the form of an amendment to the Finance Act, and not to the Income-tax Act. This in a sense gives it a provisional character. If the Bill is passed, we shall have an opportunity of seeing how it works in practice during the period of the operation of the Finance Act. If the procedure proves satisfactory and if its continuance is required, then it can be adopted as a permanent feature in the Income-tax Act. For the present, however, the House is not being asked to sanction its adoption as a permanent piece of machinery but only really on a provisional basis during the currency of the Finance Act of 1931. Sir, I move.

The motion was adopted.

The Honourable Sir George Schuster: Sir, I introduce the Bill.

THE INDIAN AIR FORCE BILL.

Mr. G. M. Young (Army Secretary): Sir, I move for leave to introduce a Bill to provide for the administration and discipline of the Indian Air Force. This Bill, Sir, is required to give legal existence and status to the Indian Air Force, which is in process of formation, and to provide for its administration and control. I am afraid it is rather a long Bill, but it is non-contentious. The whole of it is taken or adopted from existing Statutes, the British Air Force Act on the one hand, and the Indian Army Act on the other. If leave is granted to introduce the Bill, I propose next week to move for reference to Select Committee. Sir, I move.

The motion was adopted.

Mr. G. M. Young: Sir, I introduce the Bill.

THE SUGAR INDUSTRY (PROTECTION) BILL.

The Honourable Sir George Rainy (Member for Commerce and Railways): Sir, I move for leave to introduce a Bill to provide for the fostering and development of the sugar industry in British India. The objects of this Bill, and also of the two subsequent Bills which stand in my name in the notice paper, have been explained in the Resolutions of the Government of India, copies of which have been circulated to Honourable Members. I do not propose, therefore, to take up the time of the House with any further explanation. But I should like to apologise to the House for the fact that in the agenda originally circulated for the proceedings of this day these Bills were not mentioned. The reason for that was that in each case, until Government were in a position to publish the Report of the Tariff Board and the decision at which they had arrived, they were not in a position to intimate that there would be a Bill. That, Sir, is the explanation why these Bills were not in the original agenda.

The motion was adopted.

The Honourable Sir George Rainy : Sir, I introduce the Bill.

THE WIRE AND WIRE NAIL INDUSTRY (PROTECTION) BILL.

The Honourable Sir George Rainy (Member for Commerce and Railways): Sir, I move for leave to introduce a Bill to provide for the fostering and development of the wire and wire nail industry in British India.

The motion was adopted.

The Honourable Sir George Rainy Sir, I introduce the Bill.

THE BAMBOO PAPER INDUSTRY (PROTECTION) BILL.

The Honourable Sir George Rainy (Member for Commerce and Railways): Sir, I move for leave to introduce a Bill further to amend the law relating to the fostering and development of the bamboo paper industry in India.

The motion was adopted.

The Honourable Sir George Rainy: Sir, I introduce the Bill.

THE BENGAL CRIMINAL LAW AMENDMENT (SUPPLEMENTARY) BILL.

The Honourable Sir James Crerar (Home Member): Mr. President, I move that the Bill to supplement the Bengal Criminal Law Amendment Act, 1930, be referred to a Select Committee consisting of Mr. C. S. Ranga Iyer, Mr. Amar Nath Dutt, Mr. B. Sitarama Raju, Mr. Abdul Matin Chaudhury, Mr. Arthur Moore, Rao Bahadur S. R. Pandit, Mr. Muhammad Anwar-ul-Azim, Mr. R. S. Sarma and the Mover and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be four.

I do not think, Mr. President, that in moving this motion it is necessary for me to inflict upon the House a long or an elaborate speech. In the first instance, the Bill itself is a very short measure containing practically only one effective, operative clause, and apart from that, it has been before the House for over a year. Opinions have been called for and have been collected, and it has also been already the subject of two days' debate in this House. I shall therefore content myself with a very brief account of the actual position with regard to legislation in this matter, and I shall go no farther back than to the year 1930 when the Bengal Criminal Law Amendment Act of 1925 expired. At that time the Government of Bengal decided that the second part of that Bill, which referred to the detention of persons without trial, should not be continued, but, though they were very anxious were at that time willing to endeavour to dispense with these provisions, it was not without grave misgivings that they arrived at that decision. Consequently the only part of the Bill which was continued at that time was that portion which referred to trials by special Commissioners. The House is aware of what followed within three weeks occurred the dreadful outrage at Chittagong, and it became necessary by means of an Ordinance to re-introduce the latter portion of the Act. The provisions of that Ordinance were a few months later enacted into law by a very large majority by the Bengal Legislative Council. It was in January 1931—the House will recollect—that I introduced the Bill to supplement the Act which had been passed in the local Council. I then gave a very full account of the reasons which had actuated the Government of Bengal in asking us to continue those powers and the grounds on which the Government of India had considered it necessary to accede to that request. During the course of the year 1931, I deeply deplore to say so, the position with regard to the terrorist movement continued rapidly and gravely to deteriorate, so much so that it was necessary in the month of October by means of an Ordinance to make certain amendments in the provisions of the local Act that is to say, the Bengal Criminal Law Amendment Act as enacted by the local Legislative Council. It is the intention of the Government of Bengal during the course of this month to introduce a Bill in their Legislative Council in order to give effect to the provisions of that Ordinance, but in the meantime, it is my duty to ask this House to refer to Select Committee the Bill which by their direction was circulated for opinion last January.

Now, Sir, I said a few moments ago that we have unfortunately to record that during the last 12 months the position with regard to the terrorist movement and the commission of those dreadful outrages which are carried out in the name of that movement has steadily and gravely deteriorated, and that is the position with which the House and myself have to deal to-day. I do not intend to inflict upon the House any

[Sir James Crerar.]

further recital of that melancholy and tragic catalogue. A statement of cases of terrorist crime which have been reported to the Government of India during that period is already in the possession of Honourable Members, and no words which I could add by way of comment upon that tragic catalogue can be in any way necessary to convince Honourable Members of the great gravity of the situation. There have in that period been reported to the Government of India 93 crimes of a terrorist nature, 24 of which relate to murders or to attempted murders, and it is probable that the list is not complete. The most serious crimes are the murders of Messrs. Peddie, Garlick, Khan Bahadur Ahsanullah, Mr. Stevens, Mr. Ashutosh Neogy, and the attempted murders of Messrs. Cassells, Villiers, Sergeant Durno, the Assistant Superintendent of Police of Chittagong and the District Magistrate of Howrah. There have been several recent attempts to derail trains which are probably—though I cannot definitely say—due to agents of the terrorist movement. There is no indication whatever of the abandonment of terrorist activities, and the strength and progress of the movement is at the present moment only controlled and kept within bounds by the measures which the Government of Bengal are enabled to take against it. The Government of Bengal have approached us with a very strong representation that until some of the worst terrorists concerned in this movement, now under detention or hereafter who may be in detention, are removed from that province, their means of dealing with the situation and the action which their officers can take, acting, as the House will readily realise, under circumstances of the greatest peril demanding from them the greatest devotion to duty and the greatest courage—qualities which have been shown in the most signal manner throughout the whole of the history of this unhappy episode—(Hear, hear)—it has been pressed upon us very strongly that it will not only be a matter of material assistance to the Bengal Government but that of all possible measures probably the most important single practical measure that can be taken is to relieve them of some of the worst agents of this movement.

Now, Sir, the necessity for this course will I think be apparent to the House. I explained at some considerable length on the last occasion, but perhaps in order that I may make the point perfectly clear it may be expedient for me to repeat once more and with additional emphasis—because we are confronted with a position of even greater gravity—what are the objects and what is the necessity for the proposals contained in this Bill. First of all, it is obvious that there are among the large number of persons who have been dealt with under the Bengal Criminal Law Amendment Act a certain number of inveterate terrorists with whom no reason can prevail and whose influence upon those who are associated with them either in the prisons or in the detention camps is of the worst possible character. We know perfectly well that men of that kind are responsible, mainly responsible, for the state of indiscipline which I regret to say from time to time has taken place in these jails and in these camps. They are not only responsible for that indiscipline, but they are and they have been concerned in promoting plans and conspiracies for the commission of further outrages. It is very desirable that the younger men who unfortunately have been led away to join in this movement—it is very important that these younger men should be preserved from the contamination and association of men of the kind I have spoken of. And above all things, so far as the general public

interest is concerned, it is of the utmost importance that any opportunity for the concoction of plans, for communication with outside agents engaged in the prosecution of conspiracies to commit terrorist outrages should be removed. This it is not easy entirely to preclude, if the lenient conditions of detention, including facilities for interviews and correspondence granted in consideration of the fact that these men have not been convicted in a court of law, are sought in this manner to be abused.

1 P.M. Now, Sir, I do not think that in all the circumstances which I have described, circumstances with which Honourable Members are themselves very well acquainted, it is necessary for me to emphasize at any greater length the great danger which must be incurred if there is any possibility of plots and conspiracies being contrived in jails and in detention camps. It is abundantly clear that, owing to the manner in which the deeds of assassins have been eulogised, some sections at any rate of the public are very much impressed by those eulogies. Persons concerned in this movement will, if the opportunity is given to them, find a certain amount of countenance and support outside. Indeed, Sir, I will give the House only two recent instances which are illustrations of what I have in mind. As recently as last month a detenu was caught while attempting to escape from a camp. He was found to be carrying letters of introduction to terrorists at large, and in the same month the father of a detenu was visiting his son in camp and he was caught in the act of smuggling out 15 letters to members of an organisation which is known to have been responsible for several of the murders of Europeans which have taken place in Bengal during and since 1930. We also have information which we believe to be reliable that specific instructions were issued from such places of detention (a) to murder a particular District Magistrate (b) to murder a particular Superintendent of Police (c) to murder the presidents of tribunals which had tried terrorist cases, (d) to murder a high official of Government and (e) to concentrate on the murder of Europeans and particularly of members of the Indian Civil Service. Now, Sir, these are very serious facts, facts which I ask the House once more seriously to consider. In order to meet the immediate difficulties of the Bengal Government, I should inform the House that on their own urgent representations we have already undertaken to transfer from Bengal about 18 of the most inveterate terrorists. That action has been taken under Regulation III and it is not only because there are administrative and other difficulties attaching to the employment of that Regulation, but above all because it is my earnest desire to secure the co-operation of the House in this matter (which I myself would infinitely prefer, and I hope the House will justify my preference), that I ask it to equip the Government with the requisite powers. We have also informed the Bengal Government that if and when this Bill is enacted, what we have in mind as an immediate measure is the transfer of a certain number of those who fall within the category I have mentioned to a locality in the province of Ajmer-Merwara, a place which has an extremely salubrious climate, where there are also excellent buildings already in existence, and I trust that if and when the detenues are confined in that locality we shall have the additional advantage of having brought to bear upon them the elevating and refining influence of Diwan Bahadur Har Bilas Sarda. (Laughter.)

Diwan Bahadur Harbilas Sarda (Ajmer-Merwara: General): Please do not contaminate my province. We do not want to have them.

The Honourable Sir James Crerar: In view of the interjection made by the Honourable Member opposite I pass very briefly to explain the views which have been obtained from Local Governments. The general trend of those opinions is that the Bill in itself is a very desirable Bill but, that in so far as the Local Government are concerned, they would prefer that these detenus should not be handed over to them. Now, Sir, that is a very intelligible point of view and we have to give it the serious attention it deserves because there is a very considerable danger of the dissemination of the virus of terrorism. The provinces, I am glad to say, have done their utmost to support the Government of Bengal and the Government of India in this matter, but we must take note of the fact that their objections are very substantially founded and reasonable, and it is for that reason that we contemplate at any rate in the first instance—I hope that it will be adequate and sufficient for the purpose—that the transfer should take place to the locality I have mentioned.

Diwan Bahadur A. Ramaswami Mudaliar (Madras City: Non-Muhamadan Urban): What are those localities? I thought the Honourable Member referred only to one locality—Ajmer-Merwara.

The Honourable Sir James Crerar: I referred to one locality only.

Diwan Bahadur A. Ramaswami Mudaliar: Is that all that is contemplated?

The Honourable Sir James Crerar: For the present. I expressed the hope, which I trust will be realised, that the particular measure now under contemplation will be adequate for the purpose.

Mr. Gaya Prasad Singh (Muzaffarpur *cum* Champaran: Non-Muhamadan): Why don't you restrict the scope of the Bill only to Ajmer-Merwara? Why do you give these extensive powers to the Bengal Government to transfer the detenus all over the country?

The Honourable Sir James Crerar: The Bill does not confer powers upon the Government of Bengal of their own motion to make any transfers at all. The matter must be regulated by the consent and sanction of the Governor General in Council, and I think it is only prudent that when we are making a legislative provision of this kind we should prepare for possible contingencies of the future, which I trust will not occur.

Now, Sir, in the few remarks which I have to make in conclusion, I shall in the first instance recall the fact that during the Simla session it was my painful duty to bring before the House a Bill dealing with one aspect of the terrorist movement, a Bill of much wider scope than the present Bill, a Bill which certainly had the potentiality of affecting more the interests of the general public, or at any rate of a much larger class of individuals than are concerned in the present Bill. I am very glad to acknowledge, Mr. President, that on that occasion the House showed willingness to co-operate with Government in the matter and the Bill to which I have referred was passed by a very large majority. Apart from that, during recent discussions we have received assurances from a large number of Honourable Members that they condemn the terrorist movement and I infer that if Government came before them once more with the measure necessary to deal with that movement, they would be willing once more to co-operate and to give Government their help and assistance in this matter. With those acknowledgments present to my mind, Mr. President, and with those assurances in my memory, I ask the House to pass the motion which stands in my name.

The Assembly then adjourned for Lunch till Twenty-Five Minutes Past Two of the Clock.

The Assembly re-assembled after Lunch at Twenty-Five Minutes Past Two of the Clock, Mr. President in the Chair.

Diwan Bahadur A. Ramaswami Mudaliar: Mr. President, I am in a peculiarly difficult position to-day

Mr. Gaya Prasad Singh: I rise to a point of order, Sir. Is there a quorum in the House? (The bell rang and a quorum was found to be present.)

Diwan Bahadur A. Ramaswami Mudaliar: Mr. President, I find myself in rather an embarrassing position in rising to speak on this motion, not because I have any difficulty as regards my own attitude, but because of certain remarks that have been made yesterday and the day before by the Leader of the European Group and by the Leader of the House and by other Members of the European Group. We were told that the Criminal Law Amendment Bill, which is now before the House, was going to be a test case, that we would be in the dock and that on our behaviour would depend the judgment—may I hope the favourable judgment—of the Members of the Treasury Bench and of the Members of the additional Treasury Bench who are representatives from the European Associations.

Mr. D. K. Lahiri Chaudhury (Bengal: Landholders): May I ask what is the additional Treasury Bench?

Diwan Bahadur A. Ramaswami Mudaliar: The overflow of the Treasury Bench which we find to the right of my friend, the Foreign Secretary. Sir, we were told that it would be a test case.

Mr. C. S. Ranga Iyer (Rohilkund and Kumaon Divisions: Non-Muhamadan Rural): On a point of order, Sir. I want to draw the attention of the Chair to one fact and also the Honourable the Home Member's attention. The Bengal Council is discussing to-day and is going to reach a final decision as to the question of the release of the detenus, who ought to be released according to the decision of the Bengal Council. It may not be necessary to find them accommodation somewhere in India. Therefore may I suggest to the Honourable the Home Member that this discussion do stand adjourned for one day.

The Honourable Sir James Crerar: I find it difficult to realise that the point raised is a point of order, but if it is a point of order, I can only say that it is the duty of this House, when a matter is brought before it in the normal and constitutional manner, to proceed with that business.

Mr. President (The Honourable Sir Ibrahim Rahimtoola): Before I call upon the Honourable Member in possession of the House to continue his observations, I should like to point out to the Honourable Member (Mr. Ranga Iyer) that the House is possessed of this Bill and that the motion before the House is to refer it to a Select Committee. If any developments take place after the Bill is referred to a Select Committee the House is entitled to decide at a later stage what course it would follow.

Diwan Bahadur A. Ramaswami Mudaliar: Mr. President, I was just referring to the fact that the Honourable the Leader of the House from his responsible position said that this Bill was going to be an acid test of the sense of responsibility which this House is going to show on occasions of this kind. I am sorry that the Honourable the Leader of the House should have taken a most unfortunate case to apply this test, for I shall show that opposition has come to this Bill in the past not from those on whom the suspicious eye of the Leader of the House rests, not occasionally but almost invariably, but from those upon whom he has a kindly eye and from whom he is always entitled to and does invariably get support. On the last occasion, when this House was discussing the Bill, the most vehement, the most strenuous and the most dogmatic opposition came from my esteemed friend Maulvi Sir Muhammad Yakub and from my other esteemed friend Sir Abdullah Suhrawardy. In the course of his remarks my friend Sir Muhammad Yakub said:

"To put it in a nutshell, what does this measure mean? It means that there are 300 detenus in Bengal, that the Government of Bengal are incapable of disconnecting them from the rest of Bengal, and that they cannot prevent secret intercourse between these detenus and the people of the province. This shows the inefficiency of their officers who are in charge of the work. The next thing is that they are unable to provide accommodation for these 300 detenus. Are these two considerations sufficient to bring in such a measure before the House and to deliver a speech of twenty minutes' duration, pregnant with such solemnity?"

When my Honourable friend made these remarks, I believe he was referring to the 20 minutes' speech of my friend Sir James Crerar.

"If the Government of India are prepared to spend lakhs and lakhs of rupees, for instance, forty lakhs of rupees in building a separate recreation club for the sake of half a dozen railway officers, in a town where already an European club exists, it is surprising that they cannot find money to provide separate accommodation for these 300 detenus in the province to which they belong. If they cannot find efficient officers to perform their duties and to stop the sources of connection between these detenus and the people of the province, then they cannot justify their existence in India, on the pretext that they are the guardians of the peace and that the duty of preserving law and order in the country has devolved upon them. These are the only two grounds on which the Government have brought this Bill before the House, and I think that those grounds have got no force and they fall to the ground."

"Now, Sir, the rigour and the extraordinary hardship which this Bill would entail upon those persons who would become victims of this malicious measure (*nothing stronger has been said or can be said by any Member sitting in this part of the House*) have already been fully given expression to by the previous speakers, and I need not go into them over again. Some of these hardships, of course, it is in the power of the Government to remove or to mitigate, for instance, to provide these people with the same food which they get in their own province, and things like that; but there are certain hardships over which the human hand has no control, as for instance, climatic conditions. For example, if you deport a man from Madras to Peshawar, what will be his condition in the month of December?"

My friend, the present Leader of the Nationalist Party (Sir Hari Singh Gour) said that he would be frozen to death. And continues Maulvi Sir Muhammad Yakub:

"Then there is the difficulty about language. If a man living in Madras is deported to a place in my province, say, Allahabad, suppose he tells the man in the jail that he wants some rice. In Madrassi language they call it "Chour". In Urdu "Chour" means a thief. If the deportee wants rice, I do not know how the jail official in Allahabad is going to help him. These are the difficulties of climate, difficulties of language, difficulties of surroundings, over which the Government, even if they wanted to, have no control, and for these reasons, I think that this Bill should not be supported."

That is so far as Maulvi Muhammad Yakub, as he then was, is concerned.

Now, I come to Dr. Abdullah Suhrawardy, a gentleman who has certainly on all critical occasions come to the support of the Government as one who has understood the gravity of the situation and who has realised the importance of the position he occupies as a Member of the Legislative Assembly. He takes not merely the obverse but the reverse side of the picture and looks at it in a cool, dispassionate and unbiassed manner.

Let us see what Dr. Suhrawardy says on the present measure :

"But I myself had to suffer some privation and to undertake a journey from Calcutta to the Hooghly jail to persuade this young man; and I was glad that the result was satisfactory because he immediately gave up the hunger-strike. But is it always possible for me or any other person, however enthusiastic he may be, to undertake a journey from Calcutta to say, Mandalay, and persuade a man like Mr. Satyendra Chandra Mitra,"

I hope there will be no necessity for that,

"or any other person, if he adopts the suicidal attitude of going on hunger-strike, as would be possible for us to do if any such man were incarcerated in the Alipore jail? I ask what facilities do we get; what facilities do the relations and persons incarcerated and transported outside the province get for interview? What facilities would you give me and other Members of the Assembly, who would like to visit detenus in jails and satisfy ourselves as to the treatment accorded to them?"

My Honourable friend the Leader of the House who is in charge of Commerce and Railways will note what follows :

"Am I going to be given a gold pass to travel all over India and to visit the Yeravda jail or the jail in Coimbatore or to go to the North-West Frontier Province or Burma? I cannot afford at my own cost, in spite of my enthusiasm to undertake a journey and then be confronted with all sorts of difficulties when I approach the jailor there."

And he concludes,

"Any way I have already foreshadowed my reasons for being disinclined to support the Bill."

Then he qualifies himself, the careful gentleman as he always is,

"I do not do so, Sir, in any spirit of obstructionism or opposition."

That is a special charge which can be levelled against men like myself. I therefore say that it was a most unfortunate example that my Honourable friend Sir George Rainy could have taken to test the quarters from which support is to come and to test the quarters from which general obstruction may come. What is the history of this measure itself? When the Bill was before the House on the last occasion, my Honourable friend Mr. Abdul Matin Chaudhury suggested that it might be circulated for opinion, and having read all those opinions, I ask the Honourable Sir James Crerar whether he is not satisfied that that course was a wise one. Is he not to-day more enlightened about the attitude of Local Governments in this matter? Has he not derived very useful information from the fact that Government after Government have given their reasons, very cogent and very strong reasons, as I shall presently show, why they should not have these political detenus dumped in their province. Let me take one or two of these Governments and see what their attitude is, the responsible attitude of a responsible Government, Executive Council Members who take the oath of office and the oath of allegiance to His Majesty, and Members who, therefore, are not in the category of obstructionists, and

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of men who merely try to thwart the progress of the legislative measures in this House, but men who have as much administrative experience as the Honourable Sir James Crerar has had or the Honourable Sir George Rainy. Let me take the opinion of my own province, Madras, where the Government have always tried to do their level best to see that subversive activities of every kind are not allowed to spring up or develop in any considerable degree. Says the Madras Government through its Secretary of the Law Department:

"I am directed to enclose copies of the opinions of the undermentioned officers and gentlemen who were consulted by this Government and to say that this Government are opposed to the provisions of clause 2 of the Bill. They are of opinion that the Bengal detenues are likely to undermine the discipline and spread the revolutionary movement in the jails of this Province, that the Government of Bengal may make their own arrangements to accommodate their terrorist prisoners in a proper place of detention within the province."

Does my Honourable friend Sir George Rainy still think that the Criminal Law Amendment Bill is a test case, and if he thinks so, is it going to be a test case only for the unfortunate non-officials, men like myself, or is the test going to be equally applied to the Government of Madras? Take again another province, a first rate province, a full-fledged province, a province which has had Governors since the days of the inception of the East India Company. I turn to the province of my friend Sir Cowasji Jehangir who probably knows something of those gentlemen who are to-day Executive Councillors—probably one or two of them were his colleagues in the good old old days, in the days before he lost caste by becoming a Member of the Legislative Assembly, I turn to the Province of Bombay. Mr. Collins, Secretary to the Government of Bombay, Home Department, writing a courteous letter to the Secretary to the Government of India, Legislative Department, says:

"The Government of Bombay consider that there is a very real danger that the transfer of persons committed to custody under the Act in question to the jails of this Presidency will result in the contamination of the prisoners in those jails. They, therefore, are decidedly of opinion that such persons should normally be kept in the jails of their own Province. They would, however, be willing in case of emergency to take such persons on conditions that their number would be very few and that they would be consulted in each case before the transfers are made. They are further of opinion that the practical difficulties attending such transfers should not be lost sight of and in this connection I am to enclose a copy of the letter from the Inspector General of Prisons in this Presidency."

I shall not weary the House by reading out the various objections that the very experienced Inspector General of Prisons of the Bombay Presidency has put forward to the measure. I ask again the Honourable Sir George Rainy, is the acid test going to be applied to the Government of Bombay, or is it going to be confined, at the dictation of my Honourable friend Sir Hugh Cocke, the Leader of the European Group of this House, to the non-official Members here who are tarred by the same brush and who are supposed to be always of an irresponsible and obstructionist nature? These are weighty opinions from responsible Governments against the measure. But I am not prepared to-day to take up the position of not allowing this Bill to go before the Select Committee. I am prepared to show a greater sense of responsibility, even at the risk of being misunderstood by some of my colleagues, in this part of the House, than the Government of Bombay or the Government of Madras have done, and I say

that, not because I feel any cheer in responding to the appeal for co-operation which the Honourable Sir James Crerar has held out to us to-day, but in spite of the very obvious injustice that he did to the Assembly yesterday. What was the suggestion behind the speeches of the Honourable the Leader of the House and of the Leader of the European Group in the debate of yesterday? What was the suggestion except that this House was not qualified to discuss this question or at any rate that they were not going to trust this Assembly to take up a measure of this kind and yet to-day they come forward and say, "Here is an opportunity given to you to co-operate with us if you like". Sir, it reminds me of a very old story. "Love me, love my dog" says the fascinating flapper, and the gentlemen on the Treasury Bench say, "Support us, support us even when we treat you with contempt, when we will not take you into our confidence and when we refuse to allow you to partake in the responsibility of passing those laws for which, as I have once before observed, this Assembly is primarily constituted". But in spite of that I am willing to allow this Bill to go before the Select Committee (Hear, hear) because I know that some time or other, sooner rather than later, even the Honourable Sir George Rainy will feel that he has done an injustice to this House by the attitude that he has taken up and by the manner in which he has repeated arguments which might lie well in the mouth of a non-official irresponsible gentleman like Sir Hugh Cocke but which certainly do not sound well and do not seem even politic from the mouth of my Honourable friend Sir George Rainy.

Mr. B. Das (Orissa Division: Non-Muhammadan): He is part of the machine.

Diwan Bahadur A. Ramaswami Mudaliar: Let me now proceed with the further remarks which I wish to make with reference to the measure itself. Sir, the measure proposes that the Government of Bengal, with the sanction of the Governor General, may transfer any of these Bengal detenus to any of the provinces. I take exception to that. I take exception to this on the ground that the Governments themselves have put forward the argument that you have no business to dump on other Presidencies and to the care and charge of other Governments, prisoners who cannot be kept in restraint in your own province. Sir, the most amazing part of the speech of my Honourable friend Sir James Crerar was that in which he frankly admitted that the Bengal Government was an incompetent Government.

The Honourable Sir James Crerar: Sir, if I may rise to a personal explanation, there is no passage in my speech which would justify that construction at all. I said that the Government of Bengal were confronted by certain grave difficulties, and I considered it the duty of the Government of India and of this House to render them assistance. There was not a single word in my speech which could justify the suggestion of the Honourable gentleman opposite that I cast any reflections upon the competence of the Government of Bengal.

Diwan Bahadur A. Ramaswami Mudaliar: I would have been very green indeed, Mr. President, if I thought that Sir James Crerar would get up and say in so many words that the Government of Bengal were incompetent. But when he suggested that covered letters were issued by these men, that their instructions were carried out by the revolutionaries, that the whole system of jail administration in Bengal was such that it was honeycombed by sympathisers of these detenus from the warders and jailors

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upwards,—and that was the only construction I could place upon his remarks,—that it was impossible for jail discipline to be had, that it was impossible for proper watch and ward to be had over the visitors who visited these detenus, and the sort of things that could be smuggled out from these jails, what other construction was legitimately open to me than to suggest that whether the Bengal Government was competent or not the administration of the jails in the Bengal Government was something scandalous? I ask my Honourable friend to consider what he himself has said, to read over his speech again and to see the implications of the various statements he made. And, Sir, my Honourable friend said that these are facts,—which emphasis I appreciate, I do not question them. I ask, therefore, what other inference is there than to suggest that there is something rotten in the administration of jails in the Bengal Presidency? If that were not so, what is your justification for coming forward with this Bill? If the powers that you now have, powers of supervision over these detenus, powers of controlling interviews by visitors, powers of checking the visitors as they pass out from these jails and from the detention camps, if these powers are properly exercised, then what justification is there for you to come forward and say that these detenus ought to be transferred to other provinces? You cannot have it both ways. Your justification for this Bill is that in the province of Bengal it has been found absolutely impossible to exercise control, either because the officials are not supporting you enough or because there are various ways of getting at these officials, suborning the lower officials of the Jail Department or for a variety of reasons all of which go to emphasise the point, and therefore the administration of jails in Bengal is as rotten as it possibly could be. Therefore it is that you have come forward with this Bill and say that these detenus should be transferred to other provinces. I hope my Honourable friend Sir James Crerar, when he reads his speech, will realise that I am right in the implications I read into what he himself has said.

Now, Sir, I come as I said to the Bill itself, and I say that it is a preposterous thing that the Government of Bengal, with the previous sanction of the Governor General, can send its detenus to any province it likes and merely issue an ukase like one of its Ordinances that that province should thereafter keep these people in proper control. Sir, we hear a great deal of provincial autonomy. I do not know when it is coming; I myself have opposed the idea of provincial autonomy coming a day sooner than when this House becomes a responsible House and the Members on that side become responsible Members. But whatever it may be, when you are talking of provincial autonomy, is it consistent with that that you should by your own sweet and free will without any sort of consultation with the Local Governments and without any sort of volition on their part carry out these measures according to your own reasonableness or according to your own dictates? It is impossible that that state of things should be tolerated. Indeed without having any sort of brief on behalf of any of the Provincial Governments, I say that I oppose the idea that, without previous consultation and indeed consent of the Provincial Governments, any detenu should be transferred to any of these provinces. If this Bill were to go before the Select Committee, I would make it a condition precedent to my acceptance of this Bill when it comes back, that a provision should be included not merely for the sanction of the Governor General, but also for the consent of the Government or Administration concerned. My

friend Diwan Bahadur Harbilas Sardas was very much excited, and naturally so, when Ajmer-Merwara was referred to. "Of all places in India why my unfortunate province should be taken up and why all these detenus should be brought there and kept in the charge of my administration", says Diwan Bahadur Sardas, "is one of those Eleusinian mysteries which I cannot understand". But if Ajmer-Merwara were to be taken up, at all, I suggest that it can be taken up only with the consent of the Administration of the province. Now, Sir, Ajmer-Merwara, I mean no sort of offence to my friend, is a very small area in a very small administration directly controlled by the Central Government under the immediate superintendence and control of the Honourable Sir James Crerar,—(*An Honourable Member*: "No, under the Foreign Office.")—I stand corrected,—under the greater grip of the Foreign Department and the Foreign Secretary than under the somewhat salutary administration of my friend in the Home Department. What does this Administration of Ajmer-Merwara say on this question? I should have thought that they would have accepted with whispering humbleness and bated breath a proposal coming from such an august source as the Home Member of the Government of India, the proposal that is contained in this Bill. But it seems to me that the most seditious among all people are the various Administrations concerned so far as this Bill is concerned. The Administrator of Ajmer-Merwara says . . . (*An Honourable Member on the Government Benches*: "He says he has no objection".) I am going to read the whole of that and I am not going to omit any proviso. It has not been my practice and I am not going to start a new practice in this House to-day. Therefore if only the back-benchers on the Treasury Benches will possess their souls in patience, I will place the whole of that letter before the House. The Honourable Mr. L. W. Reynolds, C.S.I., C.I.E., M.C., I.C.S., (now Sir Leonard Reynolds) Chief Commissioner of Ajmer-Merwara, says:

"With reference to letter No. F-109-I./131-A., dated the 9th February 1931 from the Government of India in the Legislative Assembly Department on the subject mentioned above, I have the honour to state that I agree with the views expressed by the Judicial Commissioner that so far as clause 4 of the Bill is concerned without a provision of this nature the entire object of the Bengal Criminal Law Amendment Act would be defeated. . . . So far as Ajmer-Merwara is concerned this Administration is not interested in the provisions of the Bill except so far as it permits the transfer of Bengal detenus to, say, the Ajmer Jail."

—and these are the words to which I invite the specific attention of the Honourable Member—

"I presume that this Administration would be consulted before any particular detenu was so transferred. On this assumption I see no objection to the provisions of the Bill."

Is that a small assumption? What was my point? It was that you shall not transfer these detenus without the active consent and co-operation of the Government or Administration concerned. And here is an Administration which says that not over the whole policy of transfer even but over the question of transferring every single detenu you ought in each case to take the specific approval of the Administration concerned.

Sir, I shall not weary the House with quoting more opinions on this subject. They are all more or less of the same opinion, except the Government of Bengal which of course, having managed its jail administration so wonderfully and so splendidly, is certainly not opposed to other provinces also learning lessons in jail administration and jail discipline by having the Bengal detenus under their control. Therefore, I would suggest in the first place that when this Bill goes to the Select Committee, there must

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be a provision that no detenu should be transferred to any other province unless the specific consent of the Government of that province or the Administration in that area is taken.

Then I come to the question which has exercised the minds of many of my colleagues here, the question of the facilities that ought to be given to these detenus when they are transferred to other places. I think it is a very real question; I think it is a question on which there can be no difference of opinion whatsoever, and I think, however attractive the place may be, it is perfectly clear that, unless there are those facilities as regards diet, the Government will take a very grave and very heavy responsibility indeed by making these transfers. I see that in one of these opinions an Inspector General of Police lightly says that there ought to be no question about these dieting arrangements and there ought to be no difficulty raised—while in Rome, behave as the Romans do. While in Madras eat the Madras curry. It is all very well to say that, but these detenus are not in Rome of their own sweet will and pleasure. If I go on a visit to Rome I perhaps have to put up with inconveniences; but even that is not the case so far at least as most Members sitting on the Treasury Benches and their nationality are concerned. I know exactly how they do and what they do; whenever they go anywhere on the continent or to any part of the world, they carry little England with them: they must have, shall I say, their porridge and their buttered toast and not the Continental breakfast; they must have their chops underdone and not the dishes however finely and sweetly made, in the Parisian restaurants or in other places to which one has to go. While in Rome they are the last persons to do as the Romans do. (*Lieut.-Col. Sir Henry Gidney*: "Have you tasted any of those dishes?") I have tasted some of them and I have had the guidance of friends like Sir Henry Gidney in the taste of other things which I cannot possibly taste myself. Therefore it seems to me it is not so light a question: you cannot say while in Rome do as the Romans do, and eat Bombay *chuppattis* if you cannot get your Bengal rice and *dal* and fish. You must provide facilities to ensure that their dieting arrangements are properly done because otherwise, as I have said, very grave responsibility is being taken by the Government in the matter.

I should now like to invite the attention of Honourable Members to one opinion which has been given by a non-official member, again to emphasise the fact to my friend, Sir George Rainy, that we non-officials are not so irresponsible as we are sometimes made out to be. I should like to remind this House of a gentleman who was a Member of this House on the last occasion, my Honourable friend, Mr. Venkatramana Iyengar, who came and sat on the Nationalist Benches for a few short weeks. He came from the constituency which the Honourable the Deputy President has the honour to represent. He was once very closely associated with the Congress, believes in the cult of Swadeshi and is known as a public spirited gentleman; and I should like to place before the House the opinion of Mr. Venkatramana Iyengar on the provisions of this Bill. He says:

"When I first read the Bill, I thought that its provisions were quite simple and appeared to me to be unobjectionable. When I read through the proceedings of the Assembly, however, I found that there was a strong opinion against the Bill being passed into law. But I must say that I have not had any reason to change the original view even after reading the proceedings of the Assembly."

Then follows his opinion as regards the merits of Coimbatore Jail to which I specially invite the attention of my friends:

"One of the speakers in the Assembly coupled Coimbatore with Mandalay and spoke in a spirit of keen dislike towards Coimbatore."

I think it was my friend Mr. Abdul Matin Chaudhury who did that grave injustice to the sweet town of Coimbatore from which the Honourable the Deputy President himself comes.

Mr. B. Das: I do not mind myself going to Coimbatore.

Diwan Bahadur A. Ramaswami Mudaliar: Mr. Iyengar says—

"I may assure him and others of that opinion that for reasons of climate and company, Coimbatore is a lovely place and no one will ever regret having come to the Coimbatore Jail." (Laughter.)

A broad invitation, Sir, even to the occupants of the Treasury Benches:

"The present Superintendent is a very nice officer (lest there should be any doubts as regards the treatment that may be meted out to these detenus) and the subordinates in the Jail and the members of the local Discharged Prisoners' Aid Society are so ready to help outsiders that no one will ever desire a change to any other place."

They will look after you when you are in jail; and when you come out 3 P.M. there is the Discharged Prisoners' Aid Society, who will take care of the discharged detenus if they happen to be in that unfortunate position. Then, lest he should be misunderstood, my friend makes it clear:

"I am not speaking from any feeling of self-flattery."

And then follows this remarkable testimony which Coimbatore has obtained and which my friend has published to an interested world:

"Mr. V. J. Patel, one of our greatest leaders and one of the most well-known ex-Presidents of the Assembly authorised me once while he was in this Jail to say that he would under no circumstances like to be transferred from this Jail to any other Jail." (Laughter.)

I hope my Honourable friend, Sir James Crerar, will remember that when he thinks of the place in which Mr. Patel now is

An Honourable Member: Where?

Diwan Bahadur A. Ramaswami Mudaliar: Echo answers "Where". The Government of India have no intention of disclosing the places where some of these gentlemen who are detained under Regulation III of 1818 or the corresponding Regulation of Bombay are at present, for reasons best known to themselves.

Now, I suggest that there should be a very definite provision that the conditions under which these detenus live at all they should be transferred to any place outside their own province should be adequately safeguarded, safeguarded by legislation, and that is what I am suggesting to the Select Committee. You ought to have provisions whereby there should be a strict obligation cast upon the Government. These people should not be at the sweet will and pleasure of any Inspector General of Police or Superintendent of Jail who tells them that while in Coimbatore they must behave as Coimbatoreans do. I do not know how they behave—but that is what a Superintendent of Jail might be inclined to say if he

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has not got a legislative restriction that he should treat them as they would have been treated if they had continued to be in Bengal. It is for your convenience, for the sake of the facilities which you want, that they are transferred out of that atmosphere and placed elsewhere; and there ought to be a provision that in the matter of dieting in the matter of clothing and in the matter of those amenities which are essential for the ordinary comforts of life, they should have those amenities which they were accustomed to have in Bengal.

I do not think that I should take up more of the time of the House. As I said I do not know whom the acid test is going to be applied to. In my opinion the acid test is to the Government and not to us who are on this side of the House. We told you yesterday that if you meet us in a reasonable spirit, if you take us into your confidence, if you ask us to discharge the responsibility which is rightly ours, we are prepared in an unprejudiced and unbiassed manner to discharge those responsibilities. Yesterday it was a different story. My Honourable friend Mr. Arthur Moore with his heart in the "Ayes" lobby took his steps to the "Noes" lobby, and I am sure many other Members did the same thing, and it was acclaimed as a great Government victory in a local daily newspaper in Delhi. Whether it is a Government victory or a Government defeat, I ask those who have analysed the figures which the courtesy of the Editor of the *Statesman* has put in the top lines to see for themselves whether it was a Government victory or a Government defeat. On this motion, the adoption of the reference to Select Committee will show that morally at any rate the Opposition have scored every time.

Diwan Bahadur Harbilas Sarda: Sir, I rise to enter my strong protest against the enactment of this Bill.

My province is a non-regulation province. It has not got a local Legislative Council to voice its sentiments or record its opinions on enactments. Whenever reforms are introduced, Ajmer is ignored; whenever a province is raised to the position of a Governor's province, Ajmer is ignored. Why! Perhaps because it has not given sufficient trouble to the Government. Sir, whenever a beneficent activity has to be encouraged, Ajmer is never thought of. The Ajmer-Merwara Administration is starved. Sufficient funds are not provided for its proper administration. But when you want to do anything disagreeable, when you want to do a thing, a difficulty to overcome which even the Bengal Government is unable to cope with, you think of Ajmer. You say Ajmer-Merwara is the place where a certain thing should be done.

You say that Ajmer has a good climate. Is that any reason, Sir, why it should be turned into a penal settlement? Is Ajmer to take the place of the Andamans? (Laughter from the Nationalist Benches.) (*An Honourable Member:* "It has a very good climate".) Is Ajmer an uninhabited province with large tracts of unploughed lands. Is there any large virgin jungle in that province? Is Ajmer a place cut-off from civilization like the Andamans? (*Voices:* "No, no" and Laughter.) Is Ajmer to be re-barbarised (*Some Honourable Members:* "Re-barbarised?" Laughter) in order to solving the difficulties of Government which are of their own making? Because Ajmer is peaceful, because its citizens are gentle and law-abiding, because in the Great War they furnished the

largest percentage of man power to go to Europe for the British Government, is this the reward that you are going to give to the people of Ajmer—turning the place into a penal settlement? (*Some Honourable Members*: "It is a very good place".) Strange are the ways of God, but stranger are the ways of the Government of India. After what has been stated by my friend Diwan Bahadur Ramaswami Mudaliar with regard to the beauties, the conveniences, the comforts and the great merits of Coimbatore jail, why don't you send your convicts to the Coimbatore jail, why think of poor Ajmer? (Laughter.) Leave us alone for Heaven's sake, and send your men to Coimbatore. Leave my province alone, please. If you love me why do you kick me? If you like Ajmer, if you think that Ajmer is inhabited by peace-loving citizens, why do you want to send your convicts there? Sir, in the name of my much neglected province, in the name of five lakhs of people residing there, I protest against this Bill. If your intention is to inoculate the ignorant but peaceful people of Ajmer-Merwara who are not yet initiated into the mysteries of Western civilization with revolutionary ideas, if you want to inoculate them with the doctrines and opinions which the detenus hold or are supposed to hold, then send them to Ajmer-Merwara, give them perfect freedom to mix with the people there; tell them not to go out of the district till all the people of that province have become their disciples, and then reap the harvest of your own sowing. But, Sir, as the Honourable the Home Member said, he wants to make Ajmer the victim of the mistakes and the incompetence of others, I must protest and protest strongly against the enactment of this Bill.

I may also say that on general grounds a person who has been detained in prison without trial should not be transferred to another province; it is unjust and unfair to send him out of his own province and keep him in a strange environment. As has been clearly pointed out by my friend Diwan Bahadur Mudaliar, it is because the Bengal Government are unable to cope with the situation, which situation has been created by the Government of India by detaining people without trial, that Ajmer-Merwara is made the victim and is to be sacrificed at the altar of expediency. Sir, I oppose this Bill.

Mr. S. C. Mitra (Chittagong and Rajshahi Divisions: Non-Muhammadan Rural): Sir, I must make it clear that I was against the principle of this Bill from the very beginning. The main object of this Bill is merely the transference of Bengal detenus from Bengal to other provinces. I find that whenever the Honourable the Home Member addresses the House about the detenus, he wants to prejudice the issue and mislead the House by giving a big catalogue of all the terrorist crimes committed in Bengal. Yesterday this House by its Resolution expressed its strong condemnation of terrorism and violence. Of course, that Resolution was opposed by Government. I do not know whether they approved or disapproved of the condemnation by opposing the Resolution, but this side of the House made it clear that it condemned violence and terrorism in the strongest possible manner. Then why on every occasion should the Honourable the Home Member come before this House and give us a catalogue of the terrorist crimes committed in Bengal? I thought of raising a point of order on the ground of irrelevancy but I found that similar objection was raised last time, but was over-ruled and you, Sir, permitted the Home Member to narrate the details of some of the crimes committed, on the general ground to enable him to make his position clear when introducing

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such legislation. If it is permissible, Sir, for the Home Member to mention on every occasion and to give a long list of terrorist crimes, will you, Sir, permit me to tell this House how in this land of ours, where every one is peace-loving, this terrorist movement has come into existence? Has this Government tried to root out the real causes that have brought about this movement? My friend the Honourable the Home Member mentioned so many cases of attempts at assassination and cases of actual murders which everybody deploras, but the real reason is it is the short-sightedness of these little minded statesmen who happen to preside over the destinies of this land that impels these revolutionaries to murder others and sacrifice themselves. If I had the time, Sir, I could show that whenever there was a recrudescence of terrorist crime, it was preceded by cruel repression; it is all moving in a vicious circle; Government take recourse to severe and harsh measures, and that exasperates the people. As I said, we all sincerely deplore the murder of such a good official like Mr. Peddie. I shall be the last man to justify it on any ground, but will you permit me to tell the House what was the condition immediately preceding that obtained in that unhappy district of Midnapore, how many poor and innocent villagers have been killed by Government's repressive measures? There are some reports from un-official authentic sources, but unfortunately they are not allowed to be published. Then take up the latest case of murder in Comilla. Every reasonable and sensible man condemns such murders, but if you go deep into these matters, you will find that Government themselves are responsible, their repressive measures are responsible for the present trouble.

Just recall to your minds as to what happened in the Hijli jail. It was admitted in the inquiry, which was held by the Government officials, that two people were murdered, two of the detenus were killed. They were shot dead. It was established in the enquiry that there were no responsible officials, and the police took the law into their hands and indiscriminately killed these people. What steps did the Government take to see that such things did not happen again? Similarly in every other case. What about Chittagong? I can read here from the report of the non-official enquiry committee and which was published openly in Calcutta. Mr. J. M. Sen Gupta, who is now under restraint, made a public speech in the Town Hall of Calcutta and challenged the Government to prosecute him if there was any inaccurate statement anywhere in that report or in his speech. The Government did not accept the challenge. Now, to-day I understand that there is a motion in the Bengal Council to censure Government for not having taken steps to prevent the occurrences mentioned in these reports. There was even an official enquiry, and all these months they have been sitting idle taking no notice of these reports.

Really it is no pleasure to anybody to risk his own life. If you like, I can convince you however much you may disagree, but it will take time because it will mean a long speech. I can explain to you why sometimes, even public bodies like the Calcutta Corporation had, in spite of themselves, to praise the courage of some of these people. What is the underlying principle that actuates these people? We are very much against their action, against their method, and I further admit that in a troublesome time like this it is not good policy to discuss it even in public, which might in any way encourage even indirectly any such crime. There is the risk—I admit all that. But you should consider what is really at the back

of the minds of these revolutionaries. You give the Victoria Cross to a man who kills the largest number of the enemy in a war. Because he kills, he murders, he is more effective in killing and more successful than others, you praise him, and you praise him all the more. Why? Because he is actuated by the motive of self-sacrifice, though his action amounts to violence and murder. Similarly you must look at the spring of action that actuated these men. It is mere cowardice to say that you do not admire the selflessness of these men. But that is not the point here. We all condemn their action because we know that they are not going to achieve by this action the purpose they want to serve. I appeal to the Government to feel to appreciate what is actually moving these people; otherwise you cannot cure this malady by merely passing this Ordinance and that Ordinance. This is not an occasion to deal with all these matters, but I find every time the Honourable the Home Member tries to prejudice this House by giving a history of the terrorist crimes in Bengal. I will read with your permission some portions from the report of the Chittagong Non-Official Enquiry Committee. I will read their findings where they say:

"1. The affairs of Sunday night were the result of concerted action by European non-officials, European officers and Muhammadan police.

2. Monday's looting was with the knowledge of the local authorities and at the instigation of the police. It was started and carried on under the protection of the police.

3. In the mofussil, the disturbances took place under orders from the local authorities.

4. Behind the disturbances, which had been planned, the motive was to terrorise people, particularly the Hindus.

5. The following names have repeatedly been mentioned by witnesses, as being associated with the atrocities."

Then they give the names. They say in the very beginning that their conclusions were not based on hearsay evidence, but that the local enquiry consisted of:

"a visit to all the places where disturbances had taken place on the night of Sunday, the 30th of August, and on the following Monday Tuesday and Wednesday (2) taking of evidence from sufferers, eye-witnesses and other local people who were able to describe the state of things in Chittagong at the time, and (3) taking of photographs illustrating scenes of destruction."

They got all this actually from the persons who suffered in the course of those riots.

Mr. A. H. Ghuznavi (Dacca cum Mymensingh: Muhammadan Rural): What is the Honourable Member reading from?

Mr. S. C. Mitra: I am reading from the Report of the Non-Official Enquiry Committee on Recent Disturbances in Chittagong, September, 1931. It was openly published and the Government was challenged to show if there was any inaccuracy and to bring such action as they liked if there was anything which was not correct:

"But the most pitiful evidence came from the daughter of Sreejut Bipin Behari Sen, whose house had been raided also about midnight. After the first search of the house, the police took away her two brothers. Three Gurkhas returned again, forced her father to open the door, and entered the house on the pretence of a further search. While one or more of the Gurkhas prevented the father from coming to her aid, other Gurkhas attacked her and subjected her to a brutal and cowardly assault. When she attempted to cry out, they gagged her. Her father too was struck when he made a desperate attempt to protect her; when he was overpowered and his nose began to bleed, the Gurkhas renewed their assault on her. The Gurkhas eventually went away with a gold ornament and some gold coins."

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I will show how European journalism in Calcutta has become degraded and incited people to all these crimes :

"The 'Panchajanya' Press is housed in that locality of Chittagong which is known as Rahmatganj. It is the press in which the popular, nationalist paper 'Panchajanya' is printed. It was raided some time after 10-30 p.m. by a party of Europeans armed with revolvers. S. J. Hirendralal Choudhury, who was in charge of the press, was assaulted and he fell down in semi-conscious condition, with a wound in the head which bled profusely. He was able to recognise one of his assailants, Mr. Baker, Signalling Engineer in the Assam Bengal Railway. There were also on the scene two more Hindus employed in the District Intelligence Branch of the Police; the name of one of these was given to us as Charu Chandra Choudhury. The employees of the press were made to hold their hands up, while the furniture and the machinery were wantonly broken. As the machinery could not be easily broken two of the raiding party (Europeans) went out in a motor car to fetch two large hammers with which they eventually succeeded in completely smashing the treadle-machine, the motor and oil engine. The types were scattered on the floor, the typewriter was rendered useless and even a map of the district of Chittagong was torn up. There was Lewis gun placed at the door of the House. It is significant that the raiding party repeatedly asked for Sreejuti Ambika Charan Das, the proprietor of the press who was then in Calcutta."

The *Statesman* of Calcutta just before gave the advice that the nationalist press should be adequately punished and mentioned this press also as one of the offenders. I must tell the Government that if they want to root out this terrorist activity, if they want the co-operation of every man, they must try to remove the real causes of all this disaffection. I know this question only arises here incidentally, and that the main issue is about the transfer of these detenus. I ask why should these detenus be transferred to other provinces? I may tell the House that even if this House refuses to pass this Bill the Government have ample power to do what they like. As a matter of fact, detenus have been transferred from Bengal to other provinces. I should like to ask the Honourable the Home Member, in right earnest, why he has come before this House when he has got those very powers. Let him say that he is agreeable to repeal Regulation III of 1818, and then of course, a suitable measure with such modifications as may be deemed necessary may be passed. But now you have sufficient powers to do as you like under Regulation III of 1818 and why do you want to load the Statute-book with a number of laws to do the same thing? You have already transferred a number of these detenus to other provinces. In reply to a question of mine the Honourable the Home Member had to admit that some of the Bengal detenus who had been arrested under the Bengal Criminal Law Amendment Act had been transferred to other provinces. I consider that the present Supplementary Bill is unnecessary. That is my first charge. Therefore I consider that even at present Government have got sufficient powers. The only argument that Sir James Crerar put forward when he moved this Bill was this. I shall read from his speech :

"It has been known, I regret to say, and there have been very strong reasons to suppose, that terrorist activities, terrorist conspiracies have in point of fact had some contact within the jails. It is a condition of affairs which, however, deplorable we must face. It may be, and I am afraid in some cases it probably has been the case that many of these prisoners have been in a position to exercise influence on subordinate officers of the jail. Such a contingency must always be a reasonable apprehension and I have very strong reasons for supposing that has occurred."

If that is the only purpose why the detenus must be transferred, that the jail authorities in Bengal cannot be sufficiently trusted, I shall quote from

the opinion of the Inspector General of Prisons in Burma who says the same thing may happen in Burma as well. I shall read from his opinion :

"In reply to your letter No. 158-W.-31, dated the 25th February 1931, I have the honour to say that with reference to the remarks of the Honourable Sir James Crerar that 'It may be, and I am afraid in some cases it probably has been the case, that many of these prisoners have been in a position to exercise influence on subordinate officers of the jail. Such a contingency must always be a reasonable apprehension and I have very strong reasons for supposing that it has occurred' the same argument applies to the jailors of the province to which these prisoners are transferred. For example, in Burma, State prisoners at Bassein were able to get at a jailor or jailors and succeeded in smuggling out copies of a memorial they had submitted to the Secretary of State with the result that long before the memorial could be considered by the various authorities, it was published verbatim in a well known paper of Calcutta."

You will see that he says that the same thing may happen in Burma as well. By mere transference to another province you cannot safeguard your interest. So my point is that you will not gain your point by sending them to another province. The other point is about overcrowding. You know that the jails in every district throughout the length and breadth of India are overcrowded. They are almost full or will be full very soon. That will give no relief to the Bengal Political Department. As a matter of fact they have started their own camp in Buxa which is in a far off place in the Jalpaiguri District, it is 13 miles from the nearest railway station, a desert-like place.

Mr. A. H. Ghuznavi: A very healthy place.

Mr. Amar Nath Dutt (Burdwan Division: Non-Muhammadan Rural): Do you want to go there?

Mr. S. C. Mitra: It is malarial. Otherwise it is healthy. My point is that if any relative wants to see the detenus, the place is 13 miles from the nearest railway station and he must travel by bullock cart, which takes several hours. There are no passengers in that way. They have put some thatched huts and barbed wire round, in a dilapidated forsaken old fort there. The Honourable the Home Member promised that in the Select Committee he will look into these things and he said on the last occasion :

"Nevertheless I do frankly recognise that the provisions of the Bill for removal to other provinces do involve hardships of a special character. I admit that. Our policy in regard to this matter, when under the Act of 1925 a certain number of such transfers had to take place, was to impress upon the local Governments that so far as possible the conditions of detention in Bengal should be reproduced. Questions of climate, questions of food and other questions which have been raised by Honourable Members are always carefully considered and every attempt is made to secure that, so far as conditions permit, there is uniformity; that there is, as I say, an endeavour to reproduce in the province of transfer as far as possible the conditions in Bengal and if this Bill is passed and if occasion arises for the transfer of detenus to other provinces I am prepared to give an engagement that that aspect of the question will be very carefully borne in mind and that the Local Government concerned will be informed of our views in the matter."

I know what it means when Government give an undertaking. They get a report from the lowest official and it is always endorsed by the higher hierarchy of officials, and the last word from the Honourable the Member in charge saying that the Government of India after due deliberation have accepted it. I am taking more time over this because I am the only person in this House who knows from personal experience, better than even the Honourable the Home Member, as to what the inconveniences and the

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difficulties of the situation are. Government may call the detenus suspects, but you must remember that there is no sufficient evidence against them to take the matter to a court of law. They are not convicts. They have never been before any court of trial. So any reasonable man will only consider them in the worst as under-trial prisoners. Government themselves admit that they have not sufficient evidence against them to put them on trial. When I was in Mandalay Jail, the Chief Jailer there said that he had never heard of detenus and he told me that they must be like ordinary prisoners. He said he had no instruction from his Government. So I was asked to stay there like an ordinary prisoner. He had no other instructions. As a matter of fact it takes a couple of months, being in a distant place like Burma, to get instructions from the Bengal Government. In a new province, where they have no experience of detenus, to begin with at least, these detenus will be treated as criminals, like capital sentence prisoners in solitary cells to be let out only for half an hour in the morning and half an hour in the evening. You are yourself convinced that you have not sufficient evidence against these men. When you deprive these men of their liberty and detain them, why don't you treat them like men? That is the main ground why I oppose this transference. If a relative wants to see the detenu, he spends money and goes to the place. The jailer says he must get the permission of the jail authorities who refer the matter to the Political Department in distant Bengal. This is inevitable. I do not say that Government intentionally create these delays. But we know the way Government machinery works. It takes a long time to get through this correspondence. I tell you it becomes almost impossible for any detenu or internee to have an interview with their near relations.

I do not like to dilate on the other point as regards restrictions, more so because my friend, Mr. Ramaswami Mudaliar, explained that really it is a reflection on the Bengal jail authorities. But I say that in Bengal the jail is under the supervision and control of the police, and the C. I. D. It is the C. I. D. Special Branch through whom one has to go for an interview, and it is they who approve of your request for an interview and fix the time. They send their men to be present there during the interview and it must be in their presence. Even after all this supervision, these people are charged by the Home Member for passing clandestine letters. Even in the presence of the Police Officers you think that these letters can be passed through? Then, I do not know how you can check it. But personally I do not believe that it is possible. In that case it should happen in other provinces as well. Anyhow it only shows that you should improve on the system of check if that is at all possible of improvement. It does not mean that therefore you must transfer these people to different out-of-the-way places. You should improve on the efficiency of your police, but it will not help by sending these detenus to other provinces.

I will tell from my own experience how this Criminal Law Amendment Act is worked in order to show how these transfers add to the tyranny. As I say, I speak from my own personal experience. Only a very short time ago a nephew of mine was arrested. It was on the 2nd of January. He is a post-graduate student in the University. In the newspaper of the 4th I read that he was produced before the Additional Chief Presidency Magistrate. There was news in the papers that he would be produced on the 11th January, in the Court of the Additional District Magistrate of the

24-Parganas. I with my pleader went there and waited from 11 to half past four. I asked my pleader to ask the Magistrate if he had fixed a day for this trial. He said, yes, that is fixed. I sat there till half past four when everybody from litigant to lawyer went away, and the place was almost deserted. Then the court sent for the C. I. D. Then I understood from the lawyer what the purpose was of bringing these people so late when every body else was away. The boy was taken to the court at five. My pleader submitted a petition for bail which of course was rejected. Then we sought an interview with the boy, but that was only granted in the presence of an un-uniformed C. I. D. Officer. The boy told my pleader that he had been severely tortured,—and he gave me the description—how he was put on a cold night into a tub of very cold water, then assaulted, and how other indignities were heaped upon him, and he went on narrating his woeful story. I asked the Magistrate for an interview, and when the boy began to repeat the same thing, the C. I. D. officer objected, but the Magistrate told me, "All right, I am not sending him back to police custody, I am now sending him to jail custody". From there he might complain to me in writing. Then I came back, and he was taken to the jail. You will be surprised that the day after—though the court postponed the case for the 26th of January—that is on the 12th, he was released, he was put in another prison under this Criminal Law Amendment Act. I wrote—as a man who is now co-operating with the Government—a polite letter to the Deputy Inspector General of Police, Intelligence Branch, Calcutta, that the boy had told me in the presence of his own C. I. D. officers and the Magistrate that the police had tortured him at several places, in thanas while under Police custody and requested him politely to make an inquiry and to inform me of the result, and I also appealed to him saying that I was now co-operating with the Government and in these days they should treat men properly. Well, this is the reply I got:

"Will you please refer to your letter dated the 12th January, to the address of the Dy. I. G. of Police, Intelligence Branch, complaining that your nephew, Subodh Chandra Mitra, had been severely tortured by the police while in police custody.

I am directed to inform you that this matter, as you must know very well, was brought to the notice of the court of the Additional District Magistrate, Alipore on the 11th January, (on which date your nephew, the accused, was remanded to jail custody) and dealt with by the court at the time."

As a matter of fact the Magistrate did not deal with the matter at all. Now the rules are made by Government, under which I cannot have an interview with my nephew except in the presence of a police officer and the police officer will not allow narration of the tortures that the boy underwent and the interview will be stopped at once most arbitrarily. These are the hardships that are occurring every day. I do not complain. We shall have to pass through this ordeal. But even in the interests of Government, I say these detenus should be dealt with gently and properly and not harshly, cruelly or vindictively.

Sir, I personally feel, in spite of the fight going on, that the English people and the Indian people will have to settle their accounts one day. But, I appeal to you, do not needlessly embitter our personal relations. The two races will have to settle it amicably, because I believe that there is no incompatibility between Englishmen and ourselves coming to a solution of our problems. As I said to many officials, it is not with Mahatma Gandhi alone, but you shall have to settle with the detenus, the future

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generation. Sir, I have been in touch with the young men of Bengal, call them revolutionaries, call them anarchists, call them what you like, but I assure you that they will gladly come to terms with you, they will arrive at a cordial settlement with you, once you can convince them of your *bona fides*—that you really mean to grant full Dominion Status,—not today, not tomorrow, let it be 10 or 20 years hence. If you go on, everywhere, throughout the country beating people with *lathis*, if while the Mahatma craves for an interview you refuse it, you will not give a chance to him, then it seems you do not want to give any chance to our people to settle our differences with you. As I say, we are between two extremes, that of the Government which is as much unreasonable as the extremists. That is the reason why I point all this out. The Government at the top may be well-intentioned; but the ordinary Government official who has to carry on the day to day work thinks that he must act in a brutal way, so as to make these people come to their senses. But, Sir, by tortures, by *lathi* charges, you really cannot exorcize people of their patriotic feelings. You conquered Germany, you imposed your own terms, but you did not think of dividing the country amongst yourselves, because you know that once a nation has reached that organic stage of nationhood, you cannot crush that nationhood. So I believe that we too have reached that stage, and you cannot crush it. You may try to break us by all your means, but let it be in a constitutional way, not in a brutal manner. So what I press for is that this law is not necessary. If however you think this law is necessary, then I say, repeal Regulation III of 1818 by which you are doing the same thing; but even if you insist on it, then in the Select Committee you must have such rules and regulations as would reasonably provide against all patent grievances. You yourself admit that nothing could be proved against the detenus before a court of law then treat them, I ask, like gentlemen. (Applause.)

Mr. J. C. French (Bengal: Nominated Official): Mr. President, I had not intended to intervene in this debate, but the reference of the last speaker to Midnapore district has compelled me to do so. If I heard the last speaker correctly, he said he deplored Mr. Peddie's murder. But he said that it was to be expected and was the result of the repression which had been inflicted on the district.

Mr. S. C. Mitra: Yes, I said that.

Mr. J. C. French: The Honourable Member then went on to use the word "torture" and other strong expressions. Now, Mr. President, granted that what the Honourable Member has said is correct, although I do not admit it, but just for the sake of argument let us grant it that things were done that should not have been done, what sort of an argument is this? Supposing I am not satisfied with Sir Hari Singh Gour and supposing he is shot, am I justified in saying that there is nothing to be surprised at in this because formerly he did so and so? Or supposing I am not satisfied with Sir Abdur Rahim and he is shot to-morrow. . . .

An Honourable Member: You want to do away with our Leaders!

Mr. J. C. French: Can I say that there is nothing to be surprised at and you must not complain? This argument cuts both ways. I arrived at Midnapore the day Mr. Peddie was buried and I found no such signs in the district as the Honourable Member has suggested, and I toured over the district. I have no hesitation in saying, Mr. President, that if there

had been any such acts or any such repression as the Honourable Member suggests, they would have come to light.

Mr. K. C. Neogy (Dacca Division : Non-Muhammadan Rural) : They did come to light.

Mr. J. C. French : They did not; listen to me. I know Midnapore district well. It is not a primitive or backward district; it is an educated and up-to-date place, and they know as well how to bring a suit against Government as in any part of India. They might have objected to going to criminal courts, but the civil courts are open. When I was a Joint Magistrate in Midnapore, I received a number of notices of civil suits and when I was there last year I got notices of civil suits also. If anything had happened it would have been brought at once in to the civil court for heavy damages.

Now, Mr. President, the next point I wish to make is with regard to Buxa. If I heard the Honourable Member correctly, he said that Buxa is 30 miles from the nearest railway station. Did the Honourable Member say that the Buxa detenué camp is 30 miles from the nearest railway station?

Mr. S. C. Mitra : I said nothing about Buxar; it is in Bihar.

Mr. J. C. French : The Honourable Member was talking about the detenué camp in Buxa.

Mr. S. C. Mitra : I was referring to Buxa Fort.

Mr. J. C. French : Did the Honourable Member say that Buxa was 30 miles from the nearest railway station?

Mr. President : The Honourable Member can go on arguing on the assumption that he did say so. It will be open to him to contradict the statement if he wishes to do so.

Mr. J. C. French : Buxa Fort is only 4 miles from the railway station. I have been Deputy Commissioner in the district and I have walked from Buxa Fort to the nearest railway station in one hour, and if I can walk 30 miles in one hour I am a champion. (Laughter.) Now, Mr. President, the next point I wish to make is the remark of the Honourable Member: "Why not treat these detenus as men?", thereby implying that they are badly treated. Now, I frankly admit that the Honourable Member is an expert on one side of this question and I am also equally an expert on the other side, as for 15 years as a District officer I have been dealing with detenus and State prisoners. What are the conditions under which these detenus are kept? First of all, they are kept in the best places in Bengal. Their conditions are a liberal allowance for food and liberal pocket money. They are allowed books, perfumes, hair oil, mirrors, attaché cases, suit cases, sometimes wrist watches, lamps, etc. I have seen all these things myself and I cannot deny it.

Mr. S. C. Mitra : If we provide you 10 times these things, would you prefer to be in jail?

Mr. J. C. French : The Honourable Member said why not treat them liberally, and I am telling the House exactly how they are treated from the evidence of my own eyes.

Mr. D. K. Lahiri Chaudhury : How are they treated in the Hijli Jail?

Mr. J. C. French: I am glad my Honourable friend has mentioned Hijli because I was in Midnapore district when some detenus arrived there. As they came along, their personal effects were carried in a train of bullock carts. That is the way they were treated in Hijli.

I do not think, Mr. President, I need bore the House any longer with the detailed description of the way in which these men are treated, and I will content myself by saying that they are treated with every consideration for their health and well-being. The Honourable Member regaled the House with a lurid story of torture. Now, Mr. President, I have shown that the Honourable Member is inaccurate in several details and so I would say to the House that as he has been shown to be inaccurate in several cases, it should not accept his statement as accurate on this point also.

Mr. S. C. Mitra: Can an Honourable Member impugn the statement of another Honourable Member in the House?

Mr. President. (The Honourable Sir Ibrahim Rahimtoola): It is perfectly parliamentary to say that the statement made by an Honourable Member is incorrect.

Mr. J. C. French: I have found the Honourable Member incorrect in several cases and therefore I ask the House not to accept his statement in further cases.

Mr. S. C. Mitra: Why should the House accept your statements to be right?

Mr. J. C. French: I have proved the Honourable Member's statement to be wrong.

Mr. S. C. Mitra: I say you are wrong.

Mr. President: Order, order.

Mr. J. C. French: I do not wish to detain the House any longer, but there is one point I wish to make. I would like to call the attention of the House to the excessive modesty of the last speaker when he said that he wished to speak from his personal experience and quoted a relative. There was no need for this since he himself has been a State prisoner for the same grounds for which these detenus are already under detention in Bengal. How far the Honourable Member has changed his opinions, the Members of this House who heard his speech in the last debate yesterday and who have heard his speech to-day will be able to judge for themselves.

Mr. D. K. Lahiri Chaudhury: Considering the gravity of the circumstances in which this Bill has been brought before the House, I rise on my legs to say a few words. The previous speaker has mentioned that the observation made by Mr. S. C. Mitra is purely wrong. It must be admitted on all hands that my friend Mr. Mitra is an expert on the one side as the previous speaker thinks himself an expert on the other side. My friend Mr. Mitra was himself at one time a detenus and certainly his statement should be taken as more correct than anybody else's. Representing as I do the Bengal landholders, it will be rather unjustifiable of me to sit here tightly and to give my silent vote, and I find it my duty to give my vote according to my own conviction, as I do always. What did the Honourable the Home Member say in support of his arguments? He said it was necessary to pass this Bill into law because it was not possible on the part of the Government of Bengal to discharge their duties properly as regards jail administration, and in support of his argument he said that some

letters were found in one visitors pocket when he was searched stating and pleading from murders and vengeance. I want to read to the House the opinion of the Burma Government. On page 7 of the report which was sent from Burma it is said :

“We have enough troubles of our own without other provinces asking us to shoulder some of theirs.”

It goes on to say :

“For example, in Burma, State prisoners at Bassein were able to get at a jailor or jailors and succeeded in smuggling out copies of a memorial they had submitted to the Secretary of State, with the result that long before the memorial could be considered by the various authorities, it was published verbatim in a well known paper of Calcutta (*Forward*). The Chief Jailor Mr. Bhagwan Singh had to be compulsorily retired from the service, on this account.”

This is a strong argument on my side. These prisoners, if they at all desire to do mischief, are capable of doing so in other jails too. Therefore it is no argument on the part of the Honourable the Home Member that because they create trouble in Bengal if they are sent out of Bengal it would prevent them from doing mischief.

(At this stage Mr. President vacated the Chair, which was taken by Mr. Deputy President.)

Mr. A. H. Ghuznavi: They are sent to a healthier climate.

Mr. D. K. Lahiri Chaudhury: My Honourable friend Mr. Mudaliar referred to the climate of Coimbatore and perhaps my friend Mr. Ghuznavi would have followed his argument if he had a little bit of common sense. Then I want to say how the Government of Bengal treat their detenus. They treat them with the greatest brutality. I shall read to the House the opinion of a gentleman who is honoured by the whole of India, I mean Dr. Rabindranath Tagore.

Mr. A. H. Ghuznavi: To what period does it refer?

Mr. D. K. Lahiri Chaudhury: I do not want to give way to my Honourable friend. Let me read the speech of Dr. Tagore regarding the Hijli Camp shooting. He says :

“Let me in the beginning confess that I never take pleasure in exploiting for political purposes, an outrage that is both tragic and cowardly in its brutality, as the shooting at Hijli proclaims itself to be, and it should engage our attention solely for the sake of tortured humanity.”

Mark the words “tortured humanity”. These are the words of a gentleman who hardly comes to politics and he, in spite of his ill health, presided over a public meeting which was organised to protest against the Hijli Camp shooting, and he was discharging his duty as a humble citizen of Calcutta and these are his words :

“When I find how almost contemptuously such acts of terrorism may be perpetrated in utter disregard of public opinion, I feel sure that it is but one more of the signs of deterioration that has enfeebled the moral character of British rule in India, pressing for us a fate that is dark, with tendency towards an easy succession of enormities.”

[Mr. D. K. Lahiri Chaudhuri.]

People like Dr. Tagore have condemned the outrage at Hijli as the most unprecedented in the history of the civilized world. People
 4 P.M. were shot at the dining table, though they were absolutely observing non-violence. If they are removed from Bengal to some other jail in some other remote provinces, there is doubt whether they will be treated properly. With the utmost confidence I will give information to this House how the Calcutta Corporation viewed the horrors of Hijli and Chittagong. The Corporation unanimously passed the Resolution. The Hindu and Muhammadan, elected and nominated, Members acted together in passing the Resolution on the Chittagong and Hijli outrages. The resolutions condemned the inhuman barbarities perpetrated in Chittagong and in the Hijli Detention Camp, called upon the Government to institute immediately an independent committee of enquiry, which would inspire public confidence. Departmental or official committees, as the speakers in the Corporation meeting emphasised, were only "whitewashing committees" and as such "worse than useless". The resolution on Hijli also asked the Government to release the detenus at once, as the lives and limbs of the detenus were not "safe" in their keeping. Hijli and Chittagong have cast lengthening shadows all over the country, and it was significant that the entire Indian section of the Corporation, including nominated Indian Councillors, expressed the country's feeling of indignation and horror at the Chittagong and Hijli atrocities. Mr. C. C. Biswas' attitude (in condemning the Government and in supporting the resolution) did not therefore cause surprise. The few Europeans who were in the Corporation to raise points of order or to protest were feeble of voice as they had no worthy cause to stand by.

This was the Resolution passed by the Calcutta Corporation in connection with Hijli and Chittagong affairs. Now this House has to judge how the detenus will be treated if this Bill is passed into law. There can be no more lawless law than this Bengal Criminal Law Amendment Act. I just want to emphasise one point to the Treasury Bench and want to endorse the views of my friend, Mr. Mitra, who in his very able speech and in the most humble manner told us what was the root cause of all these sporadic murders and terrorism. Certainly it is an action which cannot be justified. Every one of us who has got really human feelings will condemn these activities because these are brutal murders and they cannot be supported by any man with human conscience. But the same time we cannot see without a feeling of horror how our countrymen are being subjected to *lathi* charges. Even our ladies are assaulted. This is the way in which Government are discharging their function in this country. The Bengal Criminal Law Amendment Act was not in force for a period of five years and during that period good feelings prevailed, and now the feelings are embittered. Why? Because the Government are always using force upon force to suppress the movement, and the result is the feelings are growing more and more tense every day. I will just read one extract from a paper called the *Prabartak*. It says:

"In spite of the chorus of condemnation following upon each murder, the terrorist still believes in the justice of his cause and in that sense perhaps counts upon a certain inner sympathy from his countrymen. It is this secret unexpressed sympathy with patriotic crime which makes this problem most difficult for constructive statesmen. This cult of terrorism is borrowed from the patriotic history of Europe. But it seems to have already made its way deep down the hearts of a certain section—however handful—of our countrymen. Once such a plant has taken deep root in this country's soil, it is hard to eradicate it without denying inspiration and nourishment to it wholly from outside and within."

Further on it goes on to say :

"Therefore public opinion has to be created, founded on strong and deep conviction. It has to be cultivated not through force or fear, but through the light of knowledge, through reason. It is regrettable that the Government in launching repressive measure after repressive measure is forfeiting its claim to reason. Its only reliance is then force which is however a very broken reed as experience tells. Government rests on fear of the people; but it can also take its firmer stand on truth and reason, justice and fair play, and these alone can more enduringly be relied upon. If Government instead of taking recourse to these semi-barbarous coercive measures had relied on the real love and loyalty of the people and on its own strong justification in truth, terrorism would have lost its significance."

That is the real remedy, to apply reason and knowledge and deal with the latter calmly, dispassionately and from the point of view of humanity. Sir, I appeal to the Honourable the Home Member with the utmost humility that if he really wants to pass this Bill through this House, there should be sufficient safeguards. This measure is most preposterous, as mentioned by some of the previous speakers, and I do not understand how after the Hijli incident and the atrocities committed there, any Member can support it. Of course, there are gentlemen who are really gramophones of Government and will always support Government, and certainly find some reason or other in supporting their cause. But those Members who have got real consciences and a sense of justice and responsibility will fully support me in throwing out this Bill as obnoxious and undesirable.

Mr. S. O. Sen (Bengal National Chamber of Commerce: Indian Commerce): Sir, I think the discussions over this Bill have covered a very wide ground. We are now concerned not with the Bengal Criminal Law Amendment Act but with the principle underlying this Bill. There may have been reasons for the passing of the Bengal Criminal Law Amendment Act, but I do not see with what object this Bill has been brought forward in this House. Today we have heard certain explanations from the Honourable the Home Member. He says the urgency of the Bill is this, that these detenus are trying murderous crimes from their detention, that they are responsible for indiscipline in jails, and there is facility for communication with outsiders and these make their presence in the Presidency dangerous. I should have thought that these grounds would have been in the original Statement of Objects and Reasons when the Bill was first introduced here. But do we find anything there about these grounds? The only ground suggested there is that because the Act of 1925 contains similar provisions, therefore these provisions should be introduced here. Does the Honourable the Home Member mean to suggest that the conditions in 1925 were the same as they are now or those which justified the Assembly passing a supplementary Bill in 1925? So, Sir, there must be some other reason why the Government of Bengal is now so insistent upon getting this Bill passed. The belated reasons which have now been given by the Honourable the Home Member are to be found, if I remember rightly, in the Resolution which the Government of Bengal passed in connection with the Hijli incident. There they had to justify the conduct of their officers which was unjustifiable; they had to justify the murder of two men and of various others. They had to justify it on the ground that the detenus there were wrong in their conduct, that they went against jail discipline or against something or other, and therefore the sentries were justified or provoked—that I think was the word used—into committing murder. And that explanation was also given by Mr. Moore in his paper, the *Statesman* a few days before. So there must be some other reason for

[Mr. S. C. Sen.]

passing this Bill, and we have not been favoured with any explanation by the Honourable the Home Member as to why Bengal is so insistent upon it. As regards the reception of this Bill by the several Local Governments, my friends Mr. S. C. Mitra and Mr. Mudaliar have dealt with the point. Nobody is willing to take these detenus out of Bengal to their province. Ajmer has now been chosen by the Government of India, for what reason I do not know. Very likely it is because it is their own province. But whatever might be the reason, what is the reason for clause 4 being inserted in the Bill? The Home Member has not justified the inclusion of that clause in the Bill. I have listened very carefully to his speech both now and before, but I do not find anything which justified the inclusion of this clause.

The Honourable Sir James Orerar: Sir, might I point out to the Honourable Member that that point has been argued in the greatest detail in previous debates? This Bill has been debated for two days already in this Assembly, and the particular question of that clause was very elaborately explained.

Mr. S. C. Sen: My point is that the Home Member did not say anything as to why this clause has been put in. The clause may be otherwise all right, but I have not heard a word as to why it was included. That is my grievance. Then there are other difficulties which I feel, and which I think the Home Member will also feel, as to why these detenus who are after all gentlemen and who have not been found guilty by any court of law, should be transferred to another province and should be subjected to the laws or the rules of that province and not of their own province. They are merely detenus

Mr. A. H. Ghuznavi: Are not the laws and rules about jail administration the same throughout India?

Mr. S. C. Sen: You had better read the Bill first and then interrupt. Here it says later on that the provisions of those parts of the country where they may be transferred will apply.

Now, Sir, these are points which should be considered by the Home Member. Why should these men be subjected to a treatment different to that to which they are from their infancy accustomed? And I do not see why they should be transferred at all. Bengal is quite a big place. The Government of Bengal have for some time past been making jails for the detention of these persons. A very big jail has been constructed at Dum Dum; there is one at Buxa; there is one at Hijli and there are so many other jails in Bengal where these people can be accommodated. If they are at all to be transferred to different provinces, will the Honourable the Home Member undertake that they will be treated there exactly in the same way as they are now being treated in Bengal as regards food and accommodation and other amenities; will he undertake that the rigour of climatic conditions, so far as he will be able to do so, will be provided against in such a way in their jails as would make them live there comfortably? If all these things are conceded, I think the Bill may be referred to a Select Committee and it may be entrusted to alter the Bill in that way.

As regards the rules which will apply to them, the Honourable Mr. French, I think, said that they are very good, that the detenus are treated very well; but has he read the new rules which have been published by

the Government of Bengal regarding these detenus? How would he like to have to salaam and to stand up to every officer who goes there, whether he is a constable or a sergeant or any other man? How would he like that?

Mr. S. C. Mitra: "Sarkar Salaam".

Mr. S. C. Sen: How would he like to say "Sarkar Salaam"? He says they are being treated very well. I wish Mr. French would be there subjected to the same rules and asked to say "Sarkar Salaam" when any subordinate officer goes there, even a chaukidar. Mr. French has given us a very illuminating address here as regards his experience during the one month while he was at Midnapore. He said during that period he never heard a complaint about the treatment of the people of Midnapore during Mr. Peddie's time

Mr. J. C. French: I was there longer than a month.

An Honourable Member: How much longer? For a month and two days?

Mr. S. C. Sen: I beg your pardon; I thought you said one month; perhaps it was a month and two days' experience. But did he inquire into the allegations of repression? He must have known as a Government official that for some time past the local papers in Calcutta, and in fact all over Bengal, were complaining about the repressions that were taking place there. During Mr. Peddie's stay at Midnapore, a report was issued by some gentlemen who went there, and they included Mr. J. N. Bose who was selected by His Majesty's Government to represent Bengal in the Round Table Conference—I suppose that he is as good a man as any other Member in this House.

Mr. Gaya Prasad Singh: Better than most Round Tablers!

Mr. S. C. Sen: Did he inquire whether any of the allegations made in that report were true or false? Did he care to know whether the stories that were mentioned in the papers were correct or not? Did he take any trouble to ascertain what was the state of Midnapore at the time? I know he roamed about the place; I know that travelling allowance is a very tempting thing and therefore he would have to roam about. But what is the tangible result of that roaming? He did not say.

I consider all those matters to be extraneous to the present Bill and I will not dilate upon them now. What I say is this; the Bengal Government must make out a stronger case why the detenus should be sent out of Bengal than what they have done. The new explanation given by the Honourable the Home Member upon information from the Bengal Government is not worth considering. One of the instances which the Home Member has given is this; that a father of one of the detenus once went to see his son, and upon searching his body certain letters were found. Has that man or the detenu who handed over those letters been prosecuted or brought before a court of justice? I pause for an answer. These cock and bull stories we all know. So there must be some other reason which prompted the Government of Bengal to come before the Government of India for the power which they are now seeking. It would be interesting to know what those reasons are, but as I said if the detenus are given proper and legitimate amenities I have no objection to the Bill going to a Select Committee.

Mr. Bhuput Sing (Bihar and Orissa: Landholders): Sir, I want to propose that the name of Mr. S. C. Sen be added to the Select Committee.

Mr. R. S. Sarma (Nominated Non-Official): Sir, I am grateful to you for giving me an opportunity to take part in this debate. This Bill primarily concerns Bengal, and therefore it is but proper that all the three previous speakers have come from Bengal. However I fail to understand how so many of these allegations made about ill-treatment of persons, the incidents in Hijli or the *lathi* charges, have anything to do with the Bill now before this House. This Bill simply wants to provide the Government of Bengal with powers to keep their detenus out of their province, with the concurrence of the Governor General; and so far as I have been able to follow the Home Member now and in the last debate, the reasons were plainly two; the first was that the Bengal detenu camps were slowly more or less being converted into political clubs; secondly, they felt that with the emotional Bengali youth, who loves his motherland more than anything else, if he knows that the moment he becomes a political detenu he is no longer to be with his own men, but will be deported to another province outside his own province, that will enormously restrict the recruiting ground for revolutionaries and anarchists. There are two classes among these political detenus, one a very dangerous type and other, a milder type. With a view to segregate these people it was necessary to take this dangerous type of anarchists outside the province. These are the two primary objects of this Bill and nobody so far has been able to controvert that argument of the Home Member. These are the two plain simple facts, and I have not heard a single argument against them.

Mr. S. C. Mitra: Why cannot the man be segregated in Bengal itself?

Mr. R. S. Sarma: The fact is that in Bengal these detenus may have opportunities of coming into contact with the emotional but less dangerous type of young men. It was not that the jail administration in Bengal had failed; and if I have risen today to give my support to this Bill it is because I want to repudiate most strongly the insinuation that the Deputy Leader of the Independent Party brought against the jail administration of Bengal. I wonder whether the Honourable Diwan Bahadur Ramaswami Mudaliar knows that the present jail administration of Bengal is in the hands of a very able and devoted Indian, an ex-Secretary of the Indian National Congress, an ex-President of the National Liberal Federation and a member of the Round Table Conference—Sir Provash Chunder Mitter. As a matter of fact, we have not heard of even a single case of indiscipline in Bengal. Of course, as the Honourable the Home Member said, there were a few cases of intercepted letters, but when Diwan Bahadur Ramaswami Mudaliar made capital of the fact that the smuggling of letters proved the inefficiency of the jail administration in Bengal, I must say that my friend was absolutely incorrect, because they were not smuggled at all; the attempted smuggling was detected; and that showed the efficiency of the jail administration. Of course, I have heard of one or two cases of inefficiency of jail administration in Bengal, and that was in the time when the jail administration was in the hands, not of a European, but in the hands of one who sits in the Independent Party, and whom the Diwan Bahadur claims as his chief, and if rumour is correct, Sir, that gentleman, who is now the Leader of the Independent Party, mismanaged the jail

administration during his time in such a way that the Governor had to telephone to him and take charge of the Department and hand it over to an Englishman.

Sir, it has always been a matter of considerable surprise to me that a certain gentleman who always puts his seal of approval to all measures of Government and who was opposed to all revolutionary movements at one time should now make speeches against the Government, of which he was once a Member himself. I was always surprised to read the speeches which he made then as a Member of the Government and now as a non-official Member. I have often tried to find out the reason and the nature of the difference in his speeches, and I felt that the nature of the difference in his speeches and ways was all the difference between appointment and disappointment.

I should just like to reply to one observation made by Diwan Bahadur Ramaswami Mudaliar in the course of his speech. He made a great point of the fact that the Madras Government or the Bombay Government were against this Bill. He went on to say that the Madras Government, which was one of the Governments which always put down subversive activities, and the Bombay Government, which was a full-fledged Governor's province, were all against this Bill. Now, what, after all, have they said? They said that they did not want these detenus there—nothing more and nothing less. This Bill does not say that these detenus should be put in the jails of other provinces. On the other hand, this measure gives power to the Bengal Government to send out their detenus to a place outside Bengal.

Mr. Amar Nath Dutt: Sir, I did not want to get up and make a speech, but in order to elicit certain information before I can make up my mind whether to support the motion for Select Committee or not, I rise from my seat. . . .

Mr. A. H. Ghuznavi: But you are already in the Select Committee.

Mr. Amar Nath Dutt: I think it will be better if, instead of me, my leader Sir Hari Singh Gour and Diwan Bahadur Harbilas Sarda are put on this Committee, and I hope the Home Member will kindly approve of this. Sir, I am formally moving that the names of Sir Hari Singh Gour and Diwan Bahadur Harbilas Sarda be added to the Select Committee and that my name be removed. From para. 2 of the Statement of Objects and Reasons, it is clear that the object of the present Bill is to re-enact sections 4, 5 and 6 of the Supplementary Act of 1925 and thus to supplement the provisions directed against the campaign of terrorist crime in Bengal. I submit, Sir, that this does not convince me in the least because no reasons are given for the re-enacting of sections 4, 5 and 6 of the old Supplementary Act of 1925 save and except the bare statement that it is necessary. I expected some reasons for the re-enacting of these provisions, but for want of sound reasons, I am told that a long speech was delivered by the Honourable the Home Member, parts of which, as every one knows, were relevant and parts were irrelevant, by mentioning some of the happenings in Bengal which the Government were pleased to characterise as terrorist crime. Round this raged a controversy in this House which led my friend over there representing Bihar as a nominated Member

Mr. Gaya Prasad Singh: Does he represent my province?

Mr. Amar Nath Dutt: Yes, certainly.

Mr. Gaya Prasad Singh: Then he misrepresents my province.

Mr. Amar Nath Dutt: As I was saying, that controversy led my friend over there to make insinuations and personal attacks on an honoured and distinguished Member of this House. My friend need not have done that. I do not know what Sir Abdur Rahim's appointments and disappointments are. This much I know that the Honourable Member from Bihar. . . .

Mr. Gaya Prasad Singh: Why do you say Bihar?

Mr. Amar Nath Dutt: Because I am told he represents Bihar.

Mr. Gaya Prasad Singh: He is only a Nominated Member, and we know whom he represents.

Mr. Amar Nath Dutt: The Government as a rule select men in whom they have confidence, and so my friend Mr. Sarma comes in to represent the Bihar Government. Whatever it may, I can tell you that Sir Abdur Rahim is not a revolutionary.

Mr. A. H. Ghuznavi: Who said that he was a revolutionary?

Mr. Amar Nath Dutt: You called him a revolutionary. Of course, my friend knows Sir Abdur Rahim a little less than I know him because Sir Abdur Rahim comes from the same division from which I come, and I say that Sir Abdur Rahim comes from a very respectable family in a district which is far off from Eastern Bengal. I hope my friends, Messrs. Neogy, S. C. Mitra and others will excuse me for referring to East Bengal. Having said this, I must say if there is any revolutionary or extremist, it is my Honourable friend over there. If we only go back a quarter of a century, we find that Mr. A. H. Ghuznavi of the present day was leading a procession to the Federation grounds, presiding over a meeting there and saying all sorts of things, in order to drive away the Britisher from India.

Then, Sir, reference has also been made to happenings in Midnapore, and it was questioned what had these things to do with the subject matter before the House, but it is the Honourable the Home Member who introduced all these things into the discussion, it was he who introduced all these irrelevant factors into this discussion in order to make out a case for his Bill, to prove the existence of a terrorist movement in Bengal, and to justify the necessity of sending detenus out of Bengal to jails of other provinces. I think he would have done well to give reasons to support his proposition, but the main reason for which all these things are done is contained in clause 4 of the Bill, which takes away a very mild *habeas corpus* that is to be found in the Criminal Procedure Code, I mean section 491, to amend which I have been attempting all these years, and if I had brought in a motion for Select Committee, my friend Sir Lancelot Graham over there would have immediately made a motion for circulation to elicit opinion.

(At this stage Mr. President resumed the Chair.)

Now, Sir, they want to do away with the *habeas corpus*. There is a provision in the Criminal Procedure Code which is very ineffective, and therefore whether you do away with the *habeas corpus* or not, we are justified in discussing the present situation in the country, and probably taking that view of the case, the Honourable the Home Member introduced several matters in his speech to convince us that the situation is so very grave that the Government ought to be armed with such powers as are now claimed here. What powers? He wants that the prisoners should

be transferred from Bengal to some other province. There are three objections to this course. If these men, who are Bengalis, are taken away from their own province and are to be detained in Ajmer-Merwara, I may tell you that the climate will hardly suit them. I myself was born in Bihar, brought up in Bengal, and in my earlier years I had been in the deserts of Rajputana. I know what a tiresome thing it is to be there. I had been also in the canal colonies of the Punjab. Those were not the days of electric lights and fans. I remember if the punkahwala went away at five in the morning and his substitute was late by even half an hour, we had to wake up from our sleep. We Bengalis have a constitution like that. We cannot bear the climate of the desert of Rajputana and Ajmer-Merwara. (*An Honourable Member*: "What about Coimbatore?") I had been in Southern India. I was in Nellore for a year and that was no better. Please don't take away the prisoners from their own province, to the climate of which they are habituated, unless of course you find that there is necessity, overwhelming necessity, for doing so.

There has also been an insinuation by my nominated friend from Bihar that they will spoil the other provinces. But that ground does not hold good now inasmuch as it is stated by the Government that the whole country is full of terrorists and revolutionaries. If that be so, I do not think that you gain much by transferring them to another province. But there is another danger. If there are no terrorists or revolutionaries in a province then you instil the poison of terrorism and revolutionary ideas into that province. So, in your own interests, I would advise you not to take this step. I would ask you seriously another thing. When you take away certain men under suspicion that they are connected with terrorism or revolution and you think that for the safety of the Empire you are entitled to do it, I beg to submit that you ought not to cause them any trouble in any way save and except confining them within certain specified areas, and you should allow them such facilities as are possible, that will be only humane. I expect that you will adopt that policy, that you will allow such facilities as are possible for their friends and relations, who themselves are not terrorists or revolutionaries, to see them and have communications with them. If you take them away from their own province to a distant province, that is hardly possible. That will be costly, and people may not find time to go over to another province. Then again there is the difficulty about food. All these things we submitted for the consideration of the House, and I hope that if they consider them they will find that there is no necessity for going to Select Committee over a Bill like this.

Sir, I cannot allow this occasion to pass without making one or two remarks about the happenings in Midnapore. As I have already submitted to the House, Midnapore is within my constituency, and I shall be failing in my duty if I do not say something about Midnapore, about which the Honourable Official Member, the District Magistrate of Midnapore, was pleased to submit some remarks before this House. He said that nothing was brought to his notice about the happenings at Midnapore that had been discussed here. I invite the Honourable Member's attention to the debate in this very House, and probably he was a Member also at that time of this House, though not Magistrate of Midnapore. In the Legislative Assembly Debates of the 12th July, 1930, he will find harrowing tales of oppression committed by the agents of the Government. It is not a very pleasing thing to refer to these things over and over again, but my Honourable friend Mr. French's speech has provoked me to do

[Mr. Amar Nath Dutt.]

so; otherwise I would have been silent. I shall read only two or three passages which ought to have been known to Mr. French, and up till now there has not been any contradiction after that responsible statement was made in this House. One sickening thing about all this affair is, nobody cares much what you do here or there, but if you go and insult our ladies in their houses, however meek we may be, we may not have the power to retaliate, we may have to bear all these insults and indignities perpetrated by your agents, but I ask you who are the custodians of our liberties and who say that they are the trustees of this great country, is it not for you to clear the conduct of your officers on these points? Just now we heard from the Honourable Member from Chittagong what was done to a lady there. As sons of our mothers can we hear patiently all those things? In fact, I would not have taken part in this debate and risen to oppose all this if I had not been provoked by that statement. I never knew that your agents in your name could soil your reputation to that extent. I will repeat the story, and I will remind my Honourable friend Mr. French that the same thing happened at Midnapore, which he will find reported in the Legislative Assembly debates :

"The members next visited the house close by where they found a girl about 18 years old in an advanced stage of pregnancy. Her name was Ambu. She was lying down on the verandah apparently still suffering from shock and pain. She was breathing with difficulty. Her eyes were closed with tears trickling. She made her statement with some difficulty. She complained of her breast being twisted and of her being kicked on the hip."

This is another instance. There you have heard the story of a father being locked up and the daughter being outraged by your agents. . . .

Mr. A. H. Ghuznavi: What is the period you are referring to?

Mr. Amar Nath Dutt: I am referring to the report that has been read by my Honourable friend Mr. Mitra. You were probably not listening, and any one, who will support a thing like that, has no respect for his mother or for womanhood.

Mr. A. H. Ghuznavi: On a point of order, Sir. Is that parliamentary language?

Mr. President (The Honourable Sir Ibrahim Rahimtoola): The word if applied to any Honourable Member is wholly unparliamentary, but the Honourable Member can make a general observation of that kind without reference to any particular Member.

Mr. O. S. Ranga Iyer: On a point of information. I should like to know if the Honourable Member does object to that particular phrase if he considers it unparliamentary?

Mr. R. S. Sarma: Is the Honourable Member aware that the statement which he has just now read to the House had at that time been officially contradicted by the Publicity Officer of the Bengal Government?

Mr. K. C. Neogy: Nothing of the kind. The Honourable Member is absolutely under a misapprehension.

Mr. Amar Nath Dutt: We always have two kinds of statements, one from this side and one from that side, but I ask every Member of this House to lay his hands on his breast and say whether he believes these statements. It is one thing to make a statement in order to please the

official Benches and thereby earn their goodwill and get advancement, and it is another thing to be true to one's own country and to lay these grievances before them. These statements were made in this House by a very esteemed gentleman who has been occupying a seat in this House from the very inauguration of the new Assembly for the last 11 years, and up to now, although more than a year and a half has elapsed, this statement has not been challenged. As regards the contradiction said to have been made by Mr. Sarma, I make bold to say that it has not been contradicted. It is one thing to have brass and another thing to have regard for truth.

Then again :

"At Subarnadighi, the girl in an advanced stage of pregnancy was found to be breathing with difficulty, tears trickling down from her eyes and she bore marks of molestation on her person. It is surprising that a case like this should have happened with a magistrate accompanying the police party."

I hope he is not a District Magistrate but a very subordinate magistrate of the class you have brought into existence. Then in a particular place called Kholakhali, the women :

"complained of severe assault by canes, fists and kicks. They also said that the clothes of some of them had been torn off their bodies and they produced some such clothes. A middle aged widow Kurani Dasi stated that she had been so roughly handled and pulled about that she fainted."

I appeal to you for help. Do not turn a deaf ear to our complaints if you want to keep your Empire. We may be meek, humble and incapable, but acts of this kind will bring ruination even to the mightiest of empires. Remember how many empires in this world have been lost in this way. One instance that comes to my mind and which I hope every one of you know is the destruction of the Empire of Ravan. Do not insult the womanhood of my country. You may chain us, send us off to the Andamans, but pray do not insult the women. I am not accusing the Chair, but I am addressing the Treasury Benches to look into the conduct of their agents. Let them make a thorough inquiry, and if they are satisfied, let them give relief.

Now, as regards the Bill, do not take away the right of *habeas corpus*, and pray do not deport these detenus to another province for the reasons which I have already stated. With these words I move that, instead of my name, the names of Sir Hari Singh Gour and Diwan Bahadur Harbilas Sarda be added to the Select Committee.

Mr. President: Do you move that as an amendment?

Mr. Amar Nath Dutt: Yes.

The Honourable Sir James Crear: On the particular point raised by the Honourable Member in his amendment, I should like to put to him that the selection of names for the Committee was made, as usual, after consultation with the persons concerned. I do submit that it is hardly reasonable at this stage for an individual Member to make suggestions of this kind. It might perhaps put me under the necessity of making corresponding suggestions from the Government. I have not the slightest objection on personal grounds to either of the two distinguished Members of this House whose names were suggested, but I do think that this represents a disturbance of the well established procedure of this House which is convenient to all the parties. On that ground I very much regret I cannot accept the suggestion.

Mr. Gaya Prasad Singh: As Secretary of the Nationalist Party, I was not consulted in this matter at all.

Mr. President (The Honourable Sir Ibrahim Rahimtoola): That is not the issue before the House. The rules and Standing Orders lay down that variation in the composition of a Select Committee can be made by a Member of this House by proposing an amendment. It has to be remembered that under the rules and Standing Orders, it is this Honourable House which appoints Select Committees. It has very frequently happened that by consent certain changes have been made in the names originally proposed, but if any Honourable Member is dissatisfied he is entitled to move that the original motion be amended by way of omission or addition. If the Honourable Member wishes to move an amendment substituting for his own name two other names, that amendment would be perfectly in order.

The Honourable Sir James Crerar: May I inquire as a matter of information whether my Honourable friend the Leader of the Nationalist Party was consulted and has he expressed a desire to sit on that Committee?

Mr. President (The Honourable Sir Ibrahim Rahimtoola): The Chair has nothing to do with that. Names are suggested and any Honourable Member whose name is included in the proposal to serve on a Committee is entitled to get up and say that he should be excused from such service..

Mr. C. S. Ranga Iyer: I was not able to catch what the Honourable the Home Member said.

Mr. President: That is the position; and therefore, if the Honourable Member wishes to say anything on the issue that is now before the House, I will allow him to do so.

Mr. C. S. Ranga Iyer: Sir, the Honourable the Home Member said something which I could not catch. I should like the Honourable Member to repeat exactly what he said.

The Honourable Sir James Crerar: What I inquired of the Honourable the Deputy President of the Nationalist Party was whether—I merely asked for confirmation of my statement—his party was not consulted in the normal manner, and whether the names suggested on behalf of that party had not been accepted and inserted in my Resolution?

Mr. President: That is not the issue, so far as the Chair is concerned. The rules and Standing Orders give each individual Member the right to move an amendment altering the composition of a proposed Select Committee; and I take it that the Honourable Member wishes to move an amendment to the effect that the names of Sir Hari Singh Gour and Diwan Bahadur Harbilas Sarada be inserted instead of his own. That amendment has now been proposed and is before the House.

The Assembly then adjourned till Eleven of the Clock on Thursday, the 4th February, 1932.