

23rd March 1936

THE
LEGISLATIVE ASSEMBLY DEBATES

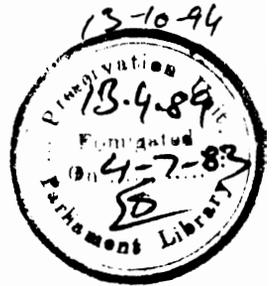
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Volume V, 1936

THIRD SESSION

OF THE

FIFTH LEGISLATIVE ASSEMBLY,
1936



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Legislative Assembly.

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

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LEGISLATIVE ASSEMBLY.

Monday, 23rd March, 1936.

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

MEMBER SWORN.

Mr. Maurice Garnier Hallett, C.S.I., C.I.E., M.L.A., (Home Secretary).

QUESTIONS AND ANSWERS.

CHANGE IN THE OFFICE HOURS OF THE NORTH WESTERN RAILWAY HEADQUARTERS OFFICE.

1378. *Mr. Lalchand Navalrai: (a) Will Government be pleased to state if it is a fact that several applications have been submitted by the staff employed in the Headquarters office, North Western Railway, Lahore, for changing the office hours from 5 P.M. to 4 P.M. during the summer months? If so, what action was taken on the same?

(b) Is it a fact that the Punjab Government have fixed their office hours from 10 to 4 P.M.? If so, in view of the extreme heat during summer, why is not the Railway following suit?

(c) Is it a fact that the Railway staff of the Headquarters office, Lahore, have offered an alternative proposal to reduce the recess period and fix working hours from 10 A.M. to 4-30 P.M.? If so, what do Government propose to do by way of relief sought for?

The Honourable Sir Muhammad Zafrullah Khan: (a) The reply to the first part is in the affirmative. As regards the latter part the staff were informed that their request could not be granted.

(b) Government are not so aware, but the Railway Department is a Commercial Department and is not bound to follow the Local Government in this matter even if the hours fixed by the Local Government are those mentioned by the Honourable Member.

(c) The reply is in the affirmative. Government, however, consider that the hours from 10 A.M. to 5 P.M. from Mondays to Fridays, with half an hour's recess, from 1-15 P.M. to 1-45 P.M. during the summer months, are not excessive and do not propose to take any further action.

Mr. Lalchand Navalrai: Will Government say if the Agent of the North Western Railway has considered this point of curtailing the recess?

The Honourable Sir Muhammad Zafrullah Khan: I do not know whether the Agent has considered it, but I have considered it.

Mr. Lalchand Navalrai: So, the Honourable Member is not prepared to give them this half an hour.

The Honourable Sir Muhammad Zafrullah Khan: I have given the reply.

Mr. Lalchand Navalrai: What are the reasons? No reasons have been given.

The Honourable Sir Muhammad Zafrullah Khan: What are the reasons for suggesting the change?

Mr. Lalchand Navalrai: The reason is that, on account of the heat of the day and the several other considerations mentioned in the application, this request should be granted, and the matter should be treated sympathetically.

The Honourable Sir Muhammad Zafrullah Khan: It is not a question of sympathy. It is a question of opinion. I think it is far better to go home at five o'clock on a hot day than at four o'clock.

Mr. Lalchand Navalrai: That is not how they view it.

OMISSION TO SUPPLY PARTICULARS BY INSURANCE COMPANIES.

1379. ***Mr. Mathuradas Vissanji:** (a) Has the attention of Government been drawn to the case of any Insurance Company which has omitted to furnish the figures or information as required by law under the Indian Insurance Companies' Year Book, 1934?

(b) What steps have Government taken to compel such Companies to submit particulars of their business as required by law?

The Honourable Sir Muhammad Zafrullah Khan: (a) It is presumed that the Honourable Member refers to such part of the information included in the Indian Insurance Year Book, 1934, as Insurance Companies are required by law to furnish. No company has omitted to furnish such information, but in a few instances information has been received too late for inclusion in the Year Book.

(b) Does not arise.

REPORT ON THE INDIAN COMPANIES ACT BY MR. S. C. SEN.

1380. ***Mr. Mathuradas Vissanji:** Will Government be pleased to state whether the report on the Indian Companies' Act by Mr. Sen is ready, and if so, will Government be pleased to state when it will be published?

The Honourable Sir Nripendra Sircar: That report is not intended for publication, and will not be published.

PROTECTION TO INDIAN INSURANCE ENTERPRISE.

1381. ***Mr. Mathuradas Vissanji:** (a) Has the attention of Government been drawn to the feeling amongst the Indian Insurance Companies that the delay in the reform of legislation, affecting this branch of business, is having a prejudicial effect upon the progress of the Indian Insurance Companies?

(b) Will Government be pleased to state whether they propose to consider the question of affording protection to the Indian Insurance enterprise, and, if so, in what form will this protection be given?

(c) Will Government be pleased to state whether they have received any representation from the Federation of Indian Chambers of Commerce and Industry regarding protection or safeguarding of Indian Insurance enterprise, and, if so, what reply they have made to such representation?

(d) Are Government prepared to appoint a committee, consisting of representatives of the Indian Insurance Companies, to advise upon the reform of legislation affecting Insurance enterprise?

(e) Are Government aware of any Insurance Company having been obliged to retire from Siam and French Indo-China because of such legislation introduced in these countries?

(f) Has the attention of Government been drawn to the introduction of similar legislation in Egypt?

(g) Will Government be pleased to state if there is any legislation in the British Dominions, like Australia, New Zealand, Canada, South Africa, which acts as a deterrent to outside Companies wanting to operate in those territories?

(h) Has the attention of Government been drawn to the methods by which Japan encourages and protects such enterprise of its own nationals, and particularly after the earthquake in that country, refuses admission to any foreign companies for work in that country?

The Honourable Sir Nripendra Sircar: (a) Government are aware that this view has been expressed in certain quarters.

(b), (c) and (d). Representations were received from the Federation of Indian Chambers of Commerce and Industry and also other public bodies, which were considered by the Officer on Special Duty, Mr. Sen, whose report is now before Government for consideration. Government propose to appoint a committee, on which Indian insurance interests will be represented to assist them in the consideration of that report.

(e) Government have been informed by one company that they retired from these countries because they did not consider that the scale of their business justified them in making the deposit required by law.

(f) No.

(g) Government are aware that in some of these countries higher deposits are required from foreign than from indigenous companies.

(h) Government's information is that since the earthquake new insurance companies, whether Japanese or foreign, have not been licensed in Japan.

Mr. Mathuradas Vissanji: Will Government be pleased to state when the appointment of this Committee will take place?

The Honourable Sir Nripendra Sircar: At the present moment, my expectation is that the Select Committee on the Company Law will finish somewhere in August, and this Committee may meet in November.

Mr. S. Satyamurti: May I know what will be the composition of this Committee, apart from Indian Insurance Companies?

The Honourable Sir Nripendra Sircar: We have not considered that at all.

Mr. S. Satyamurti: Is that with a view to bringing legislation before the House?

The Honourable Sir Nripendra Sircar: It is to consider the suggestions made by Government after they have considered Mr. Sen's report.

Mr. S. Satyamurti: With a view to ultimate legislation?

The Honourable Sir Nripendra Sircar: Yes.

PERMANENT LOCATION OF ARMY HEADQUARTERS IN DELHI.

1382. ***Mr. Muhammad Azhar Ali:** (a) Will Government please state the total expenditure incurred under the following heads between the financial years 1930-31 and 1935-36:

- (i) move of all military offices, including the Defence Department, Army and Royal Air Force Headquarters, Military Accountant General, and the Director of Army Audit, between Simla and Delhi and *vice versa*;
- (ii) winter allowance to the staff retained at Simla during the winter months;
- (iii) Delhi allowance to the staff moved to Delhi;
- (iv) cost of coal consumed by winter offices of Simla; and
- (v) trunk telephone call bills on account of communication between New Delhi and Simla?

(b) Is it a fact that the headquarters of the departments connected with the Army in India is Simla? If so, will Government please state the justification for this huge expenditure by not locating all the military offices permanently at their headquarters station, *viz.*, Simla?

(c) Will Government please state the number of the British and Indian personnel of the Army Headquarters offices kept at Simla and moved to Delhi during the winter?

(d) Will Government please state the reasons why Superintendents and Assistants of Army Headquarters offices, which remain at Simla during the winter, are not given any compensatory winter allowances, whereas allowances are given to those that are moved to Delhi?

(e) Are Government aware that staff of offices kept at Simla during winter are put to heavy expenditure due to the move of their families at their own expense between Simla and stations in the plains and *vice versa* in order to escape the severe winter of a hill station like Simla? If so, are Government aware that the retention of these offices at Simla during winter causes a considerable drain on the poor clerks' resources?

(f) Are Government prepared to locate those offices at some station in the plains where the staff could benefit by the social amenities of the town and climate throughout the twelve months? If not, why not?

(g) Are Government aware that the staff of the winter offices at Simla are prepared to be located at any station in the plains for twelve months in preference to twelve months' stay at Simla?

(h) Have Government ever received any representation from the Army Headquarters non-covenanted Association appealing for their move to Delhi during winter even without any allowance being granted to them? If so, what action have Government taken thereon?

Mr. G. R. F. Tottenham: (a) No. The collection of the information desired would involve an expenditure of time and labour which would not be commensurate with the results achieved.

(b) If the Honourable Member is referring to the Defence Department and the Military Finance Branch, the reply to the first part of the question is in the negative. As to the second part, it is essential for administrative reasons that certain portions of the military offices should always be with the Government of India.

(c), (d), (e) and (f). The attention of the Honourable Member is invited to the reply given on the 13th March, 1936, to question No. 1192.

(g) Government have no information.

(h) A representation was received in 1938, and duly replied to but it did not contain any suggestion of the nature cited.

ELECTRICITY SUPPLY IN THE SHAHDARA TOWN OF THE DELHI PROVINCE.

1383. ***Mr. Muhammad Azhar Ali:** Will Government please state:

- (a) the terms of agreement on which the licence was granted to Messrs. Martin & Co., Managing Agents of the Upper Jumna Valley Electric Supply Company, Limited, to supply electricity to the town of Shahdara, Delhi Province, including the Notified Area (both to the Area Committee and residents for domestic purposes and street lighting);
- (b) whether the Electrical Inspector to the Delhi Administration has ever inspected the electric mains and live wires of the said company running overhead on buildings of Delhi Shahdara Notified Area; if so, when and with what results; and what is the minimum and maximum distance from a standing person at the nearest height;
- (c) whether they are aware that on some buildings the electric mains and live wires are so closely laid down that they can easily be touched by a person;

- (d) whether the conditions and rates of supply to Delhi Shahdara of the said company are in conformity with those prevalent in New Delhi, Delhi City, Civil Lines Notified Area and Fort Area; if not, whether Government propose to bring it to a uniform basis; if not, why not; and
- (e) whether they are aware of the rate of supply to the said company of electricity produced by the Irrigation Department of the United Provinces of Agra and Oudh Government?

The Honourable Sir Frank Noyce: (a) The terms are embodied in a license with four annexures which may be inspected in the Chief Commissioner's office.

(b) All overhead wires and services were inspected by the Electrical Inspector on the 31st May, 1934, 10th January, 1935 and 25th November, 1935, and were found to conform to the Indian Electricity Rules, 1922, except that in some instances it was not practicable to conform to the minimum height of 15 feet.

(c) No.

(d) The conditions and rates of supply in Shahdara do not conform with those in the Delhi City, New Delhi, Civil Lines and Fort areas. The answer to the second part of the question is in the negative. It is not essential that these should be alike in the two separate areas of supply.

(e) No.

Pandit Lakshmi Kanta Maitra: With regard to part (d), did the Honourable Member make any inquiries as regards the allegations?

The Honourable Sir Frank Noyce: What inquiries?

Pandit Lakshmi Kanta Maitra: About the cables being in a low position?

The Honourable Sir Frank Noyce: I have asked my Honourable friend what enquiries he suggests.

Pandit Lakshmi Kanta Maitra: The Honourable Member said, No. But the question is whether the electric wires are so low that they can be touched, and it is very dangerous to human life?

The Honourable Sir Frank Noyce: I have not seen the reports. I am quite willing to get a copy and to find out in what cases it has not been found practicable to conform to the 15 feet maximum.

INCREASE IN THE IMPORT OF SUGAR THROUGH PORTS IN INDIAN STATES.

1384. ***Mr. Satya Narayan Sinha:** (a) Are Government aware that the imports of sugar are increasing in the country through the various Indian State Ports?

(b) If the reply to part (a) be in the affirmative, will Government be pleased to state what steps they have taken, or are going to take, to check such imports, which is causing loss of revenue and is a growing menace to the indigenous sugar industry?

The Honourable Sir James Grigg: (a) During the first eight months of the current financial year the total imports of sugar into British India through Indian State Ports were slightly higher than during the corresponding period of the previous year. The latest information received, however, indicates that such imports are now decreasing.

(b) I would invite the attention of the Honourable Member to the reply which I gave to question No. 42 and supplementary questions asked by Mr. Satyamurti on the 4th of February, 1936.

Mr. S. Satyamurti: Are Government satisfied that the steps they have taken are effective for the purpose mentioned in part (b) of the question?

The Honourable Sir James Grigg: When you say satisfied, they are not complete yet, but, in so far as they had been taken, I think they are satisfactory, but there are still very large questions remaining outstanding.

Mr. S. Satyamurti: Are Government considering those outstanding questions, with a view to achieving the object mentioned in clause (b)?

The Honourable Sir James Grigg: Certainly.

Mr. S. Satyamurti: When do they hope to finish consideration, and take final and effective steps to achieve this very desirable object?

The Honourable Sir James Grigg: I cannot say when.

Mr. S. Satyamurti: Before the Federation?

The Honourable Sir James Grigg: Certainly.

SETTING ASIDE OF A PORTION OF THE EXCISE DUTY FOR RESEARCH AND IMPROVEMENT IN SUGAR-CANE CULTIVATION.

1385. ***Mr. Satya Narayan Sinha:** Will Government be pleased to state what they have done with regard to the recommendation of the Sugar Committee of the Imperial Council of Agricultural Research meeting, which was held in July, 1935, for setting aside at least two annas per rupee out of the proceeds of the excise duty for the research and improvement in cane cultivation?

Sir Girja Shankar Bajpai: I would invite the Honourable Member's attention to the answer already given to parts (d) and (e) of Mr. Satyamurti's question No. 414 on the 16th September, 1935, and to the Honourable the Finance Member's speech when presenting the budget for 1936-37.

Prof. N. G. Ranga: Are peasants represented on this Sugar Committee, how many per each province, and who elects them?

Sir Girja Shankar Bajpai: The composition of the Sugar Committee does not arise out of this question, I submit.

OUTSTATION ALLOWANCES OF RAILWAY MAIL SERVICE SORTERS.

1386. ***Pandit Lakshmi Kanta Maitra:** (a) Is it a fact that an absence of six hours from headquarters in the case of Railway Mail Service Superintendents and Inspectors entitles them to a full diem allowance, whereas not a farthing is paid to sorters for absence from their headquarters for double this period?

(b) If the answer to the above be in the affirmative, will the Honourable Member in charge of Labour and Industries be pleased to state the reasons underlying this anomalous distribution of allowance?

(c) Is it a fact that for absence from headquarters from over 12 hours to 24 hours, the sorters get four annas, mail guards two annas and van peons one anna as outstation allowance?

(d) If the answer to part (c) be in the affirmative, will the Honourable Member in charge of Labour and Industries be pleased to state the principle that was applied in fixing these rates of outstation allowances?

(e) Are Government prepared to revise the present rates? If not, why not?

Mr. G. V. Bewoor: (a) Yes.

(b) There is no anomaly, as the circumstances in which Superintendents and Inspectors of the Railway Mail Service on the one hand and Railway Mail Service sorters on the other are absent from headquarters are entirely different. In the case of the latter such periods of absence are definitely fixed and recur regularly. It is, therefore, possible for the sorters to arrange to take either provisions or cooked food with them from their homes. They are also provided with a rest house in which to stay during their absence from headquarters and these rest houses are within reasonable proximity of the railway station. In the case of Superintendents and Inspectors of the Railway Mail Service, such absences are irregular both in duration and in frequency and no provision is made for them as in the case of sorters.

(c) Yes.

(d) The principle followed was that the men could take their first meals out with them from their homes and therefore the allowances were sanctioned as a contribution towards the extra cost of arranging for their second and subsequent meals when away from home.

(e) No; Government consider that the allowances are a suitable contribution to the extra cost to which the men may be put in the matter of meals away from home owing to the special circumstances of service in the Railway Mail Service.

Pandit Lakshmi Kanta Maitra: May I know if the Honourable Member considers that amount of allowance sufficient for the subsequent meals?

Mr. G. V. Bewoor: Yes.

REDUCTION IN THE WORKING HOURS OF THE RAILWAY MAIL SERVICE SORTING OFFICES.

1387. ***Pandit Lakshmi Kanta Maitra:** (a) Is it a fact that weekly working hours of the following offices under the Postal and Railway Mail Service Department are as follows?

1. Administrative offices—86 hours.
2. Local Post Offices—40 hours.

3. Head and Sub Record Offices—45 hours.

4. Sorting Mail Offices—56 hours.

(b) If the answer to part (a) be in the affirmative, will the Honourable Member in charge of Labour and Industries be pleased to state why this discrepancy is maintained in the weekly working hours of these different offices under the same department?

(c) Do Government propose to decrease the weekly working hours of the Railway Mail Service sorting mail offices and bring the same on par with those of the administrative office?

Mr. G. V. Bewoor: (a) Weekly working hours are not prescribed in the various stationary offices of the Department mentioned by the Honourable Member. The attendance of personnel in post offices and Railway Mail Service offices is fixed at 8 hours per day with half an hour's relief. In administrative offices the hours of attendance are ordinarily fixed at six a day.

(b) The reason why a lesser period of duty is prescribed for administrative offices is that the work is more exacting.

(c) Does not arise in view of the reply to part (a).

GRANT OF HOLIDAYS TO THE OFFICIALS WORKING IN THE RAILWAY MAIL SERVICE SORTING OFFICES.

1388. ***Pandit Lakshmi Kanta Maitra:** (a) Is it a fact that officials attached to the Circle Office and offices of the Superintendent, Post Offices and Railway Mail Service, get on an average 90 days' holidays during the year and local Post Offices get 60 days, whereas the officials of the Railway Mail Service sorting offices enjoy no holidays at all (even Sundays not being excepted)?

(b) If the answer to part (a) be in the affirmative, are Government prepared to make arrangement for the grant of holidays in the case of these officials working in the Railway Mail Service sorting offices?

(c) If not, are Government prepared to grant special compensatory allowances to these officials?

Mr. G. V. Bewoor: Information has been called for and will be placed on the table in due course.

ALLOWANCE GRANTED TO THE RAILWAY MAIL SERVICE OFFICIALS IN THE DOOARS REGIONS, BENGAL.

1389. ***Pandit Lakshmi Kanta Maitra:** (a) Is it a fact that a fixed allowance of Rs. 5 is granted to the Railway Mail Service officials working in sections running through the Dooars regions, Bengal, whereas allowances varying from Rs. 7 to Rs. 15 are given to the Sub-Postmasters and clerks of Post Offices of those regions?

(b) Is it a fact that these allowances are granted to the above officials to compensate for the extra expenditure sustained by them due to the unhealthy and notorious Dooar climate, and will the Honourable Member in charge of Labour and Industries be pleased to state why this discrepancy is being retained by Government in the matter of grant

of allowances to the Postal and Railway Mail Service officials belonging to the same department and the same cadre in service?

(c) Are Government prepared to revise the scales of allowances which are given to the Railway Mail Service officials working in sections running through the Dooars regions (Bengal)?

(d) Is it not a fact that duties of the Railway Mail Service officials working in the sections are more hazardous and trying than the duties performed by their brother officials in the Post Office?

(e) If the answer to part (c) be in the affirmative, are Government prepared to consider the special case of the Railway Mail Service officials in refixing the allowances which are given to them working in that section?

Mr. G. V. Bewoor: (a) and (b). The sorters of one Railway Mail Service section whose headquarters station is outside the Dooars and who have periodically to pass through those regions on duty are paid fixed allowance of Rs. 5 per mensem. Their duty involves passing through the Dooars once in six days. This allowance is given in view of the unhealthy Dooars climate and it is given in addition to an outstation allowance which is intended to meet the extra expenses of sorters while away from headquarters station. Sub-postmasters and clerks of post offices in the Dooars region are given allowances varying from Rs. 7 to Rs. 15. The conditions are entirely different in the case of post office officials who are stationed in the Dooars and who have to live there every day of the week.

(c) As explained above there is no discrepancy in the matter of the grant of allowance and Government are not prepared to revise the scales given to the Railway Mail Service sorters.

(d) The conditions of work in the post office and in the Railway Mail Service are different and it is not possible to say if one is more hazardous and trying than the other.

(e) Does not arise in view of the reply to part (c).

Pandit Lakshmi Kanta Maitra: Are the working hours the same in both?

Mr. G. V. Bewoor: Yes, eight hours per day.

DIVISIONAL SUPERINTENDENTS ON THE EAST INDIAN AND NORTH WESTERN RAILWAYS.

1390. ***Pandit Lakshmi Kanta Maitra:** (a) Will Government be pleased to state the names of Divisional Superintendents of the different divisions in the East Indian and North Western Railways?

(b) What are the qualifications, pay and emoluments of each?

(c) How many of these are Indians and what are their scales of pay?

(d) When were these Indians, if any, appointed and what are their qualifications?

The Honourable Sir Muhammad Zafrullah Khan: I am collecting information and will lay a reply on the table of the House, in due course.

PURCHASE OF THE PENINSULAR LOCOMOTIVE WORKS.

1391. ***Pandit Lakshmi Kanta Maitra:** (a) Will Government be pleased to state what the present position is in regard to the Peninsular Locomotive works which were purchased by Government several years ago?

(b) Were they purchased for the purpose of manufacturing locomotives?

(c) If the answer to part (b) be in the affirmative, will Government be pleased to state how many locomotives have so far been manufactured there?

(d) If the answer to part (b) be in the negative, will Government be pleased to state to what use, if any, have the plant and machinery been put?

(e) What cost was incurred by Government in making the purchase?

The Honourable Sir Muhammad Zafrullah Khan: (a) The Workshop is being utilised for the manufacture of coaching underframes.

(b) No. The works are not equipped for the manufacture of locomotives.

(c) Does not arise.

(d) That portion of the machinery and plant purchased from the Peninsular Locomotive Company which could be utilised for the manufacture of underframes was retained in the Workshops; the balance was either transferred to other railway workshops or sold.

(e) Rs. 20 lakhs.

Pandit Lakshmi Kanta Maitra: Was not the plant originally purchased for the purpose of manufacturing locomotives?

The Honourable Sir Muhammad Zafrullah Khan: No.

Qazi Muhammad Ahmad Kazmi: Was it manufacturing locomotives before the purchase?

The Honourable Sir Muhammad Zafrullah Khan: I do not think so.

Qazi Muhammad Ahmad Kazmi: Was this company formed for the manufacture of locomotives, or not?

The Honourable Sir Muhammad Zafrullah Khan: I believe so.

Mr. S. Satyamurti: What is the value of the plant and machinery now in the workshops?

The Honourable Sir Muhammad Zafrullah Khan: I could not answer that without notice.

Mr. S. Satyamurti: What is the annual value of the work turned out by the workshops?

The Honourable Sir Muhammad Zafrullah Khan: I could not answer that either without notice.

Mr. S. Satyamurti: Are Government satisfied that they are getting the maximum value out of the plant and machinery in the workshops, by the work being done there now?

The Honourable Sir Muhammad Zafrullah Khan: Yes.

Pandit Lakshmi Kanta Maitra: Are Government manufacturing wagons in these workshops?

The Honourable Sir Muhammad Zafrullah Khan: I do not think so, but I am not quite sure. I think it is only underframes.

Pandit Lakshmi Kanta Maitra: Underframes of both passenger coaches and wagons?

The Honourable Sir Muhammad Zafrullah Khan: I think so.

RECRUITMENT OF CLERKS AND OFFICERS FROM BENGAL AND ASSAM IN THE GOVERNMENT OF INDIA OFFICES.

1392. ***Pandit Lakshmi Kanta Maitra:** (a) Will Government be pleased to state the number of men from the provinces of (i) Bengal and (ii) Assam, either as clerks or as officers in the Central Government offices recruited through the Public Service Commission?

(b) What is their proportion as compared with the men from the other provinces of India?

The Honourable Sir Henry Craik: (a) and (b). Government have not undertaken to secure representation for provinces either generally or in terms of particular communities. Men from Bengal and Assam have equal opportunities with those from other provinces. This being the case, no useful purpose would be served by collecting the information for which the Honourable Member asks, which would involve considerable labour and expense.

REFUSAL OF PASSPORT TO VISIT ENGLAND TO ONE MR. J. ADHIKARI, AN INTERNEE AT BIJAPUR.

1393. ***Mr. S. K. Hosmani:** (a) Are Government aware that one Mr. J. Adhikari, an internee at Bijapur in the Bombay Presidency, had applied to the Government of Bombay for a passport to go to England for medical treatment?

(b) Is it a fact that the Government of Bombay agreed to grant a passport with certain restrictions and informed him accordingly through the District Magistrate, Bijapur, *vide* his letter dated the 20th December, 1935, and further assured him of reasonable facilities to make necessary preparations for the journey?

(c) Is it a fact that the District Magistrate called for specimen signature and necessary attestation to facilitate the issue of the passport?

(d) Are Government aware that the said Mr. J. Adhikari accepted all the restrictions imposed and arranged for a berth on S.S. "California" sailing from Bombay on the 9th April, 1936?

(e) Is it a fact that the Government of Bombay informed the said Mr. J. Adhikari through the District Magistrate, Bijapur, on the 27th February, 1936, of their decision not to grant him any passport?

(f) If the reply to the above be in the affirmative, will Government be pleased to state the reasons why they decided suddenly not to grant him the passport?

(g) Are Government aware that he is a chronic patient of haemophilia?

(h) Is it a fact that he has produced medical certificates to that effect?

(i) Are Government aware that the medical treatment for this disease cannot be had in India?

The Honourable Sir Henry Craik: (a) to (f). Mr. Adhikari was at first refused a passport in 1934 in view of his Communist activities as stated in my reply to Mr. Giri's question No. 815 of the 11th March, 1935. Later, however, Government agreed to grant him a passport as stated, but, subsequently, certain fresh information came to light, in connection with an arrest made in January last, which made it clear that he would be likely to be engaged in Communist activities outside India and that the issue of a passport was, therefore, undesirable.

(g) and (h). I believe this is correct.

(i) No.

Mr. S. Satyamurti: Have Government made enquiries, or have they satisfied themselves that there is scope, or that there are facilities for medical treatment of this particular disease in India?

The Honourable Sir Henry Craik: Yes, my information is that treatment is available in India.

Mr. S. Satyamurti: What is the information in the possession of the Honourable Member on which he states that this gentleman, if he is given a passport, will engage in Communistic activities outside India?

The Honourable Sir Henry Craik: I have stated that certain information came to light in connection with an arrest made in January last; I have certain documentary information the nature of which I cannot disclose, as the documents in question are exhibits in a case which is still *sub judice*.

Mr. S. Satyamurti: Are Government acting purely on information contained in the documents which have been supplied to Courts of law, or are they relying on any private document?

The Honourable Sir Henry Craik: I do not quite follow what the Honourable Member means.

Mr. S. Satyamurti: I think the Honourable Member said that some of these documents were exhibited in Courts of law. I am asking whether Government are acting on that information based on documents which are now exhibited in Courts of law, or whether Government are acting on any other information in their possession.

The Honourable Sir Henry Craik: The information was contained in those documents.

Mr. N. V. Gadgil: May I know whether Mr. Adhikari was given any opportunity to explain the grounds on which Government proceeded to cancel the passport?

The Honourable Sir Henry Craik: I do not think so.

Mr. N. V. Gadgil: Is it a fact that Mr. Adhikari has written through the District Magistrate, Bijapur, to the Government of Bombay, to let him know the grounds on which he was refused passport, so that he might have an opportunity to explain the position?

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

Qazi Muhammad Ahmad Kazmi: Is it not a fact that gentlemen, who carry on Communistic propaganda in India, are often sent out of India? Is there any special reason for keeping this particular gentleman, Mr. Adhikari, inside India even when he is suspected of instigating Communistic activities?

The Honourable Sir Henry Craik: That seems to me a matter of argument?

Mr. S. Satyamurti: What is the policy of the Government? To detain Communists in India, or to send them outside India? Or do they want to do both at the same time?

The Honourable Sir Henry Craik: They can stay where they are.

Mr. T. S. Avinashilingam Chettiar: Were any restrictions placed upon him in issuing the passport, or was it one of the restrictions that he should not mix with Communistic organizations when he goes out?

The Honourable Sir Henry Craik: I do not think any conditions of that kind were suggested.

MR. SUBHASH CHANDRA BOSE.

1394. ***Mr. T. S. Avinashilingam Chettiar:** Will Government state:

- (a) whether they are aware of the Reuter's message that Mr. Subhash Chandra Bose will be arriving in India on 3rd April;
- (b) whether the ban on him still continues;
- (c) whether he will be allowed into his country; and
- (d) if not, what action they propose to take?

The Honourable Sir Henry Craik: (a) Yes.

(b) to (d). Mr. Subhash Chandra Bose has been warned that if he returns to India, he could not expect to remain at liberty.

Mr. T. S. Avinashilingam Chettiar: What are the reasons?

The Honourable Sir Henry Craik: Because, in the opinion of Government, his remaining at liberty in India would be a danger to the State.

Pandit Lakshmi Kanta Maltra: Are Government aware that, in reply to a question during the Simla Session, the Honourable Member said that there was absolutely no ban on the return of Mr. Subhash Chandra Bose to India?

The Honourable Sir Henry Craik: That was in relation to whether he possessed passport facilities. He does hold a passport available for journey to India. I never gave any undertaking that he would be at liberty if he returned to India.

Qazi Muhammad Ahmad Kazmi: How have Government come to know of the actual mental conditions of Mr. Subhash Chandra Bose—the opinion he holds is strictly private confined to himself—that if he returned to India, he would engage himself in activities dangerous to the State? Have Government got any evidence on which they decided that, if he comes back to India, he will start activities against the Government?

The Honourable Sir Henry Craik: Plenty of evidence.

Sir Cowasji Jehangir: Was Mr. Subhash Chandra Bose asked to give any undertaking that, if he is allowed into India and remains free, he must take to only constitutional methods of agitation?

The Honourable Sir Henry Craik: No, he was not asked.

Mr. Akhil Chandra Datta: Is it not a fact that Mr. Bose was arrested in connection with the Civil Disobedience Movement?

The Honourable Sir Henry Craik: No, Sir, he was arrested for different reasons.

Mr. Akhil Chandra Datta: Was he not arrested immediately after the resumption of the Civil Disobedience Movement by Mahatma Gandhi in 1932? Was he not free for a long time before?

The Honourable Sir Henry Craik: His arrest was not made in connection with the Civil Disobedience Movement. It was for other reasons.

Mr. S. Satyamurti: May I know what is the evidence in the possession of Government, on which they have come to the conclusion that, if he returns, he will do such things as will compel Government to take action against him?

The Honourable Sir Henry Craik: That is rather difficult to state within the compass of an answer to a supplementary question. One of the Honourable Members opposite has put down a motion for adjournment of the House on the same subject, and, if that is discussed, I hope, I shall have an opportunity of explaining in detail what evidence is in possession of Government.

Mr. S. Satyamurti: May I know if Government will not object to that motion?

The Honourable Sir Henry Craik: Certainly not.

Pandit Lakshmi Kanta Maitra: I put a question last Simla Session when the Honourable Member definitely replied that, so far as the return of Mr. Bose to India was concerned, there was absolutely no ban on him.

The Honourable Sir Henry Craik: I do not recollect my exact words but that was not the sense of my answer, as far as I recollect.

Pandit Lakshmi Kanta Maitra: As a result of my question

Mr. President (The Honourable Sir Abdur Rahim): There is a motion for adjournment, of which notice has been given, when this matter can be fully dealt with. Next question.

RULES FOR SUBMISSION OF APPEALS BY THE MINISTERIAL ESTABLISHMENT OF THE GOVERNMENT OF INDIA OFFICERS.

1395. ***Pandit Lakshmi Kanta Maitra:** (a) Will Government please place on the table of the House a copy of the rules for submission of appeals by the ministerial establishment of the Government of India Secretariat and the Army Headquarters?

(b) Do the rules provide for the next course open to a Government servant who has exhausted all his rights of appeal departmentally as prescribed by the rules?

(c) Do the rules provide for his going to a court of law, or having the matter raised on the floor of this House through any member for an unprejudiced discussion and decision?

(d) If so, will Government please quote that rule? If there is no such rule do they propose to make provision in this direction? If not, why not?

The Honourable Sir Henry Craik: (a) I would refer the Honourable Member to the Home Department Notification No. F. 9-19/30-Ests., dated the 27th February, 1932, publishing the rules for the making of first appointments to subordinate services under the administrative control of the Governor General in Council and for the discipline and rights of appeal of members of those services, a copy of which is in the Library of the House.

The ministerial establishments of Army Headquarters include both soldiers and civilians who, in this matter, are governed by the orders contained in the Army Act, Indian Army Act and Regulations for the Army in India, copies of which are also in the Library of the House.

(b) I would invite the Honourable Member's attention to rule 18 of the rules referred to in reply to part (a) which make it clear that the Governor General in Council has power of revision in any case. As to the ministerial establishments of the Army Headquarters the answer is in the negative.

(c) No.

(d) Government do not propose to make any such rule as adequate provision exists for persons aggrieved to appeal.

INCREASE IN THE FREIGHT ON FIROZABAD BANGLES ON THE MADRAS AND SOUTHERN MAHRATTA RAILWAY.

1396. ***Pandit Sri Krishna Dutta Paliwal:** (a) Is it a fact that the Madras and Southern Mahratta Railway have increased the freight on Firozabad bangles from second class to sixth class over their line? If so, since when?

(b) Are Government aware that the increased freight is proving detrimental to Firozabad bangles industry?

(c) Are Government aware that this increase is against the recommendation of the Railway Rates Committee?

(d) Do Government intend to reduce the freight to its former level? If so, when? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: I have called for certain information and will lay a reply on the table of the House in due course.

IMPERIAL MAIL TRAIN.

1397. ***Mr. T. S. Avinashilingam Chettiar:** (a) Will Government state whether the imperial mail train, referred to in the starred question No. 540 of this Session, is self-supporting?

(b) If not, what is its exact financial position?

(c) How many such trains are run on the State-managed Railways with only first and second class accommodations, and with what results?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes.

(b) Does not arise.

(c) There is no other similar weekly train service.

APPOINTMENTS MADE DIRECTLY WITHOUT THE MEDIATION OF THE PUBLIC SERVICE COMMISSION.

1398. ***Mr. T. S. Avinashilingam Chettiar:** Will Government state:

(a) what are the appointments that they make directly without the mediation of the Public Service Commission;

(b) how candidates for those appointments are selected generally;

(c) whether it is through advertisement; and

(d) how many appointments they made last year and this year directly and without advertising?

The Honourable Sir Henry Craik: I regret I am unable to undertake to collect the information asked for by the Honourable Member as the labour involved in obtaining the requisite information from the numerous attached and subordinate offices of the various Departments of the Government of India throughout India, would be incommensurate with the results.

Prof. N. G. Ranga: Are these vacancies advertised in the papers?

The Honourable Sir Henry Craik: I cannot say for all Departments, but I imagine this is the general rule.

Mr. T. S. Avinashilingam Chettiar: Is it the general policy of the Government, where such appointments are advertised, they are appointed by the heads of Departments or through the Public Service Commission?

The Honourable Sir Henry Craik: The Honourable Member had better put down a question. The question in its present form was so wide that it was very difficult to give one answer. The question covers all Departments of the Central Services many of which are recruited locally.

Mr. T. S. Avinashilingam Chettiar: May I have a negative answer? What appointments they are not bound to refer to the Public Service Commission?

The Honourable Sir Henry Craik: The Honourable Member had better study the rules governing the functions of the Public Service Commission.

Mr. Lalchand Navalrai: May I know if there are any appointments in the Central Government for which people are recruited without the Public Service Commission?

The Honourable Sir Henry Craik: Yes, there are some.

Mr. Lalchand Navalrai: Is there any selection board for them, or is it left to the head of the office?

The Honourable Sir Henry Craik: There, again, the Honourable Member must put down a question. There is a very large number of such appointments, and I cannot give a general answer.

Mr. T. S. Avinashilingam Chettiar: May I know whether in the case of any appointments it is incumbent upon Government to refer to the Public Service Commission, or whether it is left to the choice of Government to refer to them or not?

Mr. President (The Honourable Sir Abdur Rahim): The question is very general, and, if the Honourable Member wants information on any specific point, he had better put down a specific question. The Honourable Member is not in a position to answer all these wide questions.

PERSONS BELONGING TO MALAYA AND CEYLON IN THE SERVICE OF THE GOVERNMENT OF INDIA.

1399. ***Mr. T. S. Avinashilingam Chettiar:** Will Government state:
- (a) the number of persons belonging to Malaya and Ceylon in the service of the Government of India;
 - (b) how many of them have been entertained after those countries have put a ban on Indians; and
 - (c) since the ban, what action they have taken or propose to take?

The Honourable Sir Henry Craik: (a) and (b). I regret I cannot undertake to address an enquiry on this subject to all Government offices in all parts of India as the labour and expense involved would be excessive. The only instance of the employment of such persons within my knowledge is that there are seven Ceylonese in the Indian Civil Service of whom five were appointed after Ceylon put a ban on Indians.

(c) The question of placing restrictions on the employment of natives of Ceylon and Malaya in certain services is under consideration.

Mr. T. S. Avinashilingam Chettiar: What is the exact proposal under consideration?

The Honourable Sir Henry Craik: The question of placing restrictions on the employment of natives of Ceylon and Malaya in certain services.

Mr. T. S. Avinashilingam Chettiar: What is the exact restriction which they propose to put on the employment of these people?

The Honourable Sir Henry Craik: That is under consideration.

Prof. N. G. Ranga: Is it not a fact that this question has been under the consideration of the Government of India since January and February of last year?

The Honourable Sir Henry Craik: It has been under consideration for some time, but, as far as I know, if we are going to restrict the natives of Ceylon and Malaya from sitting for the examination for the Indian Civil Service, that would involve an alteration in the Act of Parliament.

Mr. T. S. Avinashilingam Chettiar: When do they expect to come to a conclusion on this matter?

The Honourable Sir Henry Craik: I think as soon as the new Act comes into force.

BALANCE OF TRADE FOR INDIA.

1400. ***Mr. T. S. Avinashilingam Chettiar:** Will Government state:

- (a) with reference to the answer given by the Honourable the Commerce Member to starred question No. 1017 of this Session, what steps they have taken to arrive at a proper balance of trade for India; and
- (b) what further steps they propose to take?

The Honourable Sir Muhammad Zafrullah Khan: (a) The problem presented by the diminution of India's balance of trade in merchandise since the pre-depression period has been the subject of close examination by the Government of India who are of opinion that India's trade position is intrinsically sound. Recent statistics indicate a revival in export trade distributed over practically the whole range of India's export staples. In this connection, attention is invited to the series of press notes on the subject, which were recently issued by the Director of Public Information.

The question of India's foreign trade policy has also been examined with a view to determining whether any departure from her traditional policy of reliance on the most-favoured-nation clause is desirable in view of the altered conditions of world trade. That examination has confirmed the view of the Government of India that no change in policy is likely to benefit India. In this connection also a series of press notes has been issued

In particular, the exchange and financial embarrassments of Germany, Italy, Turkey and Iran have reacted unfavourably on India's export trade. In the case of Germany, it was decided after careful consideration that no good purpose was likely to be served by an approach to the German Government. On the contrary, it was most likely to result in a further and permanent diminution of our export trade to Germany. In the case of the other three countries, representations have been made through the appropriate diplomatic channels with a view to securing relief from the restrictive measures which affect India's trade as well as that of other countries.

The Government of India are also in correspondence with His Majesty's Government with a view to ensuring that in the event of the imposition of quotas by the Netherlands Government India will receive a share of any global quota proportionate to her interest in the Netherlands trade.

They have also been for some time past in correspondence with the Governments of certain Dominions on the subject of the conclusion of trade agreements mutually advantageous to the contracting parties.

I may remind the Honourable Member of the existence of Indian Trade Commissioners in London, Hamburg and Milan, records of whose activities are from time to time published in the *Indian Trade Journal*. In this connection, I may mention that the Government of India have under consideration an extension of their Trade Commissioner organisation.

The Government of India have scrupulously avoided any action which might add to the restrictions on world trade, which are already in existence.

(b) The Government of India will take such further steps as from time to time may appear to be in the interest of Indian trade.

Mr. T. S. Avinashilingam Chettiar: May I know what is the present state of the balance of export trade in this country? Is it for or against this country?

The Honourable Sir Muhammad Zafrullah Khan: It is in favour of India.

Prof. N. G. Ranga: Is it then a fact that the Honourable the Commerce Member is in agreement with these press notes and that he is also opposed to the bilateral trade agreements?

The Honourable Sir Muhammad Zafrullah Khan: It is a very general question. These press notes are based on information which was in the possession of Government.

Prof. N. G. Ranga: Is it not a fact that these press notes are opposed to the bilateral trade agreements between this country and other countries?

The Honourable Sir Muhammad Zafrullah Khan: The reply which I have read out deals with this matter.

Prof. N. G. Ranga: In view of the fact that this country has to pay 50 crores of rupees every year to Great Britain, does the Honourable Member still think that the balance is in favour of India, taking that into consideration?

The Honourable Sir Muhammad Zafrullah Khan: I replied that a comparison of imports and exports shows with regard to merchandise alone that there is a favourable balance of trade.

Mr. S. Satyamurti: Does the Honourable Member realise that almost the entire favourable balance of trade is made up by the export of gold?

The Honourable Sir Muhammad Zafrullah Khan: No, Sir.

Mr. S. Satyamurti: Excepting the export of gold, what is the extent of the favourable balance of trade today in favour of India, in merchandise alone?

The Honourable Sir Muhammad Zafrullah Khan: For the first 11 months, that is to say, from April, 1935, to February, 1936, 24 crores and 81 lakhs.

Mr. S. Satyamurti: How does it compare with the previous balance of trade, say, five or ten years before; *minus* the export of gold?

The Honourable Sir Muhammad Zafrullah Khan: If the Honourable Member will specify the years and give notice, I shall supply the figures, but I believe it is likely to be in excess of last year's by about four crores.

Mr. S. Satyamurti: But, leaving the export of gold altogether out of calculations, has there not been a fall in the favourable balance of trade, taking merchandise alone?

The Honourable Sir Muhammad Zafrullah Khan: Yes, I think there has been a fall. The fall continued up to 1931-32 I think, in which year the balance of trade in merchandise alone fell to about three crores. It has been rising since.

Qazi Muhammad Ahmad Kazmi: Is this all due to improvement of world conditions, or has anything been done actively by the Government of India in this matter?

The Honourable Sir Muhammad Zafrullah Khan: That is a question of argument.

Mr. S. Satyamurti: Are Government considering the question of concluding bilateral agreements with various countries, considering the nature

of our exports and the requirements of various countries, and dealing with it solely from the point of view of improving India's favourable balance of trade?

The Honourable Sir Muhammad Zafrullah Khan: I have read out in my reply as to the correspondence and negotiations that are taking place and they certainly are solely with a view to improving the trade conditions of India.

Mr. S. Satyamurti: Have Government made up their mind against bilateral trade agreements, as these press notes indicate?

The Honourable Sir Muhammad Zafrullah Khan: It is a general question and is a matter of argument.

Mr. S. Satyamurti: May I know if the authority of Government is behind these propagandist notes which are practically arguments of a cheap kind against bilateral trade agreements?

The Honourable Sir Muhammad Zafrullah Khan: The question itself is an argument.

Mr. S. Satyamurti: I want to know whether the Government's authority is behind these press notes, or is it the propagandist of one particular gentleman? Has it the imprimatur of Government's approval?

The Honourable Sir Muhammad Zafrullah Khan: These notes give the information which is in the possession of Government. Beyond that, I refuse to argue the matter on the floor of the House in reply to a question.

PAY OFFERED TO ASSISTANT AND SUB-ASSISTANT SURGEONS APPOINTED ON THE NORTH WESTERN RAILWAY.

1401. ***Mr. Lalchand Navalrai:** (a) Will Government be pleased to state if any Assistant and Sub-Assistant Surgeons were appointed on the North Western Railway between 15th July, 1931 and 1st July, 1934? If so, how many?

(b) Is it a fact that some of them were appointed on a specific scale of pay and the letters of appointment distinctly proposed to them if they would join on that specific scale of pay, without giving them to understand that it will be liable to revision?

(c) Is it a fact that the scale of pay of medical subordinates so appointed has also been revised? If so, what is the justification for doing so?

(d) Is it a fact that they have protested against such action? If so, has their grievance been redressed? If not, why not, and what do Government propose to do in the matter?

The Honourable Sir Muhammad Zafrullah Khan: I am collecting information and will lay a reply on the table of the House, in due course.

CLEANING AND WASHING OF CARRIAGES ON THE NORTH WESTERN AND THE EAST INDIAN RAILWAYS.

1402. ***Qazi Muhammad Ahmad Kazmi:** Will Government be pleased to state:

(a) whether it is a fact that there is a sanitary department in the North Western and East Indian Railways;

- (b) whether it is a fact that the cleaning and washing of carriages is carried on by staff who work under 'Train Examiners', who belong to the technical branch;
- (c) whether it is a fact that the sanitary department have got no responsibility regarding the cleaning of the bath rooms and lavatories of carriages;
- (d) whether they are aware that this cleaning and washing, not being under proper sanitary advice, is done rather perfunctorily; and
- (e) whether they are prepared to consider the advisability of placing the cleaning and washing staff of carriages under the sanitary department? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: With your permission, Sir, I propose to reply to questions Nos. 1402 to 1404 together.

Information has been called for and will be laid on the table of the House in due course.

SINGLE CONTROL SCHEME FOR CARRIAGES AND WAGONS STARTED ON CERTAIN RAILWAY STATIONS.

†1403. *Qazi Muhammad Ahmad Kazmi: Will Government be pleased to state:

- (a) whether a 'single control scheme for carriages and wagons' has been started at Delhi, Meerut and Saharanpur Railway stations;
- (b) whether it is a fact that the scheme has resulted in a saving of expenses; and
- (c) if the answer to part (b) be in the affirmative, what is the amount of saving per annum?

SINGLE CONTROL SCHEME FOR CARRIAGES AND WAGONS STARTED ON CERTAIN RAILWAY STATIONS.

†1404. *Qazi Muhammad Ahmad Kazmi: (a) Is it a fact that a scheme for single control for carriages and wagons on railways was tried even before and resulted in a failure?

(b) Have Government made a survey of the causes of the failure on the previous scheme?

(c) If the answer to part (b) be in the affirmative, will Government be pleased to state those causes and to state whether they have taken steps to eliminate them in their present working?

(d) Are Government prepared to consider the advisability of extending the 'single control scheme' to other junction stations of more than one different railway? If not, why not?

† For answer to this question, see answer to question No. 1402.

REFUSAL OF PASSPORT TO GO TO EUROPE TO MR. VIRENDRA, MANAGING EDITOR OF THE DAILY PRATAP, LAHORE.

1405. ***Mr. S. Satyamurti** (on behalf of Mr. Sham Lal): Will Government be pleased to state:

- (a) (i) whether Mr. Virendra, M.A., Managing Editor of the *Daily Pratap*, Lahore, applied three months ago to the Punjab Government for permission to go to Europe to study journalism;
- (ii) whether he was asked to fill in an application and send it along with three photos;
- (iii) whether for two months there was no reply to this application;
- (iv) whether now after two months the Home Secretary to the Punjab Government has informed Mr. Virendra that no passport can be granted to him;
- (v) whether they are aware that no reasons have been assigned for this refusal;
- (b) the reasons for this refusal; and
- (c) whether it is their policy to refuse passports for the study of journalism?

The Honourable Sir Henry Craik: (a) and (b). I have asked the Punjab Government for the facts and will give the Honourable Member a reply in due course.

(c) No.

PUBLIC AND COMMUNAL HOLIDAYS.

1406. ***Mr. T. S. Avinashilingam Chettiar:** Will Government state:

- (a) the number of public holidays allowed by them;
- (b) the number of communal holidays;
- (c) the number of days in the year that the offices work; and
- (d) the cost of a public holiday?

The Honourable Sir Henry Craik: (a) and (b). Thirteen closed holidays and six sectional (or communal) holidays are observed in the Secretariat and attached offices which move between Simla and Delhi and also the last Saturdays of summer months in which there is no closed holiday (other Saturdays being observed as half holidays). Other attached and subordinate offices follow the local practice.

(c) All days except the 13 closed holidays and Sundays are working days.

(d) I fear I cannot attempt a calculation.

REPORT OF THE WHEELER COMMITTEE.

1407. ***Mr. T. S. Avinashilingam Chettiar:** Will Government state:

- (a) whether it is true that the Wheeler Committee has submitted its report;
- (b) what are the terms of reference to the committee; and

(c) whether the report will be circulated to the Members of this Assembly and the matter will be allowed to be discussed in this House?

The Honourable Sir Henry Craik: (a) Yes.

(b) These were stated in a Resolution dated the 3rd October, 1935, which was published in the Gazette of India, dated the 5th October, 1935.

(c) I cannot give any undertaking to that effect.

Mr. T. S. Avinashilingam Chettiar: Since the report is in the hands of Government, I do not exactly understand what the Honourable Member means by saying that he cannot give an undertaking. The answer must be "yes or no".

The Honourable Sir Henry Craik: I mean exactly what I say. The report has only just been received by Government and has not been fully considered.

Mr. T. S. Avinashilingam Chettiar: Does it mean that it is possible that it may be placed before the Assembly?

The Honourable Sir Henry Craik: It means exactly what I say, that I cannot give an undertaking.

Qazi Muhammad Ahmad Kazmi: Will Government make up their mind after reading the report whether it is proper for them to show it to the Assembly or not?

The Honourable Sir Henry Craik: The first question upon which they have to make up their mind is whether they will publish the report at all.

Mr. S. Satyamurti: What is the cost that is likely to fall on the Indian taxpayer, if the recommendations of the committee are accepted by Government?

The Honourable Sir Henry Craik: I have not even read the report fully myself.

Mr. T. S. Avinashilingam Chettiar: Was the method of recruitment to the Secretariat one of the references to the Committee?

The Honourable Sir Henry Craik: The Honourable Member will find that, if he reads the Resolution of the 3rd October, 1935, in which the terms of reference were published.

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

UNAUDITED ACCOUNTS IN THE GOVERNMENT OF INDIA.

1408. ***Mr. T. S. Avinashilingam Chettiar:** Will Government please state:

(a) whether there are any unaudited accounts in the Government of India;

- (b) if so, under what departments and under what heads of the budget;
- (c) the total amount of these unaudited accounts in the last audit year; and
- (d) why these accounts are unaudited?

The Honourable Sir James Grigg: (a) Yes.

(b) Practically all accounts of receipts are unaudited, although some, *e.g.*, Public Works receipts, are fully audited, and some, *e.g.*, Customs and Railway receipts are test audited. Accounts of contract grants of His Excellency the Viceroy and of heads of Provinces are not audited, and accounts of secret service and similar expenditure are subjected to an administrative audit and not to the audit of the Indian Audit Department.

(c) The information cannot readily be compiled and, as the Auditor General has informed me that he is generally satisfied with the extent of the audit at present applied to the public accounts, it would not be worth while collecting the figures.

(d) The Auditor General does not audit accounts of receipts, unless required to do so by the Governor General in Council. Audit of receipts is not undertaken unless the results to be achieved are likely to justify the cost. The contract grants referred to above are given for expenditure of a semi-private nature and from their nature, *e.g.*, because of the absolute limit set to the total expenditure, are excluded from detailed audit. In some cases a certificate is obtained that the grants have been spent on the purposes for which they were granted. Secret service expenditure is removed from the scrutiny of the Indian Audit Department by statutory rule, but suitable check is applied by other methods. The practice is universal and is not confined to India.

Mr. T. S. Avinashilingam Chettiar: If I heard the Honourable Member aright, he said that the accounts of secret services and other services are not audited. What are the similar services?

The Honourable Sir James Grigg: Things which are akin in nature are secret services.

Mr. M. Ananthasayanam Ayyangar: What are the other methods by which secret services are audited?

The Honourable Sir James Grigg: Administrative methods.

Mr. M. Ananthasayanam Ayyangar: How does the Honourable Member satisfy himself that the amount has been spent?

The Honourable Sir James Grigg: In the usual way.

Mr. M. Ananthasayanam Ayyangar: May I know what is the usual way?

Mr. T. S. Avinashilingam Chettiar: May I know if all these audits are confidential?

The Honourable Sir James Grigg: If the services are secret, of course they are.

Mr. T. S. Avinashilingam Chettiar: All audits are confidential?

The Honourable Sir James Grigg: No, the results of a good many audits are furnished to the Public Accounts Committee, and they spend a whole month every year considering them.

Mr. S. Satyamurti: Is it a fact that the Military Secretary to the Viceroy has agreed to give a certificate with regard to the expenditure from contract allowances?

The Honourable Sir James Grigg: That I referred to in my answer.

Mr. S. Satyamurti: What will be the nature of the certificate?

The Honourable Sir James Grigg: That I also referred to in my answer.

Mr. S. Satyamurti: Has the certificate for last year been received?

The Honourable Sir James Grigg: I do not know.

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

WORKING OF THE UNIVERSITY TRAINING CORPS.

1409. ***Mr. T. S. Avinashilingam Chettiar:** Will Government state:

- (a) whether the working of the University Training Corps has been satisfactory;
- (b) how many Universities have these training corps and how many do not have them;
- (c) whether offers to start these corps in moffusil colleges were forthcoming in Madras, but could not be done; if so, why; and
- (d) what is the amount of money spent on this now?

Mr. G. R. F. Tottenham: (a) I would refer the Honourable Member to the reply given by me on the 30th March, 1935, to part (c) of Mr. Satyamurti's starred question No. 1262.

(b) Of the Universities in British India fourteen have training corps, and two have not.

(c) An application from the Andhra University is understood to have reached the Local Government recently. An earlier application from it was not accepted for financial reasons.

(d) Approximately Rs. six lakhs a year.

Prof. N. G. Ranga: Has any decision been arrived at in regard to the application of the Andhra University?

Mr. G. R. F. Tottenham: No, it is still under consideration.

Mr. T. S. Avinashilingam Chettiar: May I take it that the Military Department approached the Finance Department for a grant and it was refused?

Mr. G. R. F. Tottenham: On the previous occasion when the application was dealt with?

Mr. T. S. Avinashilingam Chettiar: Yes, Sir.

Mr. G. R. F. Tottenham: We no doubt consulted the Finance Department who gave the opinion that funds were not available.

Mr. T. S. Avinashilingam Chettiar: How many years ago?

Mr. G. R. F. Tottenham: About three or four years ago.

Mr. T. S. Avinashilingam Chettiar: In view of the fact that the financial condition of the Government of India has improved, will they consider the advisability of approaching them again?

Mr. G. R. F. Tottenham: The matter is under consideration.

Mr. S. Satyamurti: Has the Madras University approached the Government of India either directly or through the Local Government for extension of the training to some other centres?

Mr. G. R. F. Tottenham: Not yet. The matter may be under the consideration of the Madras Government.

Mr. S. Satyamurti: Is it the policy of the Government of India to encourage the University Training Corps, wherever there is a genuine demand for it?

Mr. G. R. F. Tottenham: Not altogether.

Mr. S. Satyamurti: Why not?

Mr. G. R. F. Tottenham: It must depend upon the success of the movement. It is no good encouraging something that is no use.

Mr. S. Satyamurti: Have Government come to the conclusion that the movement is not yet successful?

Mr. G. R. F. Tottenham: If the Honourable Member will refer to the reply given by me a year ago, he will find the answer to the question.

Mr. M. Ananthasayanam Ayyangar: With reference to the answer to part (a) of the question, is it a fact that differential treatment is offered to Indian students even though they are graduates and Masters of Arts?

Mr. G. R. F. Tottenham: Not that I am aware of.

Mr. M. Ananthasayanam Ayyangar: Is the Honourable Member aware that members of the training corps are not allowed to mix with European regiments?

Mr. G. E. F. Tottenham: I am not aware of that. I have no reason to believe that that is so.

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

COLLECTION OF INCOME-TAX ON PENSIONS AND SALARIES PAID OUTSIDE INDIA.

1410. *Mr. T. S. Avinashilingam Chettiar: Will Government state:

- (a) the amount of salaries paid in England and other places outside India during the last financial year;
- (b) the amount of pensions paid outside India;
- (c) the amount of income-tax that would have been received from them if income-tax was collected;
- (d) whether these pensions and salaries accrue in India for services done to the Government of India;
- (e) if so, why income-tax is not collected on them;
- (f) whether they are prepared to make regulations at once to collect income-tax on these pensions and salaries?

The Honourable Sir James Grigg: (a) About Rs. 3½ crores.

(b) About Rs. 8 crores.

(c) It is not possible to calculate the amount involved.

(d) If the Honourable Member is using "accrue" in the technical sense in which that word is used in the Indian Income-tax Act, the answer is that the matter is one of legal interpretation regarding which differences of opinion exist.

(e) I would refer the Honourable Member to the reply given to part (a) of question No. 924 by Mr. Sami Vencatachelum Chetty.

(f) I would refer the Honourable Member to the replies given to supplementary questions asked on the 3rd March, 1936, in connection with question No. 924.

Prof. N. G. Ranga: Is it not a fact that a considerable number of officers who go on six months' leave to England are not made liable to pay income-tax on their salaries either on that side or here?

The Honourable Sir James Grigg: That is the whole basis of the question.

Mr. T. S. Avinashilingam Chettiar: With reference to the answer to part (d) of the question, may I know whether the legal opinion of the Law Member was taken on this matter?

The Honourable Sir James Grigg: I have not asked him.

Prof. N. G. Ranga: How much is the loss thereby incurred—by the officers going on leave?

The Honourable Sir James Grigg: I think I gave the figures in reply to the question to which I have referred.

Qazi Muhammad Ahmad Kasmi: Are Government prepared to amend the Income-tax Act in respect of the salaries?

The Honourable Sir James Grigg: An answer, so far as any answer is possible at this moment, was also given in the question to which I have referred.

Prof. N. G. Ranga: Is it not a fact that, those who live in this country, but who invest their moneys in England, do escape the payment of income-tax in this country?

The Honourable Sir James Grigg: I think that is an entirely different point. Indians who invest their money in England and remit from England to India certainly escape income-tax. I gather that an attempt was made to remedy that, but it failed.

Mr. T. S. Avinashilingam Chettiar: May I know whom they consulted for legal opinion in this matter?

The Honourable Sir James Grigg: I have not said that I consulted anybody about legal opinion. I said legal opinions differ on the matter.

Mr. T. S. Avinashilingam Chettiar: Without consultation, how does the Honourable Member know that it differs? May I know whether he consulted the Law Member?

The Honourable Sir James Grigg: The Law Member, in spite of his eminence, is not the only legal opinion that can be consulted in India.

Mr. S. Satyamurti: Whom did the Government of India consult in that matter then? Is it open to the Government of India to consult other legal opinion?

The Honourable Sir James Grigg: One of the legal opinions was that of a High Court.

Sir Cowasji Jehangir: May I ask whether the English income-tax is charged on these pensions?

The Honourable Sir James Grigg: Yes, if they are resident in England.

Sir Cowasji Jehangir: May I ask if some arrangement could not be made with the English authorities that they should get a remission of the income-tax in England if some income-tax was charged by the Indian treasury?

The Honourable Sir James Grigg: The matter is regulated by the Government of India Act: the matter is settled there once for all.

Mr. M. Ananthasayanam Ayyangar: Is the Honourable Member aware that the High Court does not give legal opinion at all?

Mr. President (The Honourable Sir Abdur Rahim): But the Chair supposes legal opinion can be given by the High Courts in their decisions and such like.

Mr. M. Ananthasayanam Ayyangar: Is the Honourable Member to say or are we to interpret it like that?

(No answer.)

GRANT OF OVERSEAS PASSAGES TO ANGLO-INDIANS AND EUROPEANS EMPLOYED ON RAILWAYS.

1411. ***Bhai Parma Nand:** (a) Is it a fact that up to 1932, the Anglo-Indians and Europeans employed on the Government Railways did not enjoy the privilege of over-seas passages?

(b) Is it a fact that in 1932, Anglo-Indians and Europeans employed on the Railways were granted this privilege of over-seas passages for the first time, and if so, why?

(c) How many Anglo-Indians and Europeans have been granted over-seas passages since 1932, or the time when this privilege was given, and what expenditure has been incurred so far by the Railways on this item?

(d) Are Government aware that there is general depression all round and even the gross earnings of the Railways have been falling for the last few years?

(e) Will Government please state why this privilege of over-seas passages was granted to Europeans and Anglo-Indians, involving heavy expenditure?

The Honourable Sir Muhammad Zafrullah Khan: I am collecting information and will lay a reply on the table of the House in due course.

WITHDRAWAL OF THE PRIVILEGE OF FREE RAILWAY PASS FOR DEPENDENT FATHER.

1412. ***Bhai Parma Nand:** (a) Are Government aware that on the Railways the privilege of free passage on the home line for the dependant father has been withdrawn? If so, why?

(b) Are Government aware that dependant father is part of the Indian family and are they prepared to lay down that they should be treated as such by the Railway administration?

(c) Are Government aware that the poor workmen and the lower class staff, who generally are employed on Railways far away from the homes, are very hard hit by the withdrawal of this privilege?

The Honourable Sir Muhammad Zafrullah Khan: (a) to (c). The privilege was being allowed only on the Great Indian Peninsula Railway. Government are aware that, besides the wife and children of an employee, there are several other dependants who form part of many Indian families, but they are not prepared to agree that every dependant should be allowed a pass, as it is considered that the conditions attaching to the grant of free passes are already sufficiently liberal.

Prof. N. G. Ranga: In the category of dependants, is it or is it not a fact that the fathers of these railway servants are included?

The Honourable Sir Muhammad Zafarullah Khan: I am afraid, the Honourable Member has not heard the reply that I have read out.

RULES FOR THE PRIVATE READING ROOM IN THE IMPERIAL LIBRARY, CALCUTTA:

1413. ***Dr. P. N. Banerjee:** (a) Are Government aware that certain rules were framed in 1935 for the Private Reading Room in the Imperial Library, Calcutta?

(b) Has the attention of Government been drawn to Rule No. 2 of the Imperial Library Private Reading Room, in which it is stated that "the Librarian shall satisfy himself about the genuineness and importance of the researches in which the applicants are already engaged or which they intend to take up"?

(c) Is it not a fact that the present Librarian of the Imperial Library claims power under Rule 2 of the Private Reading Room Rules to force the occupants of the seats in that room to show him their notes and writings?

(d) If the answer to part (c) be in the affirmative, will Government be pleased to state (i) whether the present Librarian is competent to examine these notes, and writings and (ii) whether they are aware that it is a source of considerable inconvenience and handicap to them?

Sir Girja Shankar Bajpai: (a) Yes; the rules in question were framed in 1934.

(b) Yes.

(c) Yes, but only when the period of allotment of a seat in the reading room comes to an end.

(d) The Librarian is quite competent to discharge the duty which, in this respect, the Council has imposed on him, *viz.*, to satisfy himself of the genuineness and importance of the research for which the facilities of the Private Reading Room are claimed. The answer to the second part is in the negative.

Dr. P. N. Banerjee: Is the Librarian competent to perform this task?

Sir Girja Shankar Bajpai: I have already stated that the Librarian is competent to satisfy himself of the genuineness and importance of the research for which the facilities of the Private Reading Room are claimed.

Dr. P. N. Banerjee: What are the qualifications of this Librarian?

Sir Girja Shankar Bajpai: The qualifications of the Librarian are those expected of a Librarian of a first class library. (Laughter.)

Dr. P. N. Banerjee: Is he an ordinary Pass B.A. of a University?

Mr. President (The Honourable Sir Abdur Rahim): The Chair thinks a question was put down and disallowed, because the Librarian was appointed nine or ten years ago: the question ought to have been raised then.

Dr. P. N. Banerjea: Is it not a fact that the research workers are brilliant M.A.'s and Ph.D.'s of various Universities in India?

Sir Girja Shankar Bajpai: I hope they are.

Dr. P. N. Banerjea: Even, then, does the Honourable Member think that the Librarian is competent to supervise their work?

Sir Girja Shankar Bajpai: May I ask the Honourable Member a question in return? He was a consenting party to the rules as a member of the Council which laid this obligation on the Librarian: he could have objected then.

Dr. P. N. Banerjea: I was not a member at that time.

Sir Girja Shankar Bajpai: No: on the contrary, my Honourable friend was a member of the Council from 1932 to 1935, and the rule was framed in 1934.

Dr. P. N. Banerjea: No, I was not present then. (Laughter.)

Sir Girja Shankar Bajpai: Then, I submit that my Honourable friend was guilty of a dereliction of his duty as a member of the Council.

DECREASE IN THE NUMBER OF READERS IN THE IMPERIAL LIBRARY, CALCUTTA.

1414. ***Dr. P. N. Banerjea:** Are Government aware that while in 1931-32 the number of readers in the Imperial Library, Calcutta, was 46,976, in 1934 it was 38,101? If so, do Government propose to enquire into the cause of this decrease?

Sir Girja Shankar Bajpai: The answer to the first part of the question is in the affirmative. The reason for the decrease is explained on page 2 of the Report on the Working of the Imperial Library, Calcutta, for the year 1933-34, a copy of which is available in the Library of the House.

Dr. P. N. Banerjea: Do Government consider it desirable that the popularity and the usefulness of the institution should suffer?

Sir Girja Shankar Bajpai: Subject to the functions for which the Library was brought into being, undoubtedly the Government desire that it should be popular.

Prof. N. G. Ranga: Has the fall in the number of these readers anything to do with the stipulation of this new rule that the Librarian shall satisfy himself about the genuineness and importance of the researches in which the applicants are already engaged?

Sir Girja Shankar Bajpai: Recognising the great brilliance of Calcutta, I think my Honourable friend will admit that even Calcutta cannot produce 44,000 research workers which is the number of readers admitted into the Library every year.

Mr. B. Das: In view of the falling off in the number of readers, will Government remove the Imperial Library to Delhi, or, if not, to Cuttack?

Sir Girja Shankar Bajpai: As it happens, the explanation in the Library report of the fall in numbers is that it was subject to an error in counting which, after all, is quite human.

Mr. B. Das: But why not remove it to Cuttack?

(No answer.)

COLLECTION OF BENGALI BOOKS IN THE IMPERIAL LIBRARY, CALCUTTA.

1415. ***Dr. P. N. Banerjea:** Are Government aware that in 1926—30 the collection of Bengali books in the Imperial Library at Calcutta was 2,565, while in 1930—35 it fell to 1,025? If so, what is the reason?

Sir Girja Shankar Bajpai: The total number of Bengali books in the Imperial Library approximated 16,000 in 1929-30; the number has since increased to 17,900.

Mr. M. S. Aney: Is the Honourable Member quite sure that there is mistake in the counting here?

Sir Girja Shankar Bajpai: As far as it is possible for one, who has once erred, to be sure that he would not repeat the error.

ADMINISTRATION OF THE IMPERIAL LIBRARY, CALCUTTA.

1416. ***Dr. P. N. Banerjea:** (a) Has the attention of Government been drawn to the articles and letters which have appeared in such important Calcutta newspapers as *Advance*, *Ananda Bazar* and *Forward* on the administration of the Imperial Library, Calcutta?

(b) Are Government aware that there is a strong feeling in Calcutta, as reflected in the Press articles, against the administration of the Imperial Library and the manner in which the reading public is treated by the present Librarian?

Sir Girja Shankar Bajpai: (a) Yes.

(b) No.

Dr. P. N. Banerjea: What steps are Government taking to improve the administration of the Library?

Sir Girja Shankar Bajpai: Government do not admit that there is anything wrong with the administration of the Library.

LENDING OF FICTION WORKS IN INDIAN LANGUAGES IN THE IMPERIAL LIBRARY, CALCUTTA.

1417. ***Dr. P. N. Banerjea:** Are Government aware that a new rule has been introduced in the Imperial Library at Calcutta regarding the lending of fiction works in Indian languages? If so, will Government be

pleased to state why books which have been deemed worth acquiring for the library are not to be lent out and why a distinction is to be made between fiction in Indian languages and fiction in European languages?

Sir Girja Shankar Bajpai: The reply to the first part of the question is in the affirmative. As regards the second part, the question of lending out works of fiction was discussed at the last meeting of the Library Council. The Books Purchase Committee of the Library has been asked to examine the question of lending out such works in all languages and to report to the Council at its next meeting.

RULES FOR THE LENDING OUT OF BOOKS TO READERS IN THE IMPERIAL LIBRARY, CALCUTTA.

1418. ***Dr. P. N. Banerjea:** Are Government aware that there are definite rules for the lending out of books to readers requiring deposit or security? If so, will Government be pleased to state whether these rules are strictly followed in all cases?

Sir Girja Shankar Bajpai: Yes. The rules requiring deposit or security are followed as far as possible.

Qazi Muhammad Ahmad Kazmi: What is the meaning of "as far as possible"? They are not followed in certain cases?

Sir Girja Shankar Bajpai: I gather that, as a matter of concession, the members of the Library Council are exempted from the operation of the rule.

Qazi Muhammad Ahmad Kazmi: There is no question of "as far as possible" for people who are exempted under the rules. It is also carrying out the rules if they are exempted: so I ask, in the cases of people who are required to pay deposit, are there any cases in which deposit is not required?

Sir Girja Shankar Bajpai: Sir, the fact that an exemption which is given under the rule is not contrary to the rule is evident even to my mean intelligence. The point is that, without there being provision for such exemption in the rules, members of the Library Council are exempted from making a deposit, and I had made a suggestion to the Library Council that, if there was to be such exemption, it had better be by rule.

Dr. P. N. Banerjea: Is any discretion left to the Librarian at the present moment?

Sir Girja Shankar Bajpai: No; there is no discretion left to the Librarian: such exemptions, as have been made, are known to the Library Council and have its approval.

Dr. P. N. Banerjea: I am afraid you are wrong.

APPOINTMENTS MADE IN THE IMPERIAL LIBRARY, CALCUTTA.

1419. ***Dr. P. N. Banerjea:** (a) Will Government be pleased to lay on the table a complete list of all appointments, temporary as well as permanent, made during the last five years?

(b) Is it a fact that in several cases, preference has been given to outsiders over those who had already served in making such appointments? If so, will Government be pleased to state the reasons for taking the step?

(c) Is it a fact that appointments are made in the Imperial Library without advertising the posts? If so, why?

Sir Girja Shankar Bajpai: (a) A statement is laid on the table of the House.

(b) No; on the contrary preference is given to candidates who have worked temporarily and have given satisfaction. The latter part of the question does not arise.

(c) Vacant posts are advertised when necessary.

Statement showing the Appointments of Clerks made in the Imperial Library, Calcutta, during 1931—1935.

Year.	In leave vacancy.	Temporary.	Permanent.	Total.
1931.	4	6	..	10
1932.	1	1	..	2
1933.	2	1	..	3
1934.	3	..	1	4
1935.	2	3	2	7
Total	12	11	3	26

Dr. P. N. Banerjea: Does not the system of appointing without advertisement lead to patronage and jobbery?

Sir Girja Shankar Bajpai: No; not necessarily.

APPOINTMENT OF A COMMITTEE TO ENQUIRE INTO THE ADMINISTRATION OF THE IMPERIAL LIBRARY, CALCUTTA.

1420. ***Dr. P. N. Banerjea:** Are Government prepared to consider the desirability of appointing a small committee to enquire into the present administration of the Imperial Library?

Sir Girja Shankar Bajpai: Government see no reason to take the action proposed by the Honourable Member.

COMPOSITION OF THE LIBRARY COUNCIL, CALCUTTA.

1421. ***Dr. P. N. Banerjea:** (a) Will Government be pleased to state the present composition of the Imperial Library Council?

(b) Is it not a fact that the Council meets only once every year?

Sir Girja Shankar Bajpai: (a) A statement showing the present composition of the Imperial Library Council is placed on the table of the House.

(b) The reply is in the affirmative.

Statement showing the composition of the Imperial Library Council.

1. Educational Commissioner with the Government of India, *Ex-officio* Chairman.

Members.

- | | |
|---|---|
| 2. The Hon'ble Mr. Justice C. Bartley, I.C.S. | } Nominated by the Government of Bengal as their representatives. |
| 3. Mr. Razaur Rahman Khan, B.L., M.L.C. | |
| 4. Mr. Syamprasad Mookerjee, M.A., B.L., Bar.-at-Law, M.L.C. | |
| 5. Prof. Praphula Chandra Mitter, M.A., Ph.D. | } Nominated by the University of Calcutta as its representatives. |
| 6. Dr. Wali Muhammad, M.A., Ph.D., I.E.S., Professor of Physics, Lucknow University. | |
| 7. Mr. Sachidananda Sinha, Bar-at-Law, M.L.C., Patna. | } Nominated by Governor General in Council in consultation with the local Governments, to represent interests outside Calcutta. |
| 8. Vacant—Steps are being taken to fill the vacancy caused by the death of Dr. A. C. Woolner. | |

Dr. P. N. Banerjea: Is it a fact that these members of the Imperial Library are drawn from all parts of India—Lahore, Lucknow and Madras?

Sir Girja Shankar Bajpai: I have already informed my friend that I am laying on the table of the House a list of the members.
 12 Noon. As it happens, out of eight members, four belong to Calcutta, and only four come from the rest of India.

Dr. P. N. Banerjea: If the Council meets only once during this year, is it possible for the Council to exercise any control over the administration

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

AMOUNT SPENT BY GOVERNMENT IN THE MAINTENANCE OF LIBRARIES.

1422. ***Dr. P. N. Banerjea:** Will Government be pleased to state the library policy of the Central Government and the amount spent by the Central Government in maintaining the libraries in various provinces during the last three years?

Sir Girja Shankar Bajpai: As the Honourable Member is aware, libraries are a transferred provincial subject. The Government of India maintain the Imperial Library at Calcutta and also a Library at their headquarters for official use. The cost of these two libraries, and of the Library of the Central Legislature is approximately Rs. 71,000 per annum.

SEPARATION OF THE FUNCTIONS OF THE SECRETARY OF THE COUNCIL FROM THOSE OF THE LIBRARIAN OF THE IMPERIAL LIBRARY, CALCUTTA.

1423. ***Dr. P. N. Banerjea**: (a) Are Government prepared to consider the desirability of transforming the Book Selection Committee of the Imperial Library Council into a managing sub-committee to which some of the powers of the Council may be delegated?

(b) Do Government propose to consider the desirability of separating the functions of the Secretary of the Council from those of the Librarian?

Sir Girja Shankar Bajpai: (a) and (b). Government see no reason to take the action suggested by the Honourable Member.

Dr. P. N. Banerjea: Would not the suggested procedure be helpful to better administration?

Sir Girja Shankar Bajpai: That, Sir, is asking for an expression of opinion.

FACILITIES TO THE EMPLOYEES OF THE RAILWAY INSTITUTES IN CERTAIN MATTERS ON THE STATE RAILWAYS.

1424. ***Dr. P. N. Banerjea**: Will Government be pleased to state whether the employees of the Railway Institute are given equal facilities as regards leave, pass, provident fund and quarters in all State Railways? If not, will Government be pleased to state the reasons for making any distinction?

The Honourable Sir Muhammad Zafrullah Khan: I have called for information and shall lay a reply on the table of the House in due course.

UNSTARRED QUESTIONS AND ANSWERS.

DISTINCTION BETWEEN INDIANS AND EUROPEANS IN ORDNANCE FACTORIES.

431. **Mr. Ghansham Singh Gupta**: (a) What are the considerations which have prompted Government to make a distinction between Indians and Europeans doing the same class of work in Ordnance Factories with regard to pay, allowances, promotion, deputations, etc.?

(b) Is it a fact that only Europeans, either recruited in England or in India, get Rs. 75 and also a children's education allowance over and above their pay?

(c) Are similar allowances given in any other Government Department? If so, are they equally applicable in cases of locally recruited Europeans?

(d) Is it a fact that a new scale of reduced pay has been recently introduced for *Indians* only? If so, why?

(e) Are there two different scales of pay (apart from overseas allowance) for Indians and Europeans, respectively, in any Government Department?

(f) In how many cases during the last five years were Europeans locally recruited? Was any attempt made before their appointment, to recruit suitable Indians, either through the Public Service Commission or open advertisement? If not, why not?

Mr. G. R. F. Tottenham: Enquiries are being made and a reply will be laid on the table in due course.

DUTY ON VARIOUS STYLES AND SHAPES OF GARMENTS MADE OF COTTON KNITTED FABRICS.

432. **Seth Haji Abdoola Haroon:** (a) Is it a fact that various styles and shapes of garments made of cotton knitted fabric are assessed duty at various rates, for example, cotton undershirts and cotton knitted fabric are assessed to duty, respectively, at 25 per cent., or 12 annas per pound, and 50 per cent. or 12 annas per pound, while cotton sport shirts, made of cotton knitted fabric, are assessed to duty as apparel at 35 per cent.?

(b) Is it a fact that under item 49 of the Indian Customs Tariff, several articles have been named, and the duty on them is fixed thus 'The *ad valorem* rates of duty applicable to the fabric of the article is wholly or mainly made'?

(c) Is it a fact that under item 52 of the Indian Customs Tariff, several types of articles are passed as apparel at 35 per cent. duty, which is much lower than that paid by the fabric of which they are made; for example, cotton knitted fabrics are charged duty at 50 per cent. or 12 annas per pound, whichever is higher, while cotton sport shirts made of cotton knitted fabric are charged duty at 35 per cent. only, and cotton piece goods, cotton shirts, and cotton handkerchiefs from Japan are charged duty at 50 per cent., while children's frocks and several other types of garments, made of cotton piecegoods, are charged 35 per cent. duty only under item 52?

(d) Are Government aware that on account of this arrangement work is lost to thousands of tailors in India?

The Honourable Sir Muhammad Zafrullah Khan: (a), (b) and (c). Yes, if by "cotton undershirts" the Honourable Member means "cotton under-vests".

(d) Government have no reason to believe that the fact is as stated by the Honourable Member.

REDUCTION OF TAX ON THE FARRUKHNAGAR SALT.

433. **Mr. Sham Lal:** (a) Will Government please state whether the salt manufactured in Farrukhnagar, District Gurgaon, is inferior to Sambhar salt?

(b) Is it practically of the same kind as saltpetre?

(c) Is it only used for dyeing and tanning the leather and also for consumption by cattle and is unfit for human use?

(d) Are Government aware that the tax on Farrukhnagar salt is the same as on Sambhar salt?

(e) Are Government aware that the tax on saltpetre is less by Re. 1 per maund?

(f) Are Government aware that the manufacture of salt in Farrukhnagar has stopped, the whole salt industry has been ruined, the lands are lying useless, people have been thrown out of work, and the population of Farrukhnagar has gone down from 15,000 to 5,000?

(g) Are Government prepared to reduce the Farrukhnagar salt tax to the level of the tax on saltpetre?

Mr. A. H. Lloyd: (a) No salt is manufactured in Farrukhnagar now. When it was manufactured, it was slightly inferior to the Sambhar salt.

(b) No.

(c) No. It was quite fit for human consumption.

(d) Yes.

(e) The tax on ordinary salt is Rs. 1-9-0 (including surcharge) while that on salt educed in the refining of saltpetre is eight annas a maund.

(f) The answer to the first nineteen words is in the affirmative. Government have no information in regard to the latter part.

(g) No.

SUCCESSFUL *EX*-APPRENTICE MECHANICS OF THE EAST INDIAN RAILWAY TECHNICAL SCHOOL.

434. **Mr. Amarendra Nath Chattopadhyaya:** (a) Are Government aware that the answer given in reply to starred question No. 256 of 11th February, 1936, is not correct and that it is not a fact that all the successful *ex*-apprentice mechanics of the East Indian Railway Technical school have been appointed in the chargeman T. T. grade but some of them have been appointed on lower grade and that they are kept on that grade for years together?

(b) Are Government aware that all the successful *ex*-apprentice mechanics who have been appointed in Jamalpore Workshop have been given chargeman T. T. or its equivalent grade, but in other workshops which are under the one and the same head, *i.e.*, Chief Mechanical Engineer, East Indian Railway, all the successful *ex*-apprentice mechanics are not given the chargeman T. T. or its equivalent grade?

(c) Are Government aware that according to the prospectus of the East Indian Railway Technical School, Jamalpore, all *ex*-apprentice mechanics should be appointed on chargeman T. T. grade?

(d) If the answer to part (b) above be in the affirmative, will Government please state:

(i) the reasons for such difference although they were trained under the one and the same head and in the same technical school; and

(ii) why, in spite of the repeated assurance given, the procedure of appointing *ex*-apprentice mechanics on chargeman T. T. grade is adopted in all workshops which are under the Chief Mechanical Engineer, East Indian Railway?

(e) Will Government please state whether, in view of the answers to starred questions Nos. 296 (b) and (c), 471 (d), and 256 (a) of the 10th September, 1929, 5th March, 1930 and 11th February, 1936, respectively.

they are prepared to take necessary steps to put those successful *ex*-apprentice mechanics who have been appointed on lower grade to charge-man T. T. grade and issue necessary orders to the Agent, East Indian Railway to this effect? If not, why not?

(f) If the answer to part (a) above be in the negative, will Government please enquire whether all the *ex*-apprentice mechanics have not been appointed in chargeman T. T. grade and take necessary steps? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: With your permission, Sir, I propose to reply to questions Nos. 434 and 435 together.

I am collecting information and will lay a reply on the table of the House, in due course.

SUCCESSFUL *EX*-APPRENTICES OF THE LILLOOAH WORKSHOPS.

†435. **Mr. Amarendra Nath Chattopadhyaya:** Are Government aware that the answer given in reply to starred question No. 252 (a) of the 11th February, 1936, regarding the successful mechanical *ex*-apprentices of the Lillooah Workshops is not correct and that it is not a fact that they are temporarily promoted to a higher grade but that they are promoted against permanent vacancies first in officiating capacities and afterwards confirmed in those posts?

STATE RAILWAY EMPLOYEES GOVERNED BY THE FUNDAMENTAL AND SUPPLEMENTARY RULES.

436. **Mr. Muhammad Azhar Ali:** (a) Will Government be pleased to state whether it is a fact that Fundamental Rules have been made by the Secretary of State for India under section 96-B of the Government of India Act?

(b) Is it a fact that Supplementary Rules are made by the Governor General of India in Council in exercise of the powers conferred upon him by the Fundamental Rules?

(c) Is it a fact that State Railway employees appointed after the promulgation of Fundamental and Supplementary Rules are governed by the said rules?

The Honourable Sir Muhammad Zafrullah Khan: (a) and (b). Yes.

(c) To the extent that they are not superseded or modified by rules made by the Governor General in Council for railway servants, under the Railway Classification Rules, and the directions thereunder.

MILEAGE ALLOWANCE PAID TO THE RUNNING STAFF ON STATE RAILWAYS.

437. **Mr. Muhammad Azhar Ali:** (a) Is it a fact that mileage allowance paid to the running staff on State Railways is a kind of travelling allowance under Supplementary Rule 21 (c)?

(b) Is it a fact that mileage allowance paid to the running staff on State Railways is the same as defined in Supplementary Rule 29?

† For answer to this question, see answer to question No. 1434.

(c) Is it a fact that under certain conditions permanent travelling allowance (consolidated allowance) can be changed to mileage allowance as per Supplementary Rule 68?

(d) Is it a fact that mileage allowance under Fundamental Rule 9 (21) (a) (iii) has been classed as pay?

(e) If the reply to part (d) be in the negative, under what Fundamental Rule is it defined as pay and on what grounds is it treated for leave salary and is also subject to assessment?

The Honourable Sir Muhammad Zafrullah Khan: (a) and (b). No.

(c) Yes, but this mileage allowance is quite different from the mileage allowance referred to in parts (a) and (b).

(d) No.

(e) Mileage allowance granted to certain classes of staff on State Railways is not classified as pay under the Fundamental Rules, but it has for a long time been taken into account up to a certain maximum, in the calculation for determining leave salary. As regards assessment by which I presume he means assessment to income-tax, I would refer the Honourable Member to the Income-tax Act and the rules thereunder.

SCALES OF PAY OF THE TRAVELLING TICKET EXAMINERS AND INSPECTORS ON THE NORTH WESTERN AND EAST INDIAN RAILWAYS.

438. **Mr. Muhammad Azhar Ali:** (a) Is it a fact that the following were the substantive scales of pay in respect of the Travelling Ticket Examiners of the North Western Railway before 1st June, 1931:

Rs. 50—5—95,

Rs. 100—10—180,

Rs. 190—10—210?

(b) Is it a fact that on the East Indian Railway the substantive scales of pay of the Travelling Ticket Inspectors before 1st June, 1931, were as under:

Rs. 60—4—64—8—120,

Rs. 130—10—200,

Rs. 220—20—300?

The Honourable Sir Muhammad Zafrullah Khan: With your permission, Sir, I propose to reply to questions Nos. 438 to 442 together.

I would invite the Honourable Member's attention to my reply to Qazi Muhammad Ahmad Kazmi's starred question No. 892 asked on the floor of this House on the 26th February, 1936.

TRAVELLING TICKET EXAMINERS AND INSPECTORS ON THE NORTH WESTERN AND EAST INDIAN RAILWAYS.

439. **Mr. Muhammad Azhar Ali:** (a) Is it a fact that the post of Travelling Ticket Examiners on the North Western Railway and the Travelling Ticket Inspectors of the East Indian Railway were abolished on and from

† For answer to this question, see answer to question No. 438.

1st June, 1931 as admitted in reply to starred question No. 849 (b), dated the 18th March, 1932, and starred question No. 229 (d), dated the 12th February, 1932, replied on the 16th October, 1932?

(b) Is it a fact that the Travelling Ticket Examiners of the North Western Railway and the East Indian Railway were brought on to new scales of pay from 1st June, 1931? If so, why?

TRAVELLING TICKET EXAMINERS AND INSPECTORS ON THE NORTH WESTERN AND EAST INDIAN RAILWAYS.

†440. **Mr. Muhammad Azhar Ali:** (a) Is it a fact that the East Indian Railway Travelling Ticket Inspectors were restored to their substantive scales of pay as per Railway Board letter No. 822-E. G., dated the 22nd December, 1932, and the following orders were passed by the Railway Board:

"They are allowed the option of retaining the scale of pay applicable to the permanent post held by him in a substantive capacity, prior to the introduction of the Moody-Ward scheme (i.e., 1st June, 1931), with the benefits of increments therein."

(b) Is it a fact that the North Western Railway Travelling Ticket Examiners were later on granted this concession, as per Railway Board letter No. 822-E. G., dated the 16th August, 1933, in the following terms:

"Special Ticket Examiners, who prior to the 1st June, 1931, held permanent posts as Travelling Ticket Examiners in a substantive capacity were granted the option of retaining the old scale of pay."

(Vide reply to starred question No. 742 (a), dated the 26th September, 1935)?

(c) Will Government please state whether it is a fact that as per the above decision of the Railway Board, the North Western Railway employees have been allowed to get grade advancement from Rs. 95 to Rs. 180 and Rs. 180 to Rs. 210?

(d) Is it a fact that the East Indian Railway employees have not been given this privilege and are blocked on Rs. 120 and Rs. 200 unlike their colleagues on the North Western Railway?

(e) Will an old Travelling Ticket Examiner, who was in the grade of Rs. 50—5—95 before 1st June, 1931, now get an advancement to the grade of Rs. 100—10—180 and later on get an advancement into the next grade of Rs. 190—10—200?

(f) What is the technical difference in regard to the orders of grade advancement in respect of the East Indian and North Western Railway staff as contained in Railway Board letters No. 822-E.G., dated the 22nd December, 1932 and the 13th August, 1933?

(g) Is it a fact that the intention of the Railway Board was to treat the East Indian Railway and North Western Railway staff in a different manner in regard to their grade advancement according to their old grades?

TRAVELLING TICKET EXAMINERS AND INSPECTORS ON THE NORTH WESTERN AND EAST INDIAN RAILWAYS.

†441. **Mr. Muhammad Azhar Ali:** (a) Is it a fact that East Indian Railway Travelling Ticket Inspectors and North Western Railway Travelling Ticket Examiners were in receipt of mileage allowance before 1st June, 1931?

+ For answer to this question, see answer to question No. 438.

(b) Is it a fact that they have been allowed the same rates of consolidated allowance in lieu of mileage with effect from December 1932?

(c) Is it a fact that the policy of Government in respect of the old Travelling Ticket Inspectors of East Indian Railway and the old Travelling Ticket Examiners of North Western Railway was to treat them in a similar manner in respect of:

- (i) abolition of mileage allowance from the same date;
- (ii) grant of enhanced rates of consolidated allowance from the same date and at the same rates; and
- (iii) restoration of substantive scales of pay which they were drawing before 1st June, 1931?

(d) Is it a fact that this policy of Government is adumbrated in Railway Board letter No. 822-E. G., dated the 13th August, 1933, in the following terms?

" . . . but, having regard to the concessions granted in somewhat similar circumstances to similar staff on other State-managed Railways . . . "

CONSOLIDATED TRAVELLING ALLOWANCES GRANTED TO TRAVELLING OR SPECIAL TICKET EXAMINERS ON STATE RAILWAYS.

†442. **Mr. Muhammad Azar Ali:** Will Government please state administration-wise:

- (a) the extent of the appropriation of the sanctioned grants on the cost of staff during the preceding three years, on State Railways;
- (b) the extent of economy effected by the abolition of the posts of the Travelling Ticket Collectors, Examiners, or Inspectors on the State Railways;
- (c) the extent of economy effected by the creation of the posts of Travelling or Special Ticket Examiners on State Railways;
- (d) the extent of the savings effected by the abolition of the mileage allowance privilege hitherto granted to the Travelling Ticket Collectors, Examiners, or Inspectors on the State Railways;
- (e) the extent of the savings effected by the creation of the monthly consolidated travelling allowances granted to the Travelling or Special Ticket Examiners on the State Railways; and
- (f) the justification the Railway Board had in pursuance of the said policy?

ABSCONDING OF RAILWAY AND GOVERNMENT SERVANTS FROM SERVICE.

443. **Mr. Muhammad Azhar Ali:** (a) Will Government please state the procedure adopted before and after a Government servant of the central services is declared as having absconded from the service?

(b) Will Government please state the procedure adopted on State Railways for declaring a Government servant as having absconded from the service?

† For answer to this question, see answer to question No. 438.

(c) Will Government please state the rule made under section 92-B of the Government of India Act under which a Railway servant is liable to be declared as having absconded from the service?

(d) Will Government please state the authority competent on State-Railways to declare a Railway servant as having absconded from the service?

The Honourable Sir Muhammad Zafrullah Khan: I am collecting information and will lay a reply on the table of the House, in due course.

HOURS OF EMPLOYMENT OF THE TERMINAL TAX STAFF UNDER THE NEW DELHI, DELHI, NOTIFIED AREAS OF CIVIL LINES AND SHAHDARA MUNICIPAL COMMITTEES.

444. Mr. Muhammad Azhar Ali: Will Government please state the hours of employment of the terminal tax staff employed under the New Delhi, Delhi, Notified Areas of Civil Lines and Shahdara Municipal Committees?

Sir Girja Shankar Bajpai: The information has been called for and will be furnished to the House as soon as possible.

SANITATION OF SHAHDARA, DELHI.

445. Mr. Muhammad Azhar Ali: (a) Will Government please state the dates on which the Director of Public Health, Delhi Province, visited the Notified Areas of Delhi Shahdara during 1935-36 and to lay on the table the reports submitted by him of his inspections?

(b) Is it a fact that the sanitary, hygienic and other conditions of health of the population of Delhi-Shahdara are looked to by the Government of India Health Commissioner? If not, by whom is it done, and what are his duties towards the health of the said population?

(c) Are Government aware that vegetables, fruits and other eatables are sold in the market unprotected from insects or flies in the bazar of Delhi Shahdara and there is no official deputed by the Health Department to look to or take interest in the conditions of health of the population?

(d) Are Government aware that the drainage system on both sides of the Railway lines within the Notified Area of the Delhi Shahdara Committee is full of filth and breeding grounds for mosquitoes?

(e) Are Government aware that the ponds, full of filth and dirty water, are never looked to by the Notified Area Committee of Delhi Shahdara, and that these are injurious to the health of the people residing there?

(f) What action has been taken by Government as regards the sanitation of Delhi Shahdara especially in respect of those who are residing between the Railway lines and Grand Trunk Road?

Sir Girja Shankar Bajpai: The information has been called for and will be furnished to the House as soon as possible.

WATER SUPPLY AT SHAHDARA, DELHI.

446. **Mr. Muhammad Azhar Ali:** (a) What action has been taken by Government against the hard water supply to the population of Delhi Shahdara?

(b) Is it a fact that the hard water supply told upon the population of Delhi Shahdara? If not, will Government please state the vital statistics of Delhi Shahdara for the preceding five years?

Sir Girja Shankar Bajpai: The information has been called for and will be furnished to the House as soon as possible.

PAY AND GRADE OF TRAVELLING TICKET INSPECTORS.

447. **Mr. Muhammad Azhar Ali:** Is it a fact that on the 1st January, 1925, the pay and grade with the strength in each grade of the Travelling Ticket Inspectors under the Audit and Accounts Department was as under, and that in addition mileage allowance earned per 100 miles run with a train was classed as pay?

	East Indian Railway (Company managed).	Rs.	Oudh and Rohilkhand Railway (State managed).	Rs.
1. Head Travelling Ticket Inspector (3)		220—20—300	(2)	220—20—300.
2. Travelling Ticket Inspector (18)		130—10—200	(2)	170—10—200.
3. Do. (40)		64—4—64—5—123	(3)	130—10—160.
4. Do.	(7)	88—8—120.
5. Do.	(20)	40—4—64—5—120.
6. Luggage Inspectors	(2)	115—10—146.
7. Do.	(8)	80—5—110.

If so, will Government please state:

- what was the pay and grade and the strength in each grade on the 1st July, 1925, 31st May, 1931, 30th June, 1931, 1st January, 1933 and 1st March, 1936, and, if there are no figures, how estimates of the working expenses were made;
- the notification affecting any change over of the system or of the cadre;
- the system (permanent under the Accounts known as Travelling Ticket Inspectors as well as under the Traffic known as Ticket Collectors or temporary under the Traffic known as Crew) abolished from 1st June, 1931;
- the notification laying down the terms and conditions and procedure of creation and abolition of posts; and
- the rule under which a permanent system is abolished in preference to a temporary system and the policy in respect thereof?

The Honourable Sir Muhammad Zafrullah Khan: With your permission, Sir, I propose to reply to questions Nos. 447 and 448 together.

I would invite the Honourable Member's attention to my reply to Qazi Muhammad Ahmad Kazmi's starred question No. 832 asked on the floor of this House on the 26th February, 1936.

PAY AND GRADE OF THE TICKET CHECKING STAFF.

†448. **Mr. Muhammad Azhar Ali:** Is it a fact that on the 5th January, 1928, the pay and grade of the ticket checking system in 1925 was as under?

East Indian Railway (Company managed).			Oudh and Rohilkhand Railway.	
			Rs.	Rs.
1. Head Ticket Collector	(1)	250—10—300	(1)	200—10—250.
2. Do.	(3)	180—10—230	..	..
3. Lady Ticket Collector	(17)	75—5—125	..	..
4. Ticket Collector	(35)	70—5—120	(4)	78—3—90.
5. Do.	(2)	75—5—110	(19)	55—2—70.
6. Do.	(46)	65—5—90	(84)	28—2—50.
7. Do.	(121)	40—4—80	..	..
8. Do.	(64)	22—1—32	..	..

If so, will Government please state:

- what was the pay and grade, as well as the strength in each grade, on 1st July, 1925, 1st January, 1928, 1st November, 1928, 1st January, 1929, 31st May, 1931, 1st June, 1931, 1st January, 1932, 1st January 1933, and 1st March, 1936; and if there are no figures, how estimates of the working expenses were made;
- the notifications under which the said pay and posts were brought under reduction;
- how the staff holding posts were disposed of on reduction;
- the reasons for reduction, and whether the continuous duties of the same nature were performed on 1st June, 1931, 1st January, 1933 and on 1st March, 1936; and
- the extent of reduction in the nature of duty of the posts transferred from the old system to the new system?

GRANT OF CONSOLIDATED ALLOWANCES TO NON-GAZETTED STAFF ON STATE RAILWAYS.

449. **Mr. Muhammad Azhar Ali:** (a) Will Government be pleased to state if it is a fact that consolidated allowance is given in lieu of all other forms of travelling allowances admissible to non-gazetted staff on State Railways?

(b) Is it a fact that it is calculated on a monthly basis and, unlike daily allowance, an employee receiving consolidated allowance cannot draw any other allowance?

(c) What is the ratio between consolidated allowance and daily allowance?

† For answer to this question, see answer to question No. 447.

Mr. P. E. Rau: (a) and (b). I would refer the Honourable Member to Supplementary Rules 22 and 23.

(c) The principle on which a permanent travelling allowance is fixed is that the amount sanctioned should not exceed the average amount which would be drawn during the year under the ordinary travelling allowance rules.

COMMUNAL COMPOSITION OF CERTAIN POSTS.

450. Seth Haji Abdoola Haroon: (a) Will Government please state the total number of posts of (i) Additional Deputy Directors General, (ii) Chief Superintendents, (iii) Sectional Superintendents, (iv) Assistants, First Division clerks, and (v) Second Division clerks?

(b) Will Government please state separately for each cadre how many of the posts stated in part (a) above are held by (i) Hindus, (ii) Muslims, (iii) Christians, (iv) Sikhs, and (v) other communities?

The Honourable Sir Frank Noyce: (a) and (b). The Honourable Member presumably refers to the office of the Director General of Posts and Telegraphs. A statement giving the required information is laid on the table.

Statement showing the communal composition of the staff of Assistant Deputy Directors General, Chief Superintendent, Superintendent, Assistants and 2nd Division clerks of the office of the Director General of Posts and Telegraphs.

	Assistant Deputy Directors General.	Chief Superin- tendent.	Sectional Superin- tendents.	Assistants (first division clerks).	Second Division clerks.
Hindus	4	1	12	61	47
Muslims	1	..	..	6	15
Christians	3	..	..	..	2
Sikhs . . . . .	..	..	..	..	1
Other communities . . . . .	..	..	..	..	..
Total	8*	1	12	67	65

* Including 2 temporary posts of Assistant Deputy Directors General and 1 of the Personal Assistant to the Director General.

PEONS IN THE LAHORE GENERAL TELEGRAPH OFFICE.

451. Seth Haji Abdoola Haroon: Will Government please state:

- the total number of task work peons employed in the Lahore General Telegraph Office on 1st February, 1936;
- the total number of Muslim task work peons employed in the Lahore General Telegraph Office on 1st February, 1936; and
- the total number of permanent and officiating vacancies filled in since 4th July, 1934, the date of issue of revised orders regarding recruitment, and the number of such vacancies given to Muslims?

The Honourable Sir Frank Noyce: (a) 36.

(b) Nil.

(c) One permanent and 23 officiating vacancies occurred, all of which were filled by promotion. Muslims have been employed in five officiating vacancies.

SHORT NOTICE QUESTION AND ANSWER.

LAW FOR THE RESTRICTION OF TRADES TO IRAQIS.

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

- (a) whether the new law restricting trades to Iraqis in Iraq has now been passed and published;
- (b) whether the law provides for a measure of reciprocity;
- (c) when the Regulations under Article II are expected to be made;
- (d) whether these Regulations will give, in the enforcement of the law, reciprocity to Indians in Iraq;
- (e) whether there are any assurances forthcoming to the effect that these Regulations will not operate harshly or unfairly against Indians already practising particular trades in Iraq;
- (f) whether they propose to take steps under Article 3 (b) of the law; and
- (g) whether the treatment of Indian officials in Iraq is different from the treatment of British or other officials?

Sir Aubrey Metcalfe: (a) Yes.

(b) A copy of the new law is laid on the table. It provides that the Iraqi Government may issue Regulations permitting on the basis of reciprocal treatment, the practice of all or certain trades by the subjects of States which permit in their territories the practice of such trades by Iraqi subjects.

(c) It is expected that Regulations under Article 2 will not be made until autumn 1936.

(d) The Regulations issued under Article 2 will presumably take into account the terms of Article 3, which I have already given to the House in answer to part (b) of this question; but the manner in which this will be done cannot at present be forecast.

(e) The Honourable Member's attention is invited to the statement which I made on the 4th February, in replying to an adjournment motion on this subject. I then stated that there was every reason to believe that the Iraq Government would not take any action which would seriously disturb Indians now living and working in Iraq.

(f) The Honourable Member's meaning is not clear. The Government of India cannot obviously take any steps under a law passed by the Iraq Legislature.

(g) No. Between 1920 and 1931, 711 British officials left Iraqi service and in 1933, 22 such officials left, in 1934, 32 and in 1935, 10. The few who remain are all specialists such as doctors, engineers, judges and the like.

Law for the Restriction of Trades to 'Iraqis.

Article 1.—Non-'Iraqis are prohibited from practising the trades and occupations mentioned below, in accordance with the provisions of this law.

(a) Printing, photography, exhibition of cinematographic films, black-smithery, hair-dressing, carpentry, masonry, tailoring, gold and silver smithery, weaving, singing, dancing, transport of all kinds local and national, loading and unloading of goods, lighting, heating, water supply, permanent employment in motor car steam-engine, and vehicle driving, manufacture of cigarettes, sidaras, hats or shoes, working in restaurants or bakeries, employment in any other places as a labourer or watchman, and service in any undertakings or establishments such as hotels, clubs, baths, coffee-shops, warehouses, liquor bars, and places of entertainment, and such other vocations or trades as may be determined from time to time by Special Regulations.

(b) A foreigner shall not act as a salesman in a shop or as a peddler in the streets or engage in brokerage.

Article 2.—The Government may issue a Regulation classifying the trades and occupations mentioned in Article 1, limiting the periods within which non-'Iraqis may not practise such trades and defining shops covered by the provisions of Clause (b) of Article 1. They may also specify the refugees who are entitled to engage in the said trades and occupations in accordance with a special regulation.

Article 3.—(a) The Government may issue a regulation permitting a foreigner to practise certain trades and occupations specified in Article 1, or, in the Regulations that may be issued in accordance with Article 2, in the event of such trades and occupations requiring experience, or being in need of improvement, development or special skill and of there being no 'Iraqis able to perform them, provided that such permission shall be for a period to be determined in regulations.

(b) They may also issue regulations permitting, on the basis of reciprocal treatment, the practice of all or certain trades by the subjects of States which permit in their territories the practice of such trades by 'Iraqi subjects.

Article 4.—Foreigners employed in the manner set out below are exempted from the provisions of this law and the regulation to be issued in accordance with Article 2 :

1. In undertakings provided for in conventions concluded with companies or covered by special treaties or agreements.
2. In employment in Foreign Embassies, Legations and Consulates.
3. In private domestic service.

Article 5.—(a) Whoever employes a foreigner in contravention of the provisions of this law or of the regulations issued under it shall be punished by a fine not exceeding I. D. 100 or by imprisonment for a term not exceeding 6 months, or by both penalties.

(b) Any foreigner contravening the provisions of this law, or the regulations which may be issued in accordance with it, will be deported at once under the procedure specified by the Residence Law.

Article 6.—This law shall come into force with effect from the date of its publication in the Government Gazette.

Article 7.—The Minister of Interior is charged with the execution of this law.

Mr. S. Satyamurti: With reference to the answer to part (f) of the question, I am sorry for the misunderstanding created on the mind of the Honourable the Foreign Secretary,—may I put it this way, Sir,—I want to know whether they propose to take any steps to persuade the Iraq Government under that article?

Sir Aubrey Metcalfe: What does the Honourable Member mean by "they"? Does he mean the Government of India or the Iraq Government?

Mr. S. Satyamurti: I mean whether the Government of India will persuade the Iraq Government through the recognised diplomatic channels.

Sir Aubrey Metcalfe: They have already taken all possible steps in that direction. But this article has been already included in the law, and the House may be quite sure that His Majesty's ambassador in Baghdad will pursue this matter as far as he can.

Mr. S. Satyamurti: May I take it, then, Sir, that, in the intervening period, every step will be taken to ensure adequate protection to Indians, already engaged in trades and professions in Iraq?

Sir Aubrey Metcalfe: Certainly, every possible step will be taken, short of pressure which would obviously be injudicious.

MOTIONS FOR ADJOURNMENT.

LEGISLATION FOR REPUBLICATION IN THE PRESS OF SPEECHES DELIVERED IN THE LEGISLATIVE ASSEMBLY.

Mr. President (The Honourable Sir Abdur Rahim): Order, order. I have received a notice of motion for adjournment of the business of the House, in order to discuss a matter of urgent public importance, namely:

"The unsatisfactory reply of the Honourable the Leader of the House to a question of Sardar Sant Singh regarding the introduction of necessary legislation for republication of the speeches of Honourable Members of this House in the press."

I understand the Honourable Member wants the law to be amended, is that so?

Sardar Sant Singh (West Punjab: Sikh): Yes, Sir.

Mr. President (The Honourable Sir Abdur Rahim): Which law?

Sardar Sant Singh: The Press law and the law of defamation as it is enforced in India.

Mr. President (The Honourable Sir Abdur Rahim): Does the Honourable Member mean the common law?

Sardar Sant Singh: Yes, the common law as given in the Indian Penal Code. Sir, after you were pleased to give your ruling telling us what the present state of the law is as regards the republication in the press of the speeches of Honourable Members of this House, I wanted to know from the Government whether they were inclined to introduce legislation by which the republication of the speech of a Member of this House could not be taken notice of by the executive Government of any province by demanding security or forfeiting security already deposited by

[Sardar Sant Singh.]

a newspaper, and, secondly, to amend the law of libel, as it exists at present in the country, in such a way that a speech, if made without any malice on the floor of the House, and, if published without malice, should be regarded as granting a privilege to the Member. The reply given to this question by the Honourable the Leader of the House . . .

Mr. President (The Honourable Sir Abdur Rahim): The House knows the reply.

Sardar Sant Singh: These are the two points on which I want legislation.

Mr. President (The Honourable Sir Abdur Rahim): If an Honourable Member of this House wants legislation, is that a matter for a motion for adjournment of the House?

Sardar Sant Singh: The motion for adjournment is . . .

Mr. President (The Honourable Sir Abdur Rahim): There are probably many Honourable Members in this House who would like to have legislation on particular subjects in a particular way. Would that be a good subject for a motion for adjournment of the House?

Sardar Sant Singh: My submission is, that as regards ordinary legislation affecting general subjects, it is open to Government or to any non-official Member of this House to bring in legislation subject to the rules and Standing Orders which govern the business of this House, but, in regard to the privileges of Members of this House, the matter stands on an entirely different footing . . .

Mr. President (The Honourable Sir Abdur Rahim): I do not want any argument at this stage. I want to know the Honourable Member's reasons.

Sardar Sant Singh: My submission is that this is as much a business of the Members of the Government as it is of the non-official Members of this House to introduce legislation affecting the privileges of the Members of this House, as there is no legislation on the subject already, though, so far it was taken for granted that such legislation existed. It is incompatible with the functions of this House, as you, Sir, so ably pointed out the other day in your ruling, that such a legislation should be wanting. This legislation stands on an entirely different footing from the ordinary legislation, and, therefore, the motion for adjournment can be discussed with a view to censuring the Government for their failure to introduce such legislation so far.

The Honourable Sir Nripendra Sircar (Leader of the House): I submit that this is not a matter for discussion, under the rules, by an adjournment of the House.

An Honourable Member: Why not?

The Honourable Sir Nripendra Sircar: I am going to explain to the President and to the House why not. (Laughter.) The position is this. My Honourable friend, Sardar Sant Singh, put it on the ground that the privileges given to the Members should be extended by legislation. First of all, the point of your own ruling—I am not going to read it—is you did not accept the contention of my Honourable friend, Mr. Jinnah, that section 67 is not exhaustive, and then you came to the conclusion that the right has to be found under that section, and I need not say what that right is. Under the Government of India Act, section 65, this Legislature has no power, unless expressly so authorised by Act of Parliament—it is wanting in this case—to make any law repealing—there is no question of repealing here—or affecting any Act of Parliament, passed after the year one thousand eight hundred and sixty. Therefore, whereas, section 67 restricts the right of freedom of speech to a particular thing, if you extend it by legislation, as my Honourable friend, Sardar Sant Singh, wants the Government to do, then it is outside the power of this Legislature to affect section 67 and to enlarge it. Secondly, my point is this, is this a specific and urgent matter within the meaning of this rule? There is nothing to prevent Sardar Sant Singh or any other Member of the House from moving a resolution for discussing this; there is nothing to prevent him from introducing a Bill if such a Bill is within the power of this Legislature; and, surely, because a certain legislation has not been introduced, therefore the business of this House is to be interrupted. You will find some Member or other saying—for instance, my Honourable friend, Mr. Joshi, is always complaining that we are not introducing health insurance schemes or presenting money to labourers, and things of that sort, but we cannot have an adjournment of the House over that.

Mr. President (The Honourable Sir Abdur Rahim): I have no hesitation in disallowing this motion. If a motion for adjournment could be moved for a purpose of this character, the result would be that any Honourable Member, who wants any legislation to be effected, has only to move for an adjournment of the House, with the consequence that the proceedings of this House would be frequently obstructed. I find also from the report of the Parliamentary Debates, 1918, Vol. 106, July 8th—July 26, at page 1339, the Speaker says:

“I have been looking further into the question, and have come to the conclusion that I could not accept a Motion to move the Adjournment of the House in order to call attention to the fact that the Government have not produced a particular Bill in which it is possible that a group of forty Members or more might be interested, because, if I were to do so, it would open a door which might be pushed at by any group of forty Members on almost any day in the Session, and if any group of Members desired to raise a particular topic in which they were interested all they would have to do would be to move the Adjournment of the House in order to discuss that particular topic. I am sure that the Rule was never meant to apply in that way.”

There is also the other point raised by the Honourable the Leader of the House that this entails an amendment of the Government of India Act, which it is not competent for this Legislature to do. I, therefore, disallow the motion.

BAN ON MR. SURASH CHANDRA BOSE.

Mr. President (The Honourable Sir Abdur Rahim): There is another motion in the name of Pandit Nilakantha Das. The Honourable Member

[Mr. President.]'

wants to move a motion for the adjournment of the House to discuss the following matter of urgent public importance, namely:

"The decision of the Government of India conveyed to Mr. Subash Chandra Bose through the British Consul at Vienna to the effect that Mr. Bose could not expect to remain at liberty if he returns to India."

Does the Honourable Member wish to move this motion?

Pandit Nilakantha Das (Orissa Division: Non-Muhammadan): Yes.

Mr. President (The Honourable Sir Abdur Rahim): Is there any objection?

The Honourable Sir Henry Craik (Home Member): No.

Mr. President (The Honourable Sir Abdur Rahim): The motion will be taken up at 4 o'clock.

THE INDIAN COMPANIES (AMENDMENT) BILL.

The Honourable Sir Nripendra Sircar (Law Member): Sir, I move for leave to introduce a Bill further to amend the Indian Companies Act, 1913, for certain purposes.

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

"That leave be granted to introduce a Bill further to amend the Indian Companies Act, 1913, for certain purposes."

The motion was adopted.

The Honourable Sir Nripendra Sircar: Sir, I introduce the Bill.

THE INDIAN TARIFF (AMENDMENT) BILL.

The Honourable Sir Muhammad Zafrullah Khan (Member for Commerce and Railways): Sir, I move for leave to introduce a Bill further to amend the Indian Tariff Act, 1934, for certain purposes.

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

"That leave be granted to introduce a Bill further to amend the Indian Tariff Act, 1934, for certain purposes."

The motion was adopted.

The Honourable Sir Muhammad Zafrullah Khan: Sir, I introduce the Bill.

THE INDIAN RAILWAYS (AMENDMENT) BILL.

The Honourable Sir Muhammad Zafrullah Khan (Member for Commerce and Railways): Sir, I move for leave to introduce a Bill further to amend the Indian Railways Act, 1890, for certain purposes.

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

“That leave be granted to introduce a Bill further to amend the Indian Railways Act, 1890, for certain purposes.”

The motion was adopted.

The Honourable Sir Muhammad Zafrullah Khan: Sir, I introduce the Bill.

THE INDIAN FINANCE BILL—*contd.*

Mr. President (The Honourable Sir Abdur Rahim): The House will now resume consideration of the Finance Bill. The following amendment moved by Dr. P. N. Banerjea is under discussion:

“That in Schedule I to the Bill, in the proposed First Schedule to the Indian Post Office Act, 1898, for the entries under the head ‘Postcards’ the following be substituted:

‘Single	Six pies.
Reply	One anna’.”

Sir Darcy Lindsay (Bengal: European): May I ask my Honourable friend, Sir Frank Noyce, whether he proposes to continue the useful practice introduced last year of reprinting the speech he made on the Department of Posts and Telegraphs, and issuing that reprint to the Members of the House?

The Honourable Sir Frank Noyce (Member for Industries and Labour): I am very glad to hear from my Honourable friend that the reprint has been found useful, and I need hardly assure him in that case that I shall be very pleased to continue last year’s practice.

Mr. C. N. Muthuranga Mudaliar (South Arcot *cum* Chingleput: Non-Muhammadian Rural): Sir, I rise to support the amendment moved by my Honourable friend, Dr. Banerjea, for the reduction of rates for postcards from nine pies to six pies. This is the one item on which all people, specially the poor villagers, are keen on having reduced rates. Having regard to the fact that the postal rates were enhanced to meet an emergency it is up to the Government to reduce the rates now because there is a large surplus. Sir, in order to get the reduction in postcards, our Party decided not to move any of our amendments on the cover, though the gesture made by the Finance Member in this respect is not of far reaching benefit. The Honourable the Finance Member said the other day that it would cost half a crore of rupees if the postcard was reduced from nine pies to six pies.

Perhaps the Honourable Member has not calculated the increased sales of postcards consequent on the reduction in price. Even assuming his figures to be correct, even after taking the increased sales into consideration even then it is worth doing. The Honourable Member has now credited a sum of about three crores to the revenue reserve fund. A part of it might be utilised for this purpose, and the balance may go to the revenue reserve fund. In 1926-27, the then Finance Member similarly transferred

[Mr. C. N. Muthuranga Mudaliar.]

a sum of Rs. 2,96 lakhs to revenue reserve fund, but it was frittered away in subsequent years. The same may be the fate of this revenue reserve fund, and it would be better if a portion is spent to meet the loss, if any, that might accrue owing to the reduction of postage rates. The postal rates that are at present charged in India are indeed very high, in fact, higher than the rates prevailing in the United Kingdom. I can almost say they are exorbitant. The poor Indian whose average income per day amounts to only one anna seven pies needs a very cheap postal system. To pay nine pies for a postcard out of his small income is a burden to him. As I was saying, a part of the reserve fund may be utilised for relieving the poor and enable them to have six pies cards. Besides, the Government have allotted a crore and 13 lakhs last year, and a crore and eight lakhs this year for rural uplift. Much of last year's allotment is still unspent. So a portion of this allotment may be utilised for postal reduction. After all, much of this amount, which has been earmarked for so-called rural uplift, will be swallowed by the staff in the shape of travelling allowances and other incidental expenses. I am not making this charge without any foundation. That public money is frittered away in travelling allowances, etc., is well known. As an instance, I can inform the House that Government sanctioned a sum of money for the improvement of handloom industry. In my province of Madras, a Co-operative Weavers Society has been started and a Secretary on Rs. 250 and an Assistant Secretary on Rs. 200 with other incidental staff are working at the desk. In this way, the Government grant is eaten up by the staff without any tangible benefit for the weavers. So, I suggest that a portion of the village uplift fund may be utilised for this purpose. After all, this reduction of postcards is the one item which will really help the villager. Moreover, the surplus is bound to go up before the next official year, so that the rural uplift fund may also be replenished in time. If Government, however, are not willing to raid on the rural uplift fund, I would suggest that they should have recourse to drastic retrenchment in the Posts and Telegraphs Department with a view to giving this much needed relief to the poor people. Even if the Posts and Telegraphs Department is considered a commercial department, as the Honourable the Finance Member is stating so often—I consider it is a public utility department—no money could be given from revenue. There are other ways of effecting economy and bringing about the necessary relief. The postal rates were raised to the maximum level as an emergency taxation, and it was then said that it would be reduced as soon as the emergency passed away. If we separate the Postal Department from the Telegraph Department, we will know exactly which side is making profits and which side a loss. Mail runners, packers and village postmen and village postmasters are all paid a small salary of Rs. 5 or Rs. 6 a month. I believe that the postal side must be making a huge profit. The Telegraph Department also might be shown to earn a profit, if only we reduce the huge salary that is paid to the telegraph staff. The high scales of salary and allowances paid to the telegraph staff absorb the lion's share of the income. If the Government really earnestly try to reduce the cost of the Telegraph Department, then we can easily reduce the cost of the postcards. One way of reducing the cost of the Telegraph Department is to appoint combined clerks for this Department. A clerk drawing Rs. 45 to Rs. 60 performs all the duties of Postal and Telegraph Department more satisfactorily than the departmental signallers who are paid Rs. 300 and upwards for less work and only on duty of receiving and

despatching telegraph messages. If the combined clerk system is encouraged, it will surely reduce the expenditure. The departmental telegraph offices, which are a source of loss to the Government and a burden to the taxpayer, should be closed and economy effected, so that the money that is saved may be utilised in reducing the price of postcards from nine pies to six pies. Another way in which money could be found to meet the loss, if any, by reducing the price of postcards is to abolish the departmental school for signallers and the staff should be recruited in the open market. The Department spends money on the maintenance and equipment of telegraph schools and buildings and staff for this purpose, and I am informed that the training of each telegraph signaller costs Rs. 1,000. The cost of running this is enormous. The Railways in India have begun to recruit their commercial staff by direct examination and selection, and the Telegraph Department may adopt the same plan and thus save a lot of money, so that this much needed help of reduction of rates for postcards might be introduced to benefit the poor. I hope the House would carry this motion for reduction of postcard rates.

Mr. J. Ramsay Scott (United Provinces: European): Mr. President, I regret that my Group cannot support this amendment for the reduction of the rate of postcards to half an anna, and our reason for this is that the Posts and Telegraphs Department is a commercial undertaking and must, therefore, be self supporting. The Honourable the Finance Member has stated very definitely that he can make no subvention from Government funds to a commercial department of Government.

A point which I should like to make in this connection is the difference between payments for postal services and ordinary taxation. It has been mentioned in a previous debate that payments for postal services are payments for services rendered, and an Honourable Member on the other side of the House asked if this was not true of taxation in general. It is, of course, correct that all taxation is in a sense payment for services rendered. For instance, the proceeds of the income-tax are received back by payers in the form of police protection, the defence of the country and other services rendered by the Government, but there is a very sharp distinction between this and definite services rendered by the Posts and Telegraphs Department in the delivery of a particular letter or postcard for the payment of a particular sum.

It is impossible to allocate particular payments of such a tax as income-tax and to say that the payer who pays Rs. 500 in income-tax receives services to the value of Rs. 500 in the same way as he does receive the particular services for each anna he spends on postage stamps or each rupee he spends on telegrams. This is the essential difference between a commercial department such as the Posts and Telegraphs and other Departments of Government, and it is for this reason that we agree with Government that commercial departments should be made self-supporting and should not render services in their own particular line to the public at an unremunerative price, so that they have to call upon the general revenues for assistance. The last details which have been made available to me are in the Annual Report of 1934-35, and from this I see that the number of postcards posted in that year was about 480 millions bringing in a revenue of about 200 lakhs. The greatest number of postcards posted in any one of the previous ten years from 1924-25 to 1933-34 was just over 580 millions which at half an anna means a revenue of 1,81 lakhs, so that the nine pie postcard is today bringing in about 20 lakhs more revenue than the half anna postcard ever did.

[Mr. J. Ramsay Scott.]

If the Department now issued a half anna postcard and no increase of postings took place, the revenue would be only 1,34 lakhs, and there would be a loss of 68 lakhs, but if there were to be an increase of 10 per cent., and it is reasonable to expect this, the loss would be, as the Honourable the Finance Member has said, about 50 lakhs, and, if we allow for a still greater increase in the next two years, it would take at least three years before the leeway was made up.

The Honourable the Finance Member has shewn us that the Posts and Telegraphs Department has just reached equilibrium again, and is, in fact, now once again on a dividend-paying basis. The first dividend has just been paid in the return of the one tola letter to the one anna basis. There has, however, been a rather ingenious manipulation, so that what is lost on the swings is regained on the roundabouts, and I congratulate the Postal Department on getting away with it so easily. This so-called dividend is said to cost about 13 lakhs, which leaves only two lakhs, so that a half anna postcard would leave a debit of 48 lakhs at the end of 1936-37 and probably about 25 lakhs at the end of 1937-38, and a balanced budget could not be reached again before at least the end of 1938-39.

If the recovery of the finances of India continues, you may say that the importance of a balanced budget is of less importance and less imperative, but I would point out that we are still faced with yearly increments of wages which call for about 12 lakhs yearly, and increased contributions for retrenched staff, and an increase of about seven lakhs for railways for the carrying of mails.

If the Posts and Telegraphs Department were not committed to the increased cost of about 30 lakhs a year, the half anna postcard would seem to be a very reasonable demand.

The British Post Office is often quoted as an example, so I would say that although the British Post Office made profits of over 13 crores a year, it has not yet seen fit to reduce the one penny postcard to a halfpenny. I would like to say that my Group have every sympathy with this amendment, but we consider that it is not, as I have shewn, within the possibilities of sound finance.

I should like to acknowledge a debt of gratitude to Mr. Bewoor and the late Sir Thomas Ryan for the better results achieved, and I advisedly say gratitude, for one definition of that word is "A lively sense of favours to come". (Laughter.)

The position of the Posts and Telegraphs Department, as shewn by the Honourable the Finance Member, is better or looks better than it has done for many a year, but I would venture to suggest that the improvement is more apparent than real.

This year receipts are expected to be 11.50 crores or about 17 lakhs better than budget expectations, while expenditure taking interest into consideration will be two lakhs less. The net result is an improvement of 19 lakhs. For 1936-37 the estimated receipts are expected to be 11.88 crores or 38 lakhs more, but I would point out that this is only an estimated figure. This increase is only based on the supposition that, because there was a large increase this year, there will be a further big increase next year. The optimism shewn by the Honourable the Finance Member is hardly in keeping with the sound finance principles enumerated elsewhere.

Expenses, however, are estimated at 11.93 crores or an increase of 29 lakhs, and it is estimated that the Department will end the year with a credit balance of 15 lakhs. The depreciation figure has been fixed at 25 lakhs for a period of five years which helps the expenditure figure to the extent of about four lakhs yearly.

Interest in 1935-36 has come down to 80 lakhs owing to the better borrowing position of Government, but there seems to be no improvement expected for 1936-37.

The increase of expenditure by 29 lakhs is a cause for very real anxiety, and further economies must be effected. Sir, I should like to draw your attention to the report of the Posts and Telegraphs Department of 1934-35. This report is by the officials of the Department itself, and I propose to give you a few extracts in the exact words of the officials themselves:

"It will be noticed that the growth of expenditure on staff employed in post offices has far exceeded the growth of traffic. We consider that there is urgent necessity for cutting down working expenses.

The total number of postal articles dealt with in 1913-14 was 1040 millions while in 1932-33 the numbers were 1118 millions. The staff had however increased from 95,286 to 1,24,534. The pay bill had gone up from 118½ lakhs to 542 lakhs."

My comments are that traffic increased by 7½ per cent., staff by 30 per cent., and wages by treble.

The second extract starts:

"We are told by a responsible officer of a department that there is admittedly scope for reduction in establishment but that it is impossible to effect any reduction as a large majority of the staff is said to be incompetent due mainly to the system whereby members of the clerical establishment earn their annual increment as a matter of course which leave little or no incentive to the really competent men to show their work."

Thirdly:

"The Financial Adviser states that the department is losing heavily on account of the expensive operations involved in the handling of registered letters and parcels."

Fourthly, with regard to Accounts.

"The structure of the system is simple but there is room for expediting the process of compilation and urgent necessity for the elimination of some of the checks and counter-checks."

I would ask Government what steps they are taking to get rid of the incompetent and give the really good men a chance?

Why should not operations be less expensive and simple, and why should there be so many checks and counter checks?

Surely, the general public have a right to ask for the maximum of efficiency comparative with the maximum of economy.

Is it not time that the Posts and Telegraphs Department put its house in order or is it the policy of Government throughout "*Laissez Faire*"?

One last word. Most post offices are dirty, dusty and dark, and I cannot understand how you can expect good work from your staff under existing conditions.

An Honourable Member: The question may now be put.

Pandit Govind Ballabh Pant (Rohilkund and Kumaon Divisions: Non-Muhammadian Rural): Sir, I listened to the speech of the last speaker with great attention and a certain degree of interest. It was some relief to me that the subject had his sympathy, though he could not extend his support to it. Sir, on a similar occasion, when the present President of the Council of State expressed his sympathy with a certain motion that was moved by the Honourable Mr. Gokhale and said that he had his sympathy, but he could not extend his support to him, Mr. Gokhale said that it was no good having empty expressions of sympathy, and that what they cared for was support and that futile expressions of sympathy were of no use.

Sir, so far as the present motion goes, the last speaker has dittoed what the Honourable Member for Industries and Labour said the other day. I want to analyse his statement and that of the Honourable Member in charge of the Department. I believe that, even judged in the light of the principle laid down by them, there is no justification for this three pice postcard today. Sir, it has been urged that the Postal Department is a commercial department, and, as such, it must pay its bill. I do not know what a commercial department would have done if it had not been in charge of the Government holding a monopoly in similar circumstances; when prices went down by about 50 per cent. when wages went down appreciably, this commercial department raised the value for their services in the matter of the postcard by about 50 per cent. That is perversion of commercial principles, that when prices and wages went down by 50 per cent., the value of services rendered should have been raised by 50 per cent. I wonder if any commercial firm in the world could adopt such an attitude and yet retain its business. But let us go further and see whether even this principle justifies the attitude of the Government. Sir, the reality is this: that the postcard is being made to pay for the benefit of gentlemen of the class of which the thriving representatives of industry sitting on those Benches are the best specimens. I think it is known to everybody that the Telegraph Department has been working at a loss for years and years. If you look at the figures, you will find that in 1933-34, the loss on the working of the Telegraph Department was about 40 lakhs, the exact figure being 38 lakhs and 96 thousands. Again, if you look at the revised figures for 1935-36, you will find that the Telegraph Department worked at a loss of about 34 lakhs, and, even in the budget year, the Telegraph Department is expected to earn a deficit of 41 lakhs. The Postal Department, on the other hand, has been working at a profit, the surplus according to the revised figures for the current year is calculated at 28 lakhs, and that for the next year has been put down at 17 lakhs, besides nine lakhs appropriated for capital purposes out of the revenues. So, what we find is this that again the poor man is being fleeced in order to fatten the rich. That is the real and hard truth in spite of the crocodile tears that are so often shed in this House for the poor in India. You might be remembering, Sir, that a disproportionate and a heavy burden was laid on the postcard even initially; while the surcharges did not exceed 25 per cent., generally, in no case did they come up to 50 per cent., excepting that of the postcard, the price of which was raised from two pice to three pice. Strange as it may look, though in 1933-34 the Postal Department had been working at a heavy loss and the Telegraph Department in a heavier, the Honourable Member in charge came forward to make certain concessions in favour of those who care more for the telegrams than for the postcards, with the result that the charges for telegrams

were reduced from 13 annas to nine annas. There was another class which was more needy still and which could not afford to pay the enhanced rates and on that account the postal charges on letters for the United Kingdom were reduced! That is what happened in 1933-34, and that at a time when the Telegraph Department in particular was working at a loss. It is working at a loss even now. Why is this principle of equilibrium in charges and receipts not applied? Why are the rates on telegrams not raised in order to make the Telegraph Department self-supporting (Hear, hear), and why is the benefit withheld that is due to the poorer classes in the Postal Department in order to make up the deficit in the Telegraph Department?

As Honourable Members are aware, it is a standing complaint that the allocation of the receipts and expenses between the Telegraph Department and the Postal Department has never been equitable and just with the result that the real deficit in the working of the Telegraph Department is much bigger than the figures actually show. How subtly and how cleverly do Government manipulate their figures when they want to do a thing? In 1933-34, they had made up their mind to give some relief to telegrams. So they reduced the depreciation charge from 36 lakhs to nine lakhs and now they have again raised it to 25 lakhs. The only reason why the depreciation contribution was reduced from 36 lakhs to nine lakhs was to narrow down the extent of deficit in the Telegraph Department in order to make out a sort of a plausible case for the concession made in favour of telegrams. They can lightly play with the figures and juggle with them, and they can flippantly quote the Vedas or refer to handy pamphlets by their own propagandists ignoring standard books like Dadhabai Naoroji's "Poverty and un-British Rule in India", Digby's "Prosperous India", Mr. Ramsay Macdonald's "India" or Mrs. Besant's "New India", and numerous others like these.

Sir, the poorer classes make greater use of postcards as the richer do of the telegraph office. If you want to make a scientific principle of a commercial department working at par, so that the expenses may be covered by the receipts, first of all you must improve and remedy the rotten state that prevails in the Telegraph Department, and you must deal, first of all, with your telegraph revenue and reduce the cost or raise up the charges for telegrams, so that the working expenses may be covered by the receipts. But, that is not, after all, a convenient thing to do, and, as the poor are benefiting thereby, the Honourable Member considers that this virtual subvention from the Postal Department to the Telegraph Department is not open to any objection. He forgets that the Postal Department had been, in fact, making contributions from year to year to the general revenues of the country for several decades till this depression set in, and, if it were to draw upon the general revenues for a little while for the benefit of the poor, it would only be getting back what is due to it. It is not only in the interests of equity, justice and fair dealing that the postcard should be valued at two pice, but it is in the interests of the Government themselves that they should do so. I think no one can deny that the law of diminishing returns has set in seriously in the matter of postcards. If Honourable Members will refer to the diagrams that are given in the report of the Postal Department, they will find that the number of letters has gone up considerably and that, even between 1933-34 and 1934-35, there was an increase, if I am not mistaken, of about 50 million in the matter of letters, but in the case of postcards, there is

[Pandit Govind Ballabh Pant.]

still a downward tendency, with the result that the number of postcards used even in 1934-35 was more than five million less than that in the previous year.

Mr. G. V. Bewoor (Director General, Posts and Telegraphs): That does not prove the Honourable Member's statement. . . .

Pandit Govind Ballabh Pant: I am not giving way. The Honourable Member has no right to interrupt me now. I do not think anything that I am saying will prove anything to the satisfaction of Honourable Members opposite.

The Honourable Sir James Grigg (Finance Member): And *vice versa*.

Pandit Govind Ballabh Pant: I am not labouring under any delusion. But at least others will be satisfied and the world will know how great and how earnest and how sincere is their solicitude for the poor which is so pathetically portrayed on the floor of this House from time to time, and how well they have demonstrated it by giving relief, first of all, to the services themselves as soon as the revenue showed a little tendency towards recovery, and then to those who have recourse to telegrams, and then to those whose interests are not restricted to this country alone, but, being men of cosmopolitan culture, who have to keep cultural contacts with the world at large. Sir, further we find that the number of letters sent in the year 1934-35 was, in fact, greater than in any year since 1931-32, while, in the case of the postcards, there is a rapid decline down the steep grade year by year up to this day. And you will please also take note of another factor which is this. When, in 1933-34, certain concessions were made in the matter of letters, there was an increase in the receipts of no less than 47 lakhs, and the number of letters went up at a jump by several millions. My friends calculate a deficit in the matter of the postcard on the assumption that, in spite of the reduction in price, the number will remain stationary.

Mr. G. V. Bewoor: No, Sir.

Pandit Govind Ballabh Pant: Then they perhaps calculate an increase which is much less than one would reasonably expect. In the case of letters, when they introduced that half-tola-one-anna letter, they thought that it would result in material loss. But we know—and Mr. Mitchell accepted in the other House—that in fact it resulted in a profit. So, Sir, I believe that if this postcard is reduced to two pice, the number will considerably increase, with the result that the actual deficit will be much less than that estimated by the Department.

Then, Sir, what about this theory of impropriety of any subventions for Departments like this? May I know why there is a subvention for the Broadcasting Department? Is that in any way on a different plane from the Postal Department? Why is there the air mail subsidy of several lakhs a year? I am not giving exact figures, but the air mail touches the poor and their interests must be safeguarded by Government, and that is the reason why the air mail should get a subsidy! That is the reason why broadcasting should get a subsidy; because these poor

men have absolutely no amusements, no pastimes, no life which is in any way above that of a dreary animal lost in drudgery. So, in order to entertain the poor, the broadcasting service should be run by the State. And we know that they have no political motive behind it!

Sir, the budgetary position, so far as revenue is concerned, of the Posts and Telegraphs Department today, is better by more than a crore than what it was two years ago. During the interval of last two years, the revenue of the Posts and Telegraphs Department has increased by 1,02 lakhs. If, in spite of this phenomenal increase in revenue, it is not possible to reduce the rate in the matter of the postcard, I wonder when the day of the millennium will be reached when the postcard will have some luck in this House. Sir, if an increase of 1,02 lakhs within the short span of two years cannot enable Government to give any relief to the man who uses the postcard then I wonder if Government will ever be able to spare anything out of postal revenue for the benefit of the poor. Sir, I do not expect any response from the gentlemen opposite, but I expect this much at least that they will hereafter give up their pathetic professions of sympathy for the poor.

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): Sir, I rise to intervene in this debate to show that, according to the Finance Member, I pose as a champion of the poor. Simply to prove that statement, I should like to say a few words. For the last several years, this House has passed, we may say, two Resolutions, for after all they are merely advisory. One was, relief to the poor with regard to income-tax, which at least has been accepted; and the other was, some relief to the poor by way of reduction in the cost of the postcard. Sir, I am perfectly aware of the fact that the Posts and Telegraphs Department is a commercial department. The definition of a commercial department, as far as I understand it, is a department that should make no profit, but at the same time, while giving every facility to all classes of people in this country, should make no loss. That is not always easy to do. It does happen sometimes that there is a loss of a few lakhs and sometimes there is a profit of a few lakhs. But the general principle is that there should be neither profit nor loss, and, at the same time, the Department should do its best to serve all classes. That is the general principle of a commercial department as we understand it with regard to Posts and Telegraphs.

Now, Sir, it must be admitted that if we are to ask for a reduction in the postcard, there is likely to be a loss, and that is said to be
 1 P.M. about 50 lakhs. I do not think there is anybody in this House, even including the Honourable Member in charge or the Director-General of Posts and Telegraphs, who can definitely say what that loss will be. It is an assumption, and that figure is arrived at to the best of their ability, and I will take it at the figure of 50 lakhs. Now, Sir, we are told that it is not right to give this Department a subvention, but may I ask this one simple question? If this House, by a very large majority of the elected Members, desire to give certain facilities to the people of this country which cannot be done without a certain inroad into our revenues, why are we wrong in demanding that that inroad into our general revenue should be made in order to supply the facility we desire? If the Posts and Telegraphs Department were a limited company, run by a Board of Directors, with a monopoly, and the management of that

[Sir Cowasji Jehangir.]

company said "we cannot possibly afford to reduce the cost of the post-card", what would this side of the House say? It would have two alternatives before it; one is to continue the price of the postcard or to ask the company "what subvention can we give you in order that you make both ends meet and reduce the cost of the postcard?" The company would mention a figure, and then we would say "we shall meet your wishes to get the facility we desire". I place the commercial department of Government, the Posts and Telegraphs, in exactly the same position, and I say, "we ask you what subvention you require for the next year, or, say for the next two or three years, till you see how your budget reacts to this change". You say "Rs. 50 lakhs." We are prepared to give that subvention to this commercial department for the next two or three years, and we shall judge after two or three years whether that subvention should be continued. We may be in the position of finding that no subvention is required and then we shall continue the rate of the postcard at the lower rate of six pies without a subvention. It will be open for this House and for Government to consider the position two or three years hence.

The next point is whether we can afford to give this subvention of Rs. 50 lakhs to this commercial department. Mr. President, that is going back to an old story. The Finance Member says "No, we cannot". We say he can. He shows surpluses which are earmarked. We may not quite agree with him as to the ways and methods in which he has earmarked these surpluses. I am not going into that story, but this House has shown that there is a saving in revenue of Rs. 78 lakhs—going back again to the old story of Quetta—and we consider that at least Rs. 50 lakhs out of that Rs. 78 lakhs should be used for the purpose of giving this relief.

I would just like to come to the main question—the crux of the question. Is this a relief to the poor? I am no authority on this subject. I really do not know what percentage of the postcards is used by the rural population of this country, what percentage is used by the middle classes and what by the commercial houses, but the Honourable Member in charge of the Department said that in his opinion 60 to 75 per cent. of the postcards is being used by the agricultural classes.

The Honourable Sir Frank Noyce: I gave 60 to 75 per cent. as a very rough estimate, but I do not think there can be the smallest doubt, and I think the House will agree that it is perfectly obvious that the urban population uses more postcards per head than the rural population.

Sir Cowasji Jehangir: But still about 60 to 75 per cent. is used by the rural population. I readily admit and take it for granted that, per head, the relief is insignificant. But, after all, it is some direct relief, and the House has been asking for it for some years.

There is another argument to which I desire to draw the Honourable Member's special attention, and that is that it looks to me as if the demand for postcards is going to be considerably reduced in future unless you bring down its cost. The reason for it is that you have now got a tola-an-anna letter. That means to say that you can send a letter—

ordinary note paper and ordinary envelope—for one anna, while a postcard is still going to cost you nine pies. The difference between an anna and nine pies is not very much.

The Honourable Sir Frank Noyce: A matter of indifference apparently to the rural population!

Sir Cowasji Jehangir: No, that is perfectly true; but I would ask the Honourable Member to consider the point whether the other 25 to 40 per cent.—the non-agricultural classes who use these postcards—will use the postcard or will they write the letter if the difference is only going to be three pies? What about them? It looks to me that, by reducing the letter to one anna per tola, you will affect the circulation of your postcards.

Sir Darcy Lindsay: You will increase the revenue.

Sir Cowasji Jehangir: How will you increase the revenue?

Sir Darcy Lindsay: By the extra pice that you get.

Sir Cowasji Jehangir: That has already been taken into calculation. Your postcard revenue will be reduced while your letter revenue will not be increased to that extent. I think that is a question worthy of consideration, leaving aside the question of postcards of half an anna on its merits.

Now, we have been accused of manoeuvring, and guesses have been made as to how we are going to manoeuvre. I think Honourable Members, who utilise their time in the amusing reflections of how manoeuvring is to take place, will continue to guess, while we on this side are able to put our finger on the manoeuvring that has taken place. At any rate, there is no manoeuvring in this. It is a straightforward demand and a demand reiterated year after year—that the cost of postcards should be reduced. We have shown that we can make a saving in the general budget of Rs. 78 lakhs. We desire that that should be effected and Rs. 50 lakhs utilised as a subvention.

Now, let me touch upon a personal point. I know—and no body knows better than myself—the great interest which the Honourable Member in charge of this Department has taken in his work and in this Department in particular during the last few years. (Applause.) May I say that, of all his subjects as a Member of Government, perhaps the Postal Department is his pet child. Now, I would be the last in this Honourable House to hurt his feelings or to discourage him during the year or two that he remains with us from taking the same paternal interest in this great Department of Government; and the argument that he brought forward that this subvention might discourage the Department from further effort was one that I listened to with considerable regret. We give this subvention willingly; we give this subvention not because he, the Director-General and the whole of his Department have not done their very best: we give this subvention in order to help him to give a further facility to the people of this country. We give this subvention willingly, readily and with the hope which I feel confident will be fulfilled, that in two years' time he will not require this subvention, and he will be able to tell us that the revenues of the Department have risen, that further economies have been effected to make good this loss of 50 lakhs.

[Sir Cowasji Jehangir.]

Therefore, I take this subvention, not as a recurring charge on our revenues, but just as any subvention given to any limited company which cannot do without a subvention from Government. That is how I look at it, and I hope and trust that the Honourable Member will not take it—I am sure this House will pass this motion—as a discouragement, but as a sign of appreciation on the part of this House for the work done by the Postal Department and its earnest desire that that work shall go further to meet with the convenience and the wishes of the people of India.

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): Sir,

Mr. President (The Honourable Sir Abdur Rahim): Perhaps the Honourable Member had better begin after lunch

Mr. M. A. Jinnah: I will not be very long: if you give me about ten minutes, that will be enough. Sir, I do not want to go into the details at all. I want only to point out that this is not really a vote of censure. This is an amendment to the Bill, and, therefore, I do not think we need feel in any way that we are wounding or hurting the feelings of the Honourable Member in charge of the Department, or the Department itself. It is purely an amendment to the Bill, and, I am sure, that the Honourable Member understands that perfectly well

The Honourable Sir Frank Noyce: I should like to explain to my Honourable friend that there is no question of my feelings in this matter—none whatever. I am as much open to attack as any other Member of this House on whichever side he may sit.

Mr. M. A. Jinnah: I was only making it more clear, if possible, that this is not a vote of censure on the Government. Therefore, really we can discuss this in the best interests of those to whom we want to give relief, if we can. Now, the Honourable Member in charge has said, quoting my words, when I was speaking about the salt tax, that there will be no substantial relief given to the poor if you make this reduction in the price of the postcard. Well, I say with very great respect that I cannot agree with him there. I have given a little thought to this matter, and I have not the slightest doubt in my mind that, not only there will be a substantial relief to the poor, but it will be so direct and so definite that there can be no question at all about it. The poor man goes to the post office; instead of paying nine pies, he pays six pies: straightaway three pies remain in his pocket. As regards salt, when I expressed my difficulties and my doubts whether such a small relief as could possibly be given would actually reach the consumer of salt, my doubt was to a certain extent based on the ground that there is the middleman. Therefore, it filters down through various channels before it reaches the man to whom we want to give relief. But, in the case of the postcard, it is direct and definite relief.

Then, the Honourable Member admits that 60 to 75 per cent. of the people using postcards are really of the poor class. It is a very big number—not a small number; and if this relief can be given, then it should be given. Now, let us see whether that relief could be given. That is the next question. The Honourable the Finance Member no

doubt has prepared his budget, and he has brought here definite proposals. But I am quite sure that between the Honourable the Finance Member and my friend, Sir Frank Noyce, if they put their heads together, they will find the money somehow from out of these very budget proposals. I do not wish to suggest that they should do this or they should do that. It has been suggested by various speakers, but I am quite sure that in this case the wholesome proverb might be followed—where there is a will, there is a way; and if the two Honourable Members in charge of these two Departments put their heads together, they can do it. As regards this loss of 50 lakhs, we do not know yet definitely—it is merely an estimate; but it has been suggested that the reduction in the price from nine pies to six pies would increase the number of post-cards that will be used. To that extent it is possible that the revenue of the post offices may be compensated to a certain extent. It is very difficult to say how much it will be—it may be five lakhs or it may be ten lakhs; but at present it is in the dark. But surely there is one definite opinion that, if you follow the advice of this House and reduce the rates, there is the definite opinion that that will increase the use of postcards, and, to that extent, your revenue will increase. That is one factor.

The other factor is—and I think the Honourable Member mentioned it himself—that we shall be in the throes of elections in this year; and, taking the least number of candidates that will stand, if you put it down at the rate of Rs. 100 per candidate . . .

An Honourable Member: Much more.

Mr. M. A. Jinnah: I say that will be the least, then it will come to Rs. 60 lakhs. The number of candidates that will stand will be more than six thousand. Taking the total number of the seats which are available all over India, and taking four candidates for each seat, it will come to about that

Honourable Members: Much more than that:

Mr. M. A. Jinnah: I am taking the least

An Honourable Member: 10,000.

Mr. M. A. Jinnah: There, again, I am not in a position to say what extra profit or gain it will bring to the post office, but it is certainly a factor which must bring some substantial revenue to the post office. (Interruption.) I think I said that each candidate would have to spend Rs. 100; I am sorry if I made a mistake—but I meant that each candidate will spend at least a thousand rupees on postage.

Mr. G. V. Bewoor: On postage alone?

Mr. M. A. Jinnah: Yes, on postage alone. I can give my Honourable friend my own account. On mere postcards, in my election,—I have never done anything more than merely sending a postcard and a reply card: and, even with the number of voters being only 4,000 to 5,000, my costs on postage in connection with the election came to about Rs. 900 to Rs. 400—on postage alone, and that is, mind you, five thousand voters. The number of voters we shall have to approach now will be much greater

Mr. G. V. Bewoor: Most of them won't be able to read.

Mr. M. A. Jinnah: Now, the Honourable Member is going back on his old game. I am surprised. I was trying to persuade the Government with reasons. The Honourable Member's interruption is merely to put me off the point. I can meet that also, but not on this occasion. On this occasion, I want to reason with you, and please listen to my reason. I am only putting before you a factor. I am not now saying that so many lakhs you will lose or so many lakhs you will get, but I am putting before you a factor that will bring some gain to the Postal Department this year.

Then, Sir, the next thing is this. It is also possible, and I want the Honourable Member to consider this, that the separation of Burma is sure as far as I can see, not this year, but the following year, and the loss which we are suffering now will not be there after the separation of Burma takes place. Therefore, Sir, I do appeal to the Government that this is a matter on which they ought to meet the wishes of this House. Sir, I hope that they will not take it into their heads that, because we have made so many cuts, and, therefore, whether it is a good one or a bad one, whether it is supported by a definite strength or not, they must apply the bludgeon clause and certify the whole lot. I have made it quite clear, Sir, that we reduced the executive grant to Re. 1 on the principle of refusal of supplies. That does not mean that I was trying to re-adjust or re-model the budget. It is purely a constitutional question based on constitutional principles. We have cut down the military grant by four lakhs, but that again was not done to re-adjust or re-model the budget, but it was done with a view to expressing our dissatisfaction and condemnation of the military policy as a whole. Therefore, Sir, when we come to the realm of budget and the Finance Bill, all that we have done is that we have passed a vote that the expenditure of Quetta should be transferred from revenue to capital. That is one thing we have done. The second thing we are going to do now is to reduce the price of the postcard. These are the two things that the House has decided with regard to your budgetary proposals. Now, I ask the Government, through you, Sir, whether they think that our proposals are so unreasonable. Do they think they are so monstrous that they ought to be certified? The other day, I said that the Government had not met this House on any first class issue. I don't put this under the category of a first class issue. I don't. I make it quite clear, but this is also a very important matter on which administrative action is required on the part of the Government. This is in your hands, that is to say, in the hands of the Executive Council, and not in the hands of the Government of India, as I defined it. It is entirely in the hands of the Executive Council. Are you going to meet us? Are you going to show that you are amenable to reason and that you do meet the wishes of this House, and that this House can influence you? It is for you to decide and show it.

The Assembly then adjourned for Lunch till a Quarter to Three of the Clock.

The Assembly re-assembled after Lunch at a Quarter to Three of the Clock, Mr. Deputy President (Mr. Akhil Chandra Datta) in the Chair.

Mr. M. Ananthasayanam Ayyangar (Madras ceded Districts and Chittoor: Non-Muhammadan Rural): Sir, I rise to support this amendment.

You would be surprised to see that the third class passenger has reared his head once again under this commercial department as the postcard. The rate of the postcard from two pice to three pice was raised as an emergency measure. The emergency cuts in salaries have been restored, but the original price of the postcard has not been restored. The income-tax and super-tax surcharges have been removed to some extent, but no relief has been given under this head. Surpluses have accrued, but they have been frittered away and they have not been used for the purpose of reducing the price of the postcard. Again and again, even last year, the reduction was passed, but it has been thrown to the winds. The Honourable Member for Industries and Labour, in his speech the other day, said that this is a commercial concern, and, as such, it must be worked as a business proposition. Evidently, he means that he must make both ends meet in this business. I am essentially opposed to too great an attachment to this principle. The Resolution that was passed in the year 1925-26 has been thoroughly misunderstood by the Honourable Member in charge of this Department. Sir, there is no justification for the Government taking up this concern unless it be for the purpose of serving the public. It is not a means of direct taxation as income-tax. In various countries, monopolies have been created for the purpose of augmenting the revenues; for instance, in France, there is the tobacco monopoly, and in this country the production of salt is a monopoly. It cannot be said that this Department is worked on that basis. It is not likely now or in the near future that it will add to the general exchequer even by a pie, it has not done so till now, and there is absolutely no chance that there will be any addition in the near or remote future. Therefore, the working of this department by the Government is only justified on the ground that it is a public utility service and nothing more. This Department must be worked so as to give the maximum benefit to the people. It is not a question of rupees, annas and pies; even at the cost of some additional expense from the general exchequer it should work for the maximum benefit of the poor. If it is a purely commercial concern as the Member from the European Group just said, I would say, let the Government abandon this department and give it away to contractors, at the head of which the Honourable Member from the European Group will stand as the person who will run the department from end to end and take contracts for postal mails, making a huge profit. But that is not the way in which we must look at it. It ought not to be judged by the amount of money you will get, and there is no chance that there will be an addition of even a pie to the general coffers.

Let us assume that it is a commercial concern. Has every effort been made for the purpose of working it properly as a pure business proposition? Has the Member exhausted all other remedies? No. I would say that year after year wherever there was a rise in receipts there has been a greater rise in the expenditure. This year you will see that the expected rise in revenue is 21 lakhs, but already they have budgeted for an increase in expenditure of 29 lakhs. This is not a casual item. I find from the reports that year after year the Honourable Member or his predecessor was prone to this disease. As early as the very next year after this Resolution was passed in 1925-26, you will find that when one rupee was the increase in income, Rs. 10 was the increase in expenditure, not that I say that the proportion is exactly the same, but what I say generally fits in into the figures for the several years. From the Administration Report, I find that in the year 1926-27 the increase in income

[Mr. M. Ananthasayanam Ayyangar.]

was 31 lakhs, while the increase in expenditure was 50 lakhs. The next year it was 29 lakhs and 60 lakhs respectively. In the next year it was 20 lakhs and 48 lakhs and in the year 1929-30 it was 25 lakhs and 34 lakhs respectively. Year after year when the increase in income was small amount, the increase in expenditure was much larger, nearly twice as much as the increase in income. Then we come to the depression period from 1930-31. Naturally the income went down by 51 lakhs, but the expenditure increased by 19 lakhs, with the result that in all there was 70 lakhs additional expenditure. 1931-32 and 1932-33 were cut years, there was a loss of revenue by 13 lakhs in the one year and 9 lakhs in the other; on account of the cut, there was no doubt a decrease in expenditure, one year was 52 lakhs, and the other 61 lakhs. Those are exceptional periods and exceptional remedies were adopted. But what I notice generally is that in anticipation of even a small increase in income, the budget is prepared for a higher expenditure, and the Member in charge has no hesitation or compunction in coming before the House and saying, here is the expenditure, so don't ask us to reduce the price of the postcard even by a small fraction. Thus, this year, that is, 1936-37 the income is expected to rise by 25 lakhs and the expenditure is already higher by 29 lakhs. Last year, there was a net increase of revenue of 6 lakhs, but this year, on account of the increased expenditure it is expected to be only 2 lakhs. I would, therefore, submit that this department has not been worked as a commercial concern at all. No attempt has been made to make it work just like a commercial concern. Supposing this is a commercial concern, I would ask whether all efforts have been made to reduce or retrench the personnel wherever it is possible and cut down the salaries. The Oxford English Dictionary is not sufficiently rich in its vocabulary to provide denominations for the hierarchy of officers. I find the Director-General, the Deputy Director-General, the Assistant Director-General, the Deputy Assistant Director-General, and the Assistant Deputy Director-General—with permutation and combination in every form or shape, and it is only for want of sufficient words in the vocabulary that no other posts have been created. (Laughter.)

Take the telephone and radio departments. What is the need of having separate engineering officers? There is one at the top at the headquarters in Delhi, there are engineers for every small section or group. I submit that neither with respect to higher officers nor with respect to their salaries has any attempt been made to curtail expenditure and show that the department is a commercial concern. My view is that there is much more of window-dressing in this matter. If some money is advanced for the purpose of broadcasting or some money is spent for carrying mails a little earlier, that they think is all that this country needs. Take away the loin cloth and tie it on the head, leaving the lower portion of the body naked;—that is the kind of advertisement that the department is doing. The man may go without cloth, but he cannot go without a turban; that is unfortunately the way in which this department is worked.

I shall deal with every department which comes under this comprehensive head Posts and Telegraphs. The post office has a long been a business proposition; it has been paying itself. Whether it has been paying itself all along or not, last year there was a net profit of 17 lakhs, and this year a similar net profit is expected. The only drag is in the shape of the Telegraphs Department which has been consistently giving us a

deficit; 41 lakhs is the deficit this year. To this has been added the Radio Department, and the working expenses are much more by nearly a lakh, and over the capital outlay it is not able to pay interest. Thus, yearly, the Government will have to pay 2 lakhs in addition for this Radio Department. Of course the Telephone Department is being worked profitably. You will see that year after year it is the Telegraph Department and the Radio Department that are consuming the profits in the Postal Department. Applying the principle of working each department separately as a purely commercial concern, is there any justification for doing this? What is the justification for taking away the profits of one department and throwing it into another department? In the Telegraph Department, there are various ways in which retrenchment of expenditure could be effected. I find that there are 81 separate telegraph offices as against 4,000 odd combined offices. I also find from the figures that a sum of 43 lakhs is being spent for the combined offices, whereas for running 81 separate telegraph offices a sum of nearly a crore of rupees is being spent. This is what I find from the papers. Possibly I may be wrong, I would like the matter to be cleared. What is the justification for keeping this separate establishment at this huge cost. Making some allowance for the higher officers who are in charge both of the combined offices and the separate offices, nearly 50 lakhs are being spent on the separate offices alone. What is the justification for these separate offices? Why are not steps taken to convert the separate offices into combined offices. I think this is a fruitful source of curtailing expenditure.

Secondly, I would say that wherever there is a railway telegraph office and wherever there is a Government telegraph office in the same place, in all cases, where the railways are managed by the State, the two telegraph offices may be usefully combined. I do not know if this has been attempted. I find a remark in the administration report, which says that such measures are being taken.

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair.]

Then, Sir, I find a head called the Railway Telegraph Branch. I do not know what exactly it means.

Thirdly, I would suggest that whenever a clerk or officer is appointed in the Postal Department, it must be insisted as a condition precedent to his appointment that he should have a knowledge of telegraphy also, so as to avoid expenditure on further training after he has entered service. As regards buildings, I find that a good deal of money is being wasted on buildings. The cost incurred on the building is not in proportion to the amount of rent that could possibly be received, if it were let out for hire. Is there no justification for dealing with this point as a purely commercial one and to see that the buildings are able to pay their own rate? I asked a question the other day, during question time, of the Honourable Member in charge of the Posts and Telegraphs Department as to what amount is being spent on the buildings in Benares. I was informed that quite a large amount is being spent on these buildings, out of all proportion to the income received either from the post office or the Telegraph Department. Then, Sir, there are various avenues for curtailing expenditure in the higher ranks but what is being done is, when my friends Messrs. Giri and Joshi raise this question, that some underlings are being thrown out of employment. This is all the economy that is sought to be made in this department.

[Mr. M. Ananthasayanam Ayyangar.]

Then, Sir, as education is advancing and literacy is increasing, you find that the number of post offices in rural areas is decreasing. The number of postcards that were used is also coming down. Then as regards the methods of rural reconstruction that the Government adopt, I would say that they begin at the wrong end. I have collected some figures from the report published for the year 1934-35. We find that in this year the rural post offices have gone down by 47 and the letter boxes have gone down by 362. The number of village postmen has gone down by 444. The number of run miles has also gone down by 1,500. Yet it was a prosperous year which yielded a large revenue to the exchequer. In our country there is one post office for an average of 75 miles.

Mr. President (The Honourable Sir Abdur Rahim): Is that for retrenchment?

Mr. M. Ananthasayanam Ayyangar: What I am saying is that retrenchment must be from the top and not at the bottom. If you make a retrenchment of 2½ per cent. on the salaries of the higher officials, that would certainly yield a large amount, and the object of rural reconstruction could certainly be carried out by an increase in the number of post offices in the rural areas and also by reducing the price of the postcard. These are the ways in which they ought to attempt reconstruction in rural areas. It is not by giving a subsidy to the National Airways for speeding up the mails or by enabling some persons to dabble in commercial relations with foreign countries that they can attempt rural reconstruction. I say one letter box serves 4,700 of the population. The number of postcards has been steadily going down since the year 1928-29. In that year 580 million cards were sold; the next year it came to 584, then 541, 495, 485, 438 and 435. In the course of seven years it has gone down by 153 million. It means 435 million postcards for a population of 350 millions. It is not even two cards per head. Where is the boasted spread of knowledge? I would say that there is much more noise here than frankness. Then, take the post office alone. I do not know if the Honourable Member who gave the figures has read them. I will convince him that he is wrong. The other day the Honourable Member stated that by reducing the price of the postcard from three pice to two pice, there would be a loss of revenue to the extent of 50 lakhs. Out of the 435 postcards that were sold in 1934-35—I have not got later figures—if you reduce the price of the postcard by a quarter of an anna, you get 67 lakhs less but if we go back to the figure of 1928-29, as we must expect to go back, we will have an increase in the sale by 153 million cards, and in the increased sales we get 50 lakhs. Out of 67, if you recover 50 lakhs, the deficit is only 17. Is not that 17 lakhs provided already by the increase of income and the net profit as shown for the year 1935-36, and also for this year? Therefore, we need not beg either of the Honourable the Finance Member or the Honourable Member for Industries and Labour to do this or that. There is absolutely no need for that, if the post office is worked with the real idea of trying to make itself self-sufficient, and whatever gain will ensue from that, may profitably be utilised for the purposes of the well-being of the villager so as to enable him to purchase the postcard at a cheaper price. Therefore, it is not necessary to bring in any other consideration into this

matter. Sir, I see, quite to my surprise, that a few friends, who generally are accused of being capitalists, are ready to help us on this amendment, and I also see that my Honourable friend, Sir Cowasji Jehangir, rose and supported this motion but we know that the Honourable Member for Industries and Labour is not in this matter—whatever he might say and try to make it appear before this House—an independent agent. Over there, a genius sits on his right, who seems to control this matter too much and, therefore, whatever his genuine intentions may be, I am afraid he would not be allowed to do this by his Honourable colleague. Already we are aware a new theory on finance has been propounded to this House—the theory of the cancellation of opinions. Whatever my Honourable friend, Sir Cowasji Jehangir, has said is cancelled by what the Honourable Member for the European Group says, and, therefore, as between us, we have cancelled all our opinions, leaving the Honourable the Finance Member to stand as he is, firm as a rock! Sir, this is a new chapter added to the chapters by Findlay Shirras-es and others. Sir, it is like this. There are a number of fruits on a tree. If one wants to take hold of a fruit, he has to throw stone after stone recklessly after the fruits, but if a monkey sits on the top of the tree, he can easily get hold of any fruit he likes. (Laughter.) Therefore, while we are throwing so many suggestions honestly, there should be an attempt to get hold of any of these by the Government, and I would certainly say that, without any difficulty, the Government can certainly give the relief asked for. If it is a question of prestige, “come what may and we shall not do that”, it is a different matter. Sir, Government by their unbending, obstinate, impervious and autocratic attitude are digging their own graves. Sir, that is an attitude to be condemned. Where there is a will, there is a way; therefore, it should not require so much persuasion to persuade the Honourable the Industries and Labour Member of the justice of our case. I have not come much in contact with him, but as I gather from several Honourable Members who have come in contact with him, he is a good man, and I may hope he would certainly accept this amendment. (Hear, hear.)

Mr. M. Asaf Ali (Delhi: General): Sir, I move:

“That the question be now put.”

Mr. G. V. Bewoor: I want to reply, Sir, on behalf of the Government.

Mr. President (The Honourable Sir Abdur Rahim): The Chair will accept the closure, subject to reply on behalf of the Government. The question is:

“That the question be now put.”

The motion was adopted.

Mr. G. V. Bewoor: Sir, the views of Government on this amendment regarding the postcard rate have already been expressed by the Honourable Member for Industries and Labour who, in his speech, made a thorough and complete survey of the Department's policy, working and finance. It is my duty, Sir, to reply to the debate and see if I can possibly persuade Honourable Members to see the question as we see it. In

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doing so, I may have to repeat or perhaps expand some of the points already dealt with, and I may have to express views with which certain parts of the House may not be either partly or entirely in agreement. I beg, therefore, that the House will be patient and tolerant and permit me to develop the case for Government as they see it. The problem, as I see it, is not a political one; it is, in the main, economic and in that sphere, there is room for honest differences of opinion. Sir, in the matter of the postcard rate, there is a great deal of sentiment. I admit that man does not live by bread alone, and sentiment has a very important place in all matters. But when dealing with matters of business, I think it would be a great mistake to permit sentiment to override sound economic considerations. It is my intention, Sir, and it will be my effort—I hope it will be successful—to convince Honourable Members that the reduction of the postcard rate is not a practicable proposition this year; and if I do succeed in convincing them, I hope I will further succeed in persuading them that they should vote against the amendment, because, Sir, it would appear that conviction and voting do not always go together. (Hear, hear.)

Mr. S. Satyamurti (Madras City: Non-Muhammadan Urban): You know that already.

Mr. G. V. Bewoor: So do you—it applies to both sides equally, Sir.

Mr. S. Satyamurti: I am glad to hear that from you.

Mr. G. V. Bewoor: If I may summarise the debate, the arguments advanced were something like this. No one has seriously questioned the basic and sound policy regarding the working of the Department, viz., that the Posts and Telegraphs Department should be regarded and worked as a self-supporting organisation; but it has been urged that a temporary subvention may be given in favour of the poor man's postcard. It was urged that further economies should be made, and could be made, in the working of the Department.

My Honourable friend, Pandit Govind Ballabh Pant, criticised the allocation rules and urged that the Post Office was working at a profit and therefore the postal rates should be reduced, and, further, he accused the Government of favouring the rich or the business interests as against the poor man by reducing the telegraph rates but not the postcard rate in the year 1934. It was also urged that the elections which are expected to take place next year would bring in a large additional revenue and hence we would not be justified in expecting a loss on the working of the postcard rate. Lastly, we were criticised from the point of view of economy, and we were told that the overheads were very heavy, that there were far too many officers and far too many telegraph offices, that we should make further economy and have a cut of 2½ per cent. in the salary of officers which would pay for this loss. So far as I remember, I think the Honourable Mr. Satyamurti was more generous; he asked for a ten per cent. cut in the salary of every Government servant.

Mr. S. Satyamurti: Above Rs. 100 a month.

Mr. G. V. Bewoor: He said, I believe, Sir, the bloated salaries of Government servants. I will deal with this and other cognate matters as briefly as possible. The first point I will take is about economy. In

this matter, we have been criticised by Mr. Ramsay Scott from one point of view and by the Congress Benches from another point of view. The comparison which has been made with regard to the expenditure in the year 1914 and the figures quoted from the Postal Enquiry Committee's Report are, I am afraid, somewhat unreal and do not really explain the position. In 1914, the scales of pay in Post Offices and in fact in the whole Department were extraordinarily low. Honourable Members will be surprised to hear that in Madras City a postman used to get Rs. 12 a month and in the mufassil the scales of pay were Rs. 8 or Rs. 9 per month for postmen. I am only quoting these just as examples to show that it is not conceivable that those scales of pay could be introduced at present.

Lieut.-Colonel Sir Henry Gidney (Nominated Non-Official): Quite right.

Mr. G. V. Bewoor: Then, we have had three Committees, one for the Postal Branch, and two for the Telegraph Branch, and each went into the question of scales of pay and substituted the old graded pay for an incremental scale of pay. It was the result of this incremental scale of pay introduced in 1920 and 1921 which caused so much increase in the pay bill of the Department. On account of the high prices prevailing in the years 1925 to 1928, further revisions in pay were made, frequently at the earnest solicitations of this House. We are, therefore, now faced with a very large pay bill, and, in order to meet this, we have already introduced the revised lower scales of pay for which we have already been attacked by certain Honourable Members of this House. The real point that I would now bring before the House is this, that, in deciding whether economy has been exercised or not, we should examine the expenditure of the Department in the last few years and not go back for comparison to a pre-war year as 1914. The expenditure of this Department was subjected to a very careful and thorough examination by a Committee over which my Honourable friend, Sir Cowasji Jehangir, presided, namely, the Posts and Telegraphs Sub-Committee of the Retrenchment Advisory Committee. The position, therefore, is this. The expenditure of the Department had reached the figure of 12 crores and 11 lakhs in 1930-31, the highest since commercialised accounts began to be maintained in 1925-26. By strenuous and persistent efforts, this expenditure was brought down to 10 crores 91 lakhs in 1932-33, and to 10 crores 82 lakhs in 1934-35, that is to say, we brought down the expenditure from 12 crores 11 lakhs to 10 crores 82 lakhs in the course of four years. The expenditure during the current year, 1935-36, is estimated to be 11 crores 44 lakhs, an increase of 62 lakhs. This is in the main due to four factors, all beyond the control of the Department, namely, the restoration of the five per cent. cut, 28 lakhs, paying into the depreciation fund, the full contribution of 28 lakhs which means an increase of 19 lakhs over the contribution of the previous year, an increase of 15 lakhs to meet the annual increments and an increase of 21 lakhs in payment of pensions. The position as regards pensions has been fully explained by the Honourable Member in charge of the Department in his speech the other day. The total of these four items, over which this Department has no control, comes to 85 lakhs. The fact that in spite of these factors the increase in the expenditure of the Department during the current year is only 62 lakhs, as compared with the previous year, shows the measure of the strict watch exercised by the Department on expenditure after

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four years of severe retrenchment and economy. In fact, we have been criticised for making far more retrenchment and economy than any other Department and of having been very severe in our measures. Further, in dealing with the expenditure of the Department, we must not lose sight of the revenue earned, for, to earn more revenue, more expenditure is necessary. The revenues of the Department had reached the figure of 11 crores 30 lakhs in 1929-30, that was the highest revenue since commercialisation of accounts and it fell to 10 crores 54 lakhs in 1932-33, 10 crores 73 lakhs in 1933-34 and since then the revenue rose to 11 crores 20 lakhs in 1934-35 and it is expected to be 11 crores 50 lakhs during the current year and 11 crores 75 lakhs in the next year. Thus, compared with the year 1930-31, when the revenue was 10 crores 78 lakhs, the year 1936-37 is expected to give a revenue of nearly one crore more, whereas, the expenditure, which was 12 crores 11 lakhs in 1930-31, is expected to be 11 crores 73 lakhs or a reduction of 38 lakhs. That is to say, we are earning a crore more revenue while reducing the expenditure by 33 lakhs. I submit, Sir, that this is a record of which the Department need not be ashamed, and I trust the House will agree with me that the criticism of extravagance is unjustified.

In dealing with retrenchment and economy, the Department has been accused of sacrificing the subordinate services, while leaving the superior services intact. I dealt with this matter last year, but as the criticism is repeated, I must deal with it very briefly. During the period of retrenchment from November, 1931, to the end of March, 1935, when the retrenchment campaign was discontinued, over 15,000 persons were retrenched in this Department. The number of persons retrenched in the gazetted grade was 15 per cent. of the total, in the non-gazetted superior services it was 12 per cent., and in the inferior service it was only 10 per cent. of the total. It is further alleged that further economy is possible, because the Department is top-heavy, and that there are too many officers. Here, again, is a criticism which refuses to be killed though the matter has been thoroughly explained more than once. I would again state most emphatically that the Department is not top-heavy. I might perhaps, on behalf of myself and the officers, say that we are pretty well hard worked. I will give the House some figures which tell their own tale. In a total staff of one lakh 17 thousand persons employed in the Department, there are only 473 gazetted officers. But as fully explained in paragraph 73 of the Annual Report for 1934-35, of these, 95 officers alone are actually holding higher charges such as are commonly regarded by the general public as controlling the business of any concern. The rest of the officers are in actual executive charge of the offices. This gives an average of one officer for 1,299 employees and it must be noted that this staff is not concentrated in one office or building or even within a small area, but is scattered in urban as well as in rural areas, all over India and Burma. The staff is engaged in performing the responsible work of handling cash and valuables running into hundreds of crores, articles numbering thousands of millions and dealing with highly technical apparatus and plant. I do not think, Sir, that there is any other business which can show a smaller number of supervising and controlling staff for the responsible task performed. It is further alleged that if the numbers are not high, over-head charges are heavy compared with the expenses of the subordinate staff and that there has not been any economy in expenditure on the officer class as

compared with the subordinate staff. This misapprehension must also be removed and if possible killed. In 1929-30, the total amount of pay of gazetted officers in the department was 52·36 lakhs, and leaving '36, we have in round figures 52 lakhs as against a pay of 707 lakhs for the permanent establishment in the non-gazetted grades. In the budget estimates for 1936-37, we anticipate an expenditure of 46 lakhs on the pay of officers as against 727 lakhs, the pay of permanent establishment. The pay of officers thus forms only 7 per cent. of the total pay bill of the Department. I do not think, Sir, any one can possibly call this excessive expenditure on over-heads.

Having dealt with the question of retrenchment and economy, I will just make one remark about this constant call for cutting down expenditure. In a service like the Posts and Telegraphs, efficiency is a very important consideration in dealing with measures of economy. The Posts and Telegraphs Department, in order to earn any revenue at all, must necessarily be efficient, and, therefore, in our search for economy, we cannot go beyond certain limits. An unpunctual, irregular or dilatory service kills traffic and this involves serious loss of revenue. Our efforts have been aimed in the last few years at publicity, at the instruction of the public as well as of the staff and in ensuring to the Department the legitimate revenue to which it is entitled. As a result of these efforts, we have attracted more traffic and more revenue, and we have now reached in the budget an equilibrium budget for the first time in recent years, though I fear to say if it has come to stay.

Now, dealing with Mr. Pant's criticism regarding allocation of expenditure between the Posts and Telegraphs branches, I should like to mention that this question was thoroughly examined on a reference made by the Public Accounts Committee. A memorandum was prepared, examined by the Auditor-General and submitted to the Public Accounts Committee which had no remarks to make; and the Auditor-General has accepted that the existing system of allocation is as fair a system as could be devised to show exactly what is the revenue and expenditure in each branch. Then comes the question "If the post office branch is making a profit, why should not the postal rates be reduced and let the telegraph branch continue to work at a loss?" This question, Sir, was dealt with by the Postal Retrenchment Committee to which I referred before. I think I cannot do better than to read a few lines of that report which I hope will dispose of this criticism. The Committee says:

"We would also like to express at this stage our view on the point that has been made on several occasions from various quarters that one branch of the department is working at a loss while another is working at a profit. Such opinions overlook the implications of the declaration of the policy of Government which was accepted by the representatives of the people constituting the Legislative Assembly. As we read the declaration, Government expect the department as a whole to be self-supporting, irrespective of the results of working of individual branches. This implication, moreover, derives support from common experience. The results of the working of a large utility department like the Posts and Telegraphs which provides facilities of communication of a most varied nature must depend on a variety of factors some of which are almost beyond control. It is not unreasonable to expect that in such circumstances sometimes it will be one branch and sometimes another which will show a profit while other branches are showing a loss. For instance, we understand that in a good many countries the telegraph branch is running at a loss while the postal side has been yielding a handsome profit."

The point to remember is this that the postal, telegraph, wireless and telephone branches are all engaged in providing a communication service

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and that these services compete within limits with each other. For instance, when the urgency of the communication is only such that a day's or night's interval makes no difference, the communication will be sent as a letter and not as a telegram. If on the other hand the message is of such urgency and importance that it is necessary to obtain a reply immediately, the person will obviously try to secure a telephone trunk call. Again, wireless communication is expensive for operating every-day commercial traffic for short distances, but it will be invaluable at times when due to circumstances land lines are interrupted. As the railways become more efficient and trains are scheduled to run faster, letters will quicken up and will begin to compete with cheap telegrams. If, on the other hand, there is a breakdown of the railway service, telegraph traffic is increased. That these are not merely theoretical considerations will be borne out by the experience in different countries. For instance, since wireless telegraphy developed to an extent when it could compete successfully with cable, the latter began to lose heavily; and as it was considered necessary to continue them a settlement between the two had to be arranged for in various ways so that cut-throat competition between the two communication services, both essential in their own way, could be avoided. In India itself, the unhappy state of affairs due to unrestricted road traffic, along trunk roads being allowed to compete with controlled traffic on railways running on the same alignment, is sufficient indication of the dangers that are inherent in the policy advocated, namely, treating the service in each branch as an independent concern. At present, the position is that the losses of the telegraph branch are met partly from the profits of the postal branch and partly from those of the telephone branch, and that, if all the deficits and profits are taken together, the Department is expected to work at an equilibrium next year. There is a real danger in treating each branch separately and we must therefore proceed on the assumption that the whole department is treated as one for the purpose of fixing the rates in the different branches.

The next point I should like to take is to remove the misapprehension caused by Mr. Pant's criticism in another matter. He stated that the telegraphic rate was reduced in 1934 but no relief was given on the postal side for postcards. The fact of the matter is that, in 1934, the telegraph branch was, it is true, working at a loss, but there was a great deal of unutilised capacity, and we wanted to utilise that capacity, not involving additional expenditure. And we gave to the public, not a cheaper telegram, but a shorter telegram. The charge remained the same, *viz.*, one anna per word. Formerly the charge was 12 annas for the first 12 words or less *plus* one anna surcharge, and the new rate was nine annas for the first eight words or less. The actual loss on the change made in the telegraph rate was anticipated to be only three lakhs and actually we got roughly the same revenue as before. On the postal side, however, we gave a cheaper letter of half tola which was expected to cost 27 lakhs of rupees, and this one-anna-half-tola letter was rightly expected to be a relief to the poor man as well as to the business and rich man. Therefore, the accusation made by Mr. Pant has no foundation at all.

Mr. Jinnah spoke of our revenue estimates and said that we have not made sufficient allowance in our estimates for the additional revenue that would accrue to us on account of the election. In the matter of the estimate made by Mr. Jinnah, one may differ. If his figures are to be taken, namely, Rs. 1,000 on postal and telegraph charges per candidate

and if there are ten thousand candidates, the revenue would certainly increase by one crore of rupees. There are no reliable figures that I can get hold of just now but I doubt

Mr. M. A. Jinnah: What is your estimate?

Mr. G. V. Bewoor: We have allowed for an increase in revenue mainly under the book packet traffic. We anticipate that candidates would utilise the book packet post for sending round circulars asking voters to vote for them; and in that we have provided for an increase of about 14 per cent. over the present book packet traffic. But what I should like to point out is that our budget estimate of revenue this year is 11 crores and 33 lakhs and for the budget estimate of 1936-37 we have taken 11 crores and 75 lakhs. That is an increase of 42 lakhs, but please remember that the original estimate which we had made was an increase of 55 lakhs, but we allowed a reduction of 13 lakhs which is the loss in revenue anticipated by the modification of the letter rate, by raising the first unit of weight from half tola to one tola. I therefore submit that in making our estimates for the postal, telegraph and telephone revenue for the next year we have, if anything, erred on the side of optimism rather than on the side of pessimism.

The question of Burma is not of immediate interest, because, whatever relief may or may not be coming would not come except in the budget for 1937-38.

Now, Sir, I will deal very briefly with the argument of subvention which was put forward by Sir Cowasji Jehangir and other Honourable Members. The dangers of a subvention have already been pointed out and I do not think I should really expand on that question beyond what the Honourable Member in charge of my Department has stated in his speech, namely, that once you embark upon a policy of subvention you do not know where you may be taken and that once you give it in favour of the postcard for the poor man, you may next be asked to give it to newspapers in the interest of the press and the newspapers, to book-packets in the interests of the spread of education or of trade, and so on. It is entirely as a matter of sound economic or financial policy that we wish to impress upon the House that to embark upon this policy of subvention on any excuse whatsoever is a dangerous precedent.

Mr. M. A. Jinnah: Is any subvention given in Great Britain to the post office?

Mr. G. V. Bewoor: No, Sir; the post office in Great Britain is working at a profit of something like 12 million pounds per annum. There is no question of subvention.

Lieut.-Colonel Sir Henry Gidney: What about the Telegraph Department?

Mr. G. V. Bewoor: It is losing.

Sir Cowasji Jehangir: Does not the general exchequer give a subvention of five million pounds for Telegraphs?

Mr. G. V. Bewoor: No, Sir. The 12 million pounds which I mentioned is the net profit from the post office, telegraphs and telephones.

Sir Cowasji Jehangir: Including the subvention?

Mr. G. V. Bewoor: There is no subvention. The net result of the working of all the branches of the Posts and Telegraphs Department is a net profit of over £12 millions, that is to say, the £12 millions is arrived at after taking from the profits of the postal branch and of the telephone branch the losses of the telegraph branch.

Lieut.-Colonel Sir Henry Gidney: That is invention?

Mr. G. V. Bewoor: There is no subvention, because the whole Department is looked at as one. Before I deal with the question of how to utilise the small surplus which we have, namely, Rs. 2 lakhs in the 1936-37 budget, I think it is desirable to deal very shortly with the anticipation of the extent by which the postcard traffic will improve as a result of the reduction in rate. I dealt with this question last year, but in spite of the full explanation I gave, I think Mr. Mudaliar repeated the same fallacy, namely, that we will go up in one year—in a jump—by 130 million postcards. We can get some guidance from what happened in the past with regard to the postcard traffic. In 1918-19, we had the pice postcard, and we had 565 million postcards. By 1921-22 we reached 648 million postcards, namely, an average increase of 28 million postcards per annum. The postcard rate was doubled in 1922-23, and the traffic fell immediately by 125 millions, or 20 per cent. That is to say, the doubling of the postcard rate did not bring down the postcard traffic by half, but only brought it down by 20 per cent. In the next six years, the postcard traffic increased by 11 millions on the average, per annum. In 1929-30, the postcard traffic remained fairly steady, but slightly on the downward trend. In 1930-31, before we had increased the postcard rate the traffic had already begun to fall owing to trade depression, and in 1930-31 the postcard traffic was 540 millions. In the next year, 1931-32, when we had the full effect of the three pice postcard, the traffic fell by 47 millions, and in 1934-35, it fell again further by 20 millions. We have, therefore, before us these figures, that before the pice postcard was made a two pice postcard, the traffic was increasing at an average of 28 millions; when it was a half anna postcard, the average rate of increase was 11 millions; and, later on, when we raised the rate by 50 per cent., the traffic fell by 47 millions. For purposes of our estimate today, we have taken a ten per cent. increase in the postcard traffic as a possible increase on the reduction of the rate. Now, ten per cent. means 43 million postcards, and I am sure, everybody will admit that that is not an under-estimate—it could not be an under-estimate, because even in normal times the traffic did not increase by more than 11 millions, or 28 millions when it was a pice postcard. Knowing the present state of business in the country, it would be rash to assume that the postcard traffic could go up by more than 43 millions in the next year.

Mr. M. S. Aney (Berar Representative): Has the Honourable Member taken into consideration the growth of literacy also during this period?

Mr. G. V. Bewoor: Yes. We see the effect of increase of literacy year by year. It is not in one year that the increase in literacy has taken place. The principal point that I am now making is simply this; the estimate which we have made for purposes of calculation, if the postcard rate is reduced to half anna, is on the basis of no increase a loss of, 61 lakhs, but if there is an increase of ten per cent. or about 43 million postcards, the loss will be Rs. 49 lakhs. After all, it is an estimate, but by no means the

Mr. M. A. Jinnah: Very lowest.

Mr. G. V. Bewoor: I do think that if the highest increase we ever had was 28 millions in the pice postcard, we cannot expect a jump up by more than 43 millions.

There is one more point about the so-called poor man's postcard. A large number of Members have spoken of the poor man's postcard and accused Government of having no sympathy for the poor man. I will not deny that the postcard is used by the poor man, but it is also used by the business interests to a very large extent, and the principal point which I wish to make is that while, undoubtedly, the reduction of the postcard rate would be welcomed by everybody, including the poor man, it would throw on the Department a very large burden and send the Department back to its most unsatisfactory state when it had large losses. For the last four or five years, we have been pinching and scraping; and, on the recommendation of the Retrenchment Committee, we have carried out a large number of measures which are affecting the public and the staff. Any one who refers to the report of the Retrenchment Committee will see that the Committee recommended certain measures which involved sacrifices on the part of the public, and certain measures which involved sacrifices on the part of the staff. We have carried all these out. We closed down a number of unremunerative post offices, we reduced a number of postal services and postal deliveries and we put up the rates. Now Professor Ranga wants us to give more post offices in rural areas and more frequent deliveries.

Prof. N. G. Ranga (Guntur *cum* Nellore: Non-Muhammadan Rural): Boxes.

Mr. G. V. Bewoor: Mr. Satyamurti wants more services, and Honourable Members are aware of the storm that broke when we discontinued one of the four steamer services between India and Burma. The other day, Mr. Satyamurti wanted me to have two services running between Madras and Madura, one by the Trivandrum Express, and the other by the Ceylon Express. Mr. Joshi and Mr. Giri want more pay, less hours of work and more holidays for the staff. Business people want us to use the air mail more often and in more directions, and to give them cheaper air mail rates. Mr. Anwar-ul-Azim and some one else here want better buildings, cleaner buildings, bigger buildings and finer buildings. All want more jobs, so that more people may be employed in post offices, and every one wants cheaper rates. Sir, I submit that these are considerations which it is impossible to reconcile. We are now embarking upon a policy of postal expansion. We want to open more post offices to ensure to the rural population more frequent deliveries, we want to make our postal services more efficient and more frequent and quicker. We have shown our earnestness by making a change in the letter rate which, I am justified in assuming, is welcomed by the House, because no amendment has been moved. We have given the public what is the next best thing we could do after not reducing the postcard rate, namely, a better printed embossed card and a bigger size for privately manufactured postcards. We are unable to give the particular relief which Honourable Members want at the present moment. We have already pointed out that the relief to the poor man could not be very much. I would, therefore, urge on the House that they should wait a little more. The Honourable Mr. Jinnah quoted a proverb "Where there is a will, there is a way". I

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would counter by quoting another: "Patience and perseverance overcome mountains." We on our side have persevered with this one object, and I ask the House to exercise patience on its part for a little time more.

Mr. M. A. Jinnah: May I point out to the Honourable Member that we have followed you so many years, and you may follow us this year, and then see who is right next year.

Mr. G. V. Bewoor: I am asking the Honourable Member to follow me for another year.

Mr. M. A. Jinnah: I am tired.

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

"That in Schedule I to the Bill, in the proposed First Schedule to the Indian Post Office Act, 1898, for the entries under the head 'Postcards' the following be substituted:

'Single	.....	Six pies,
'Reply	.....	One anna'."

The Assembly divided:

AYES—83.

Aaron, Mr. Samuel.
 Abdoola Haroon, Seth Haji.
 Abdul Matin Chaudhury, Mr.
 Abdullah, Mr. H. M.
 Aney, Mr. M. S.
 Asaf Ali, Mr. M.
 Ayyangar, Mr. M. Ananthasayanam.
 Azhar Ali, Mr. Muhammad.
 Ba Si, U
 Badi-uz-Zaman, Maulvi.
 Bajoria, Babu Baijnath.
 Banerjea, Dr. P. N.
 Bhagavan Das, Dr.
 Bhagchand Soni, Rai Bahadur Seth.
 Chattopadhyaya, Mr. Amarendra
 Nath.
 Chettiar, Mr. T. S. Avina-
 shilingam.
 Chetty, Mr. Sami Vencatachelam.
 Chunder, Mr. N. C.
 Das, Mr. B.
 Das, Mr. Basanta Kumar.
 Das, Pandit Nilakantha.
 Datta, Mr. Akhil Chandra.
 Desai, Mr. Bhulabhai J.
 Deshmukh, Dr. G. V.
 DeSouza, Dr. F. X.
 Essak Sait, Mr. H. A. Sathar H.
 Gadgil, Mr. N. V.
 Gauba, Mr. K. L.
 Ghiasuddin, Mr. M.
 Ghuznavi, Sir Abdul Halim.
 Giri, Mr. V. V.
 Gupta, Mr. Ghansham Singh.
 Hans Raj, Raizada.
 Hidayatallah, Sir Ghulam Hussain.
 Hosmani, Mr. S. K.
 Jedhe, Mr. K. M.
 Jehangir, Sir Cowasji.
 Jinnah, Mr. M. A.
 Jogendra Singh, Sirdar.
 Joshi, Mr. N. M.
 Kailash Behari Lal, Babu.
 Khan Sahib, Dr.
 Khare, Dr. N. B.

Lahiri Chaudhury, Mr. D. K.
 Lalchand Navalrai, Mr.
 Maitra, Pandit Lakshmi Kanta
 Malaviya, Pandit Krishna Kant.
 Mangal Singh, Sardar.
 Mehr Shah, Nawab Sahibzada Sir
 Sayad Muhammad.
 Mody, Sir, H. P.
 Mudaliar, Mr. C. N. Muthuranga.
 Muhammad Ahmad Kazmi, Qazi.
 Muhammad Nauman, Mr.
 Murtuza Sahib Bahadur, Maulvi
 Syed.
 Nageswara Rao, Mr. K.
 Paliwal, Pandit Sri Krishna Dutta.
 Pant, Pandit Govind Ballabh.
 Parma Nand, Bhai.
 Raghubir Narayan Singh, Chou-
 dhri.
 Rajah, Raja Sir Vasudeva.
 Rajah, Rao Bahadur M. C.
 Rajan, Dr. T. S. S.
 Raju, Mr. P. S. Kumaraswami.
 Ranga, Prof. N. G.
 Saksena, Mr. Mohan Lal.
 Sant Singh, Sardar.
 Satyamurti, Mr. S.
 Shaukat Ali, Maulana.
 Sheodass Daga, Seth.
 Siddique Ali Khan, Khan Sahib
 Nawab.
 Singh, Mr. Ram Narayan.
 Sinha, Mr. Anugrah Narayan.
 Sinha, Mr. Satya Narayan.
 Sinha, Mr. Shri Krishna.
 Sinha, Raja Bahadur Harihar Prosad
 Narayan.
 Som, Mr. Suryya Kumar.
 Sri Prakasa, Mr.
 Thein Maung, Dr.
 Umar Aly Shah, Mr.
 Varma, Mr. B. B.
 Vissanji, Mr. Mathuradas.
 Yamin Khan, Sir Muhammad.
 Ziauddin Ahmad, Dr.

NOES—44.

Acott, Mr. A. S. V.
 Ahmad Nawaz Khan, Major
 Nawab.
 Allah Bakhsh Khan Tiwana, Khan
 Bahadur Nawab Malik.
 Aminuddin, Mr. Saiyid.
 Ayyar, Diwan Bahadur R. V.
 Krishna.
 Ayyar, Rao Bahadur A. A.
 Venkatarama.
 Bajpai, Sir Girja Shanker.
 Bewoor, Mr. G. V.
 Buss, Mr. L. C.
 Craik, The Honourable Sir Henry.
 Dalal, Dr. R. D.
 Das-Gupta, Mr. S. K.
 Dash, Mr. A. J.
 Gidney, Lieut.-Colonel Sir Henry.
 Grigg, The Honourable Sir James.
 Grigson, Mr. W. V.
 Hallett, Mr. M. G.
 Hudson, Sir Lealie.
 Hutton, Dr. J. H.
 James, Mr. F. E.
 Jawahar Singh, Sardar Bahadur
 Sardar Sir.
 Khurshaid Muhammad, Khan Baha-
 dur Shaikh.

Lal Chand, Captain Rao Bahadur
 Chaudhri.
 Leach, Mr. F. B.
 Lindsay, Sir Darcy.
 Lloyd, Mr. A. H.
 MacDougall, Mr. R. M.
 Metcalfe, Sir Aubrey.
 Milligan, Mr. J. A.
 Morgan, Mr. G.
 Mukherjee, Rai Bahadur Sir Satya
 Charan.
 Noyce, The Honourable Sir Frank.
 Rau, Mr. P. R.
 Row, Mr. K. Sanjiva.
 Sale, Mr. J. F.
 Sarma, Mr. R. S.
 Scott, Mr. J. Ramsay.
 Sher Muhammad Khan, Captain
 Sardar.
 Singh, Rai Bahadur Shyam Narayan.
 Sircar, The Honourable Sir
 Nripendra.
 Spence, Mr. G. H.
 Tottenham, Mr. G. R. F.
 Witherington, Mr. C. H.
 Zafrullah Khan, The Honourable
 Sir Muhamamad.

The motion was adopted.

MOTION FOR ADJOURNMENT.

BAN ON MR. SUBHASH CHANDRA BOSE.

Pandit Nilakantha Das (Orissa Division: Non-Muhammadan): Sir,
 I move:

“That the Assembly do now adjourn.”

Yesterday, the following news was published in the Press:

“In a letter to the *Daily Herald*, Mr. Subhash Chandra Bose states that he has received a letter from the British Consulate in Vienna saying that the Consulate received instructions from the Foreign Secretary to warn Mr. Bose that the Government of India had seen press statements that he proposed to return to India by March the 11th, and that the Government of India desire to make it clear to him that, should he do so, he could not expect to remain at liberty—*Reuter*.”

On this, Sir, is my present motion. Mr. Subhash Chandra Bose requires no introduction in this House. He is one among the very few of the most prominent leaders of Indian nationalism, and practically the idol of the youth of our nation, and his case under this Government has been a very pathetic one. Some four years ago, he was taken away to be interned along with his brother, Mr. Sarat Chandra Bose. In prison Mr. Subhash Chandra Bose got a very bad disease meaning danger to his life, and, for a long time, practically no care was taken of him. Then, somehow, he was allowed to go to Europe, as it was then given out, for his treatment. In the meantime, his brother,

[Pandit Nilakantha Das.]

who was in prison as an internee, over and over again challenged the Government to put him on trial. Perhaps, in response to that challenge, something happened which everybody in this House knows. Similar is the case with his brother, Mr. Subash Chandra Bose. Here is a gentleman against whom there is no charge. Government don't put him on trial; they dare not do so; still he was put in prison here, and restricted in his activities after he had gone to Europe. There was, however, every expectation that, at least owing to the present atmosphere in the country, Government would be inclined to give him liberty in India if he returned to this country. But we have got this stunning news that he would not be allowed liberty. Sir, only very recently, Mr. Subhash Chandra Bose announced that he would work, if he was given the opportunity to do so, as the Secretary of the Indian National Congress. Now, as every one knows, Pandit Jawaharlal Nehru is going to lead the nation next year, and if Mr. Subhash Chandra Bose becomes the Secretary of the Congress, there is every likelihood that there will be an atmosphere in the country which perhaps both the Government and the people alike would like. The nation expects some calm organised work, and Mr. Subhash Chandra Bose is well known for it from the days of the East and North Bengal floods. He is a man who can work calmly and work effectively, and he is an honest public man. He has made honest public utterances for everything, and all his activities, as the nation knows, are above board. There is nothing to show that he should get this treatment at the hands of the Government, and, particularly at this present juncture, the nation will simply be delighted to have him at the helm of affairs.

So far as I know, Mr. Bose is a nationalist of the first rank and he is a Congressman out and out, believing, as he does, in suffering and sacrifice. Though he may differ at times with the programme of the Congress and with its methods, there is nothing to show that he is anything but a Congressman and a nationalist with clear vision and outlook. I deliberately use the word nationalist here, as against internationalist. He is first a nationalist, and then an internationalist. So far as I can say,—and I know him intimately—he always holds the interests of the Indian nation uppermost in his mind and heart.

As to the general aspect of this question, the nation must have been shocked at this news which I have already characterised as stunning. I do not know if national workers like Mr. Subhash Chandra Bose are to be interned and externed or are to be deprived of their liberty indefinitely and without charge and sent to foreign countries and shut out there.—I do not know what will happen to the Indian nation. It is practically driving the entire nation to desperation. We have often said in this House and elsewhere, on this subject, as well as on subjects similar, we have asked the Government on several occasions—but Government have but one reply, namely, that it is in the public interest, that they are the only custodians of that public interest, and that we, the real representatives of the public, and the people have nothing to do with it and have no say. In the interests of the nationalism of India, in the name of the public, in the name of the peace that we all desire as the common goal and a calm atmosphere for the development and evolution of the nation in the desired lines, if I had the power I would even appeal to the gods above to come down to save us from situations and incidents like this. Our young men today do not know what to do if measures like this are adopted to put down the nationalism of India. It is neither conducive to a calm in the country nor good for the Government. With these words, I move my motion.

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That the Assembly do now adjourn."

Mr. M. G. Hallett (Home Secretary): [Sir, it is with very considerable diffidence that I rise to make my maiden speech in this Assembly, accustomed as I am to the cooler atmosphere of another place. . . . (*An Honourable Member*: "Cooler?") . . . ~~"Cooler?"~~ . . . ~~yes, actually cooler.~~ I am not an accomplished speaker, and I trust the House will listen to me with patience and attention. My excuse for being here is that the Government do not wish to conceal the facts; they do not wish to conceal the reasons why they think that the return of Mr. Subhash Chandra Bose to India as a free man would be a menace to the peace and tranquillity, not merely of Bengal, but of India generally. We do not justify ourselves merely by any bald statement that it is in the public interest, but I and the Honourable the Home Member hope to give reasons which, we trust, will convince some of the Members that there are very valid grounds for holding this view about Mr. Subhash Chandra Bose.

I must go back to rather early days, but I want to do it as quickly as possible, as I have not got much time before me, but we must judge a person's future activities by his past history. Mr. Subhash Chandra Bose, as the House knows, passed into the Service to which I have the honour to belong, but he left it because of non-co-operation. He left it to become a politician, not merely a politician, but a left-wing politician, and not merely a left-wing politician, but a revolutionary left-wing politician. . . . (*An Honourable Member*: "Question?") . . . who has been prepared to support methods of terrorism and who has also been prepared to support methods of militant mass revolution. We have facts and details to prove that statement. He came out here in 1920 or 1921 at the call of non-co-operation. He took part in that movement. He regarded that movement as a success, because it had converted the Congress from a constitutional and mainly talkative organisation into a revolutionary organisation. He was disgusted and he resented the calling off of the movement after the tragedy of Chauri Chaura. He was not the only person who resented the calling off of the movement. The terrorists in Bengal who, after the amnesty of 1920, had held their hands during the two years that the non-co-operation was going on, started in 1922 on a more drastic campaign of violence. However, I will not say much about those years. I pass on to the time when he was arrested under Regulation III in the year 1924, in the autumn of that year. His case was examined according to the methods which were described to this House by the Honourable the Home Member and by myself in the Council of State a few days ago—it was examined with great care, was examined by two Judges who gave it as their finding, that they were satisfied that there were reasonable grounds to believe that Subhash was a member of a revolutionary conspiracy, and that, if at large, he would be a danger to the State, more particularly on account of his public position and his outstanding organising ability. I quite admit what the Honourable the Mover has said, namely, that he has great influence with the youth of the country. That is really the danger with Mr. Subhash Chandra Bose. I have looked up that record, and I am perfectly satisfied in my mind that there was full justification for the order. It is a detailed record, and there is no doubt that, during that year, 1923, he had been guilty, or he had been responsible for making inflammatory speeches and he stirred up the youths of Bengal. For

[Mr. M. G. Hallett.]

example, in August of that year, he published in the *Asma Sakti*, one of the worst terrorist papers of Bengal, an appeal to revolutionary organisations calling upon young men who were prepared to sacrifice their lives. Apart from his open activities, there were some more secret activities, and we have good reason to believe that he was in close association with the leaders of the terrorist party and was cognisant of many of their plots for the assassination of Government officers. Further, it must be remembered that, as Chief Executive Officer of the Calcutta Corporation, he had taken a leading part in enlisting in the services of the Corporation those who had "suffered in their country's cause" and, as I prefer to say, had taken part in the terrorist movement. He was put under detention and removed to Rangoon where he stayed till May, 1927, and he was then released mainly for reasons of health. During the next years, it is quite clear that he was pursuing definitely a left wing policy and was trying to get hold of two of the most inflammable elements of the country, labour and the students. He took credit to himself that he was responsible for getting the students to organise themselves, and we all know what that organisation has ultimately resulted in Bengal, in many cases not merely in constitutional agitation, but in the methods of the terrorists. He started, I think, the Bengal Students Conference, I think, in 1928, putting before them the message of Communism. Is that a good message to put before the youth of Bengal, the youths who are so impressionable and who are so ready to swallow all these dangerous doctrines which are put before them? He took part in labour agitation. He went to Jamshedpur where, at that time, there was strike in the Tata Iron and Steel Works. He took some part in the Bombay Textile Strike which was also going on about that time. He was thoroughly disgusted with the right wing of the party. He thought that their methods were halting, and he disagreed with the tactics of the Swarajists in the Legislature. He thought it was far better to take more drastic left wing action. I do not want to go into the events of those years in any detail, but I just quote those instances to show the general lines on which his mind was working.

Then, Sir, I must mention, although many Members of this House know it probably better than I do, what happened at the Lahore Congress in the end of 1929. I quite admit that the policy, which he enunciated there, was rejected by the Congress, but it shows the way his mind was working. He moved a resolution that the Congress should aim at setting up parallel Government, and, to that end, should take up the task of organising the workers, peasants and youths. Surely that is a definitely revolutionary policy which he put before the Congress? I am glad, however, that the Congress rejected it, but he was very indignant with them for adopting a half hearted policy and adopting a message of independence without determining any definite means for obtaining that objective.

Now, I pass on to the 3rd January, 1930, when Subhash Bose was convicted. He was convicted for an offence committed in Calcutta some months before, where he took part in a demonstration in aid of what he euphemistically called "political sufferers", but who might better be called terrorists. He was convicted under section 124 and 124A and sentenced to one year's imprisonment. The sentence was upheld by the High Court, and it is on record that at those demonstrations most inflammatory

placards were distributed and displayed, placards like "Long live Revolution", "Down with Imperialism", "The Gallows alone shall give India Happiness"—all that kind of inflammatory stuff which has had such effect in stirring up the youth of Bengal. Seditious speeches were also delivered, and, as I said, the result was that he was convicted and was in jail for the greater part of 1930. When he came out just at the time of the Delhi Pact in 1931, he did all he could to persuade Mr. Gandhi to include, not only the non-violent Civil Disobedience prisoners in the Pact, but also the violent prisoners from his own province of Bengal. He had many discussions with him, but at last, after the Bhagat Singh was announced by Government not to give way over the agitation of Bhagat Singh was announced, he thought it was no good fighting and he gave up his points, but it was clear that, throughout that period, he was eager to help the terrorists of Bengal who had been his supporters.

Now, Sir, I shall go on to the reasons which led Government on January 3rd, 1932, to arrest him under Regulation III. I wish to make it perfectly clear, in the first instance, that it was not because of civil disobedience. His arrest, it is true, coincided with the outbreak of civil disobedience, but the question had been under discussion for some time before, and the reasons for his arrest were the same as those in 1924, that is to say, because he had been very closely associated with terrorism in Bengal. Now, Sir, I hope to show briefly some of the evidence on which that decision was based. At a meeting of this Assembly in September last, the Honourable the Law Member read out a letter, a rather important letter, but he did not mention names, although possibly some of you guessed who Mr. A. and Mr. B in that letter were. I will not name Mr. B, I will still refer to him as Mr. B, but Mr. A was Subhash Bose. The letter is by Krishna Das. That letter reads as follows:

"I interviewed Mr. A on the 7th evening. What I gathered from him is that he appreciated your position on the subject of release of prisoners, but he pleaded and will plead before you that the situation in Bengal required that the group of revolutionaries in Bengal, if possible, be satisfied Mr. A's party consists of *Yugantar* group of revolutionaries, policy guided from Calcutta and Ranchi, but the organisation has ramifications throughout Bengal. The present Bengal Provincial Congress Committee is under control of this group of men pledged to the cult of violence, but not opposed to mass movements of non-violent kind, it being the opinion of this group that such movement is most helpful towards preparing the ground for greater revolution which was bound to be based on violence."

Mr. Akhil Chandra Datta (Chittagong and Rajshahi Divisions: Non-Muhammadan Rural): What is the date of that letter?

Mr. M. G. Hallett: February, 1931. Probably some of the Members in the House do not know exactly what the *Yugantar* party is or was at that time. It was a party which was responsible for the Chittagong Armoury raid, for the Pahartali outrage at Chittagong, for the attack on Europeans at the Cricket match and for other outrages in that town. It was a party which, about that time, adopted a programme for the murder of Europeans in hotels, clubs and cinemas, burning of the aerodrome at Dum Dum, and cutting off of the gas and electric supply of Calcutta, and other revolutionary measures of that kind, a purely revolutionary party,—a party which, as far as I know, has been more dangerous than the opposite party of the "*Anushilan*". That group was clearly pledged

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to violence, and Subhash Bose was the head of that party. The letter goes on:

"Hence this group did not oppose but participated in the movement of 1921, as also in the present movement, and is the mainstay of Mr. Subhash Chandra Bose. Bengal politics are nothing but a struggle for power (whether in the Bengal Provincial Congress Committee or in the Calcutta Corporation), between this group and the *Anushilan* group. Mr. A and Mr. B are pawns in the game."

Then, it went on to refer to another group of revolutionaries—the "Bepin Ganguly" group which originally belonged to Mr. B, but has now gone over to Subhash Bose.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Mr. M. G. Hallett: Sir, that pretty well completes my speech. May I just, before I sit down, correct one misapprehension which the Honourable the Mover appeared to hold, he said that no care was taken of Mr. Bose when he was in prison. Sir, I was Home Secretary during all that period, and I can assure you that the Government had taken every possible care

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Mr. M. G. Hallett: Sir, I trust.....(*Cries of "Order, order."*)

Mr. Akhil Chandra Datta: Mr. President, we have been told that Mr. Subhash Chandra Bose was not arrested in connection with the Civil Disobedience Movement, but because he was associated with terrorism. This reminds me of the case of his brother, Mr. Sarat Chandra Bose. Sir, the Civil Disobedience Movement was inaugurated in January, 1932, and, at or about that time, both the brothers were arrested. Sir, whenever we moved in this House for the release of Mr. Sarat Chandra Bose, we used to be told that Mr. Sarat Chandra Bose was deeply involved in revolutionary activities; that was the case of the Government for a long time. Now, since then, better counsels have prevailed, with the result that, later on, after a long time, Mr. Sarat Chandra Bose has been released. Now that he has been released, I take it, Sir, and I have a right to take it, that the Government are now convinced that he, Mr. Sarat Chandra Bose, was not deeply involved in revolutionary activities; or, for the matter of that, he was not involved at all in revolutionary activities.....

The Honourable Sir Henry Craik (Home Member): When?

Mr. Akhil Chandra Datta: I am quite sure, Government have realised later on that they were wrong originally in holding that he was in any way associated with revolutionary activities.

The Honourable Sir Henry Craik: No, no.

Mr. Akhil Chandra Datta: Now, Sir, it is some time now since Mr. Sarat Chandra Bose has been released. What has been the effect of this release? The British empire has not tumbled down. I think I can say that this Government has not the least ground of complaint against Mr. Sarat Chandra Bose ever since his release and the Government do not regret that he has been released. Now, I am only afraid that what is true about the case of Mr. Sarat Chandra Bose is also true about the case of his brother, Mr. Subhash Chandra Bose. Mr. Subhash Chandra Bose is no more associated with terrorism than his brother, Mr. Sarat Chandra Bose, was. Well, Sir, we have been given a long history of the career of Mr. Subhash Chandra Bose. After all, all that ancient history is absolutely irrelevant, remembering that he was allowed to be at large for a long time even after the alleged activities of Mr. Bose, enumerated by the Honourable Mr. Hallett. The really pertinent question is: why was he arrested in 1932? Because he made a speech in 1923, or because he spoke to the labour people in 1924? That cannot possibly be a reason for his arrest again in 1932. The whole question is—why was he arrested in 1932? Under what law, and for what activities?

The Honourable Sir Henry Craik: Terrorism.

Mr. Akhil Chandra Datta: Sir, we have been told this morning and also this afternoon that he was not arrested in connection with the Civil Disobedience Movement. The case is that he was arrested, because he was associated with terrorism. But, Sir, one thing is very significant, and that is this,—that he was not arrested under the Criminal Law Amendment Act or any other law (and there is quite a lot of them) both in India and particularly in Bengal; he was not arrested under any law dealing with terrorism; he was arrested under the State Regulation of 1818. At that time, in the year 1932, many people in Bengal, both leaders, and from among the rank and file, were arrested under one or the other of these repressive laws dealing with terrorism, and, therefore, I may take it that there was not sufficient reason for his arrest under any of these Acts. Therefore, my case is this. If he was not arrested in connection with the Civil Disobedience Movement—and admittedly he was not,—and if he was not arrested under the Criminal Law Amendment Act, the question arises—why was he arrested at all? Now, that reason is to be found in the speech made by the Honourable Mr. Hallett in which the Government explanation is to be found; he must have been arrested because of his past activities. But, whatever they may be, revolutionary or otherwise, that is quite a different matter, that is a matter of controversy,—the fact remains that he must have been arrested, not in connection with the Civil Disobedience Movement, nor for any acts of terrorism or any association with terrorism, at that particular time, in 1932 or thereabouts, but he must have been arrested in consequence of his past activities.....

Mr. M. G. Hallett: His activities at recent past.

Mr. Akhil Chandra Datta: I do not give way—the time is only fifteen minutes.

[Mr. Akhil Chandra Datta.]

Now, Sir, a question was asked in this House in September last. The question was as to whether, when he was in Europe, he could go to England. The reply was this—a very significant reply:

“Apart from the fact that his passport is only valid for certain foreign countries, no restrictions are imposed on Mr. Bose”,

so that there are no restrictions while he is in Europe.

Then, Sir, the question was asked whether he would be allowed to come back to India. The Honourable the Home Member's answer was:

“He will be allowed to return to India, unless any restriction is imposed before he returns.”

Therefore, Sir, it is perfectly clear that even in September, 1935, when this answer was given by the Honourable the Home Member, there were no restrictions upon him. He will not be allowed to come back if, before his return, any restrictions are imposed on Mr. Subhash Chandra Bose. The question, therefore, arises—when were these restrictions contemplated or imposed, and for what fresh activities? We have not been told anything like that, and it is impossible for us to believe that there were any activities on his part in Europe which would afford any ground at all for any fresh restrictions. Now, Sir, with regard to all these activities in Europe, they are not underground activities. He has been making public utterances. I am reminded that there has never been an allegation that there is anything in his activities in Europe which would furnish a justification for the recent action on the part of Government.

Now, Sir, it appears to us, as has been referred to by the Honourable the Mover of this motion, that Mr. Subhash Chandra Bose has declared his intention to act in concert with Pandit Jawaharlal Nehru. In fact, it is reported that the understanding is that he will act as the Secretary of the Indian National Congress. Now, Sir, I do not know if the Government can contemplate with equanimity Pandit Jawaharlal Nehru as the President of the Congress and Mr. Subhash Chandra Bose as Secretary of the Congress. Until we are precisely told what led the Government to take this action, and, in the absence of any satisfactory explanation as to the present activities of Mr. Subhash Chandra Bose justifying the Government's action, well, they cannot blame the people if they have a shrewd suspicion that this restriction is the result of the apprehension that these two men, these two idols of India, Pandit Jawaharlal Nehru and Mr. Subhash Chandra Bose, that the combination of these two men is an eventuality which cannot be countenanced by Government. It has often been said that Mr. Subhash Chandra Bose is the idol of India, that he is an outstanding personality gifted with all the powers of a leader, and this must be the reason why this fresh restriction is imposed upon him. I repeat that until the Government lay all their cards on the table and make it perfectly clear why, apart from ancient history of Mr. Subhash Chandra Bose, he should be restricted from coming to India. Has anything taken place recently after September, 1935, which necessitated Government taking this action to impose restriction? Sir, there are three leaders of Bengal who were arrested at the beginning of 1932. These two brothers, Subhash and Sarat, and another most respected leader of Bengal.

who is no more, Mr. J. M. Sen-Gupta. We all remember the circumstances in which Mr. Sen-Gupta was arrested on the day of his arrival from England and at the moment when he set his foot on Indian soil, in fact he was arrested in the steamer itself. I do not think even the Government can say that the late Mr. Sen-Gupta was associated with terrorism. The Government arrested him just at the nick of time, on the eve of the inauguration of the Civil Disobedience Movement. The real reason for the arrest of these three gentlemen was either actual participation in the Civil Disobedience Movement or apprehended participation in the Civil Disobedience Movement. That is the reason why all these restrictions were imposed in 1932 and why these restrictions are sought to be reimposed on Mr. Subhash Chandra Bose now. With these words, I support the motion.

The Honourable Sir Nripendra Sircar (Leader of the House): (The Honourable Member was greeted with Cheers from all sides of the House.) Sir, I am glad to notice that I have become so popular on both sides of the House. Sir, I do not desire to say a single word which will in any way impede the liberty of Mr. Subhash Chandra Bose in Bengal or in India if conditions further improved in Bengal. At the present moment, the position of the executive is this: that the Legislature, whether under the Bengal Criminal Law Amendment Act passed by the Bengal Legislature or under Regulation III of 1818, empowers, and makes it indeed the duty of the executive to exercise its powers of detention if there are reasonable grounds for believing that a particular man is likely to be a source of danger. The issue, therefore, is whether the materials which can be placed before the House will induce this House to agree that there are indeed strong materials for a reasonable belief in that direction and that the executive has not acted arbitrarily, and has been within the bounds of law in this matter.

Now, my Honourable friend, the Deputy President of the Assembly, has taken the trouble to meet the points which, in fact, were not pressed. He has not said a single word about a very strong *prima facie* evidence upon which the previous speaker, Mr. Hallett, relied. I am not going to read that letter of Krishnadas again. That has been done. But, in that letter, there was a positive and detailed statement that such and such a revolutionary party, *viz.*, the *yugantar*, were the adherents of Mr. Subhash Chandra Bose. I am not trying to prove that in fact Mr. Bose is really a terrorist, there being no finding of Court, but I am trying to prove that Government have ample grounds for believing that he is one. Who was this man Krishnadas? (Interruption.) If I have unlimited time, I can meet all the objections.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member must be allowed to proceed with his speech without interruption. He has limited time at his disposal.

The Honourable Sir Nripendra Sircar: Who was this man who wrote this letter? Was he a spy, a police informer, or a common informer? Who was this Mr. Krishna Chandra Das? He was a Bengali. One of the ill-informed newspapers in Bengal suggested that he was a non-Bengali and that he was trying to malign Bengalis. No, Sir, Mr. Krishna Chandra Das was a Bengali, a man born in East Bengal, and who passed somewhere about a year in Sabarmati Ashram, and who wrote a book "Seven

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Months with Gandhi". He was his Secretary. Now, Sir, he came to Calcutta and acquired prominence there in 1930. His avowed object was, as will be found—I cannot go into details—from the files of contemporary papers like the *Advance*, the *Forward* and the *Patrika*, he came to launch Civil Disobedience Movement in Bengal. We have no grouse about the Civil Disobedience Movement. But, in April, 1930, after he had delivered his first speech, he was introduced to a large gathering at a public meeting by one of the leaders, Mr. Sen-Gupta, and was represented to be the Secretary of Mahatma Gandhi. He was there in Calcutta in connection with political activities of the Congress. Very well, Sir. There were a series of meetings. They were all organised by the North Calcutta District Congress Committee, and, to put the matter briefly, in one of his first two speeches, he stressed the point that, for attaining the Congress ideal of Independence, there were four stages. The first stage was the stage of petition, that is where the non-Congress people suffering from slave mentality are supposed to stay, *vis.*, the stage of petition. The second stage was non-co-operation, the third stage was Civil Disobedience Movement, and the fourth stage was the stage of anarchy. Those were the views he expressed. He continued to take the most active part, and he was treated as a member of the inner group in Bengal in active touch with the leaders. He toured extensively throughout Bengal, and, because he was coming in close touch with the terrorists, or at least going to them and talking to them, a watch was kept over him, and this letter was intercepted. I have read this letter. After that, has it been said that this letter is not a genuine letter? Can it be said that Mr. Krishna Chandra Das is a man who could not possibly have known the real state of affairs in Bengal? Sir, we have a clear admission from Krishna Das that that was his letter. I find from the papers, for instance the *Advance* of the 4th October, a gentleman quoting this letter and signing himself as Assistant Secretary of the Bengal Provincial Congress Committee, addressing a letter to Mr. Krishna Das, forwarding him a copy of my speech or rather a very elaborate summary of my speech, but taking care to quote the portions which have been read out by Mr. Hallett, bringing out the connection of the terrorists with the leaders. And Krishna Das was asked as to whether the letter was written by him, and asking Krishna Das for his sources of information. Krishna Das was told:

"It is necessary in the public interests that your reply should reach me at an early date."

Krishna Das got this letter; he knew exactly what allegations had been made by me on the strength of his letter; I have no information beyond that. What was his answer? He gave an answer fairly quickly, and this is his reply. He is still the Secretary of the All India Congress Committee, as he was in those times, and he writes from Swaraj Bhawan, Allahabad:

"Dear Sir, I have your letter dated the 19th instant. From what appears in the press, it is clear that the Law Member quoted only portions of my letter."

Well, Sir, as a matter of fact, the very next day, he must have got a complete report of my speech; and, as it is, the extract which was set out and with which he was confronted contained practically whatever I had read in this House, including the statement that Mr. Subhash Chandra

Bose's party included the *Yugantar* party. Let us see what Krishna Das says:

"Unless you can get the full text of the letter from the Law Member and supply me with a copy, it would be rather unfair to form any judgment on my letter or to call upon me to offer an explanation. I can tell you that I have no distinct recollection."

Sir, there are many lawyers here. All of you are men of strong common sense. I ask you, what can you infer from this? "I have no recollection, let me have the complete letter". Well, Sir, the extract put to Krishna Das was complete enough, but, in any case, the complete letter was published in the newspapers in a couple of days, and, later, in about seven or eight days, in the official proceedings. Up to this moment, has Mr. Krishna Das offered any explanation? Has he said that he was misinformed, that he heard the story in the streets and that he was not in active touch with the cabinet of the Bengal Congress? Nothing of the kind; and we know that the person concerned, Mr. Subhash Chandra Bose, had been writing letters, sending messages, giving directions from Europe every week. Has he, up to this moment, denied the charge that at any rate in 1931 the *Yugantar* party,—I need not go into the history of terrorism, but you know that the two main terrorist parties were the *Yugantar* and the *Anushilan*,—that they were his followers, and they were supporting him throughout in his career both in the public and in the Corporation. Nothing of the kind. Mr. Subhash Chandra Bose has not said that his followers did not include the *Yugantar* party.

Now, Sir, a very relevant question will be put, *viz.*, what does all this mean? Assuming this to be true, this was in 1931, and here we are in 1936. That is a very pertinent and important question, and I will try to answer that. The two parties, as we know from the days of the Partition, were the *Yugantar* and the *Anushilan*. In the year of grace, 1936, have they been broken up? I say, no, because, only in May, 1935, we had a judgment in what is known as the Inter-provincial case. The judgment covers 400 pages, and I have no desire to inflict it on the House. But the Courts found it from the evidence in the case, which lasted a year and a half, that the ramification of these two parties spread over Calcutta and the Punjab, to South India, to Burma; and their conclusion was that this was one conspiracy which was going on, according to the finding of the Court, right up to some part of 1933, and the case was started at the end of 1933 or the beginning of 1934. I will read one paragraph from the conclusion:

"The conclusion from this evidence is that the conspiracy was one conspiracy, whether in Calcutta, in Bengal, in Burma, in the Punjab or in Madras. It was a continuing conspiracy which did not come to an end with the arrest of the leader, Prokhat Chandra Chakravarty."

In passing, I may inform the House that the brain of the conspiracy were five persons who were detenus, some of them having escaped from either village or home domicile, one from Buxa camp, and another man who was wanted but never arrested.

The judgment states:

"What were the objects of this conspiracy? We believe that they were as described by the witnesses who were privy to it, a succession of armed risings over India as a whole with robbery and dacoity and murder as its subsidiary objects and means to its final end. The model, so far as the methods of achieving the objects of the

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conspiracy was concerned, was Irish. It has been described as guerilla warfare the time for which had not arrived. We gather from the witnesses that the real outbreak was to come when the number of the members of the party was equal to the number of soldiers in the army. Members were being recruited mostly from among students. Money was being collected through the commission of dacoities; arms have been procured through sources which could only have been unlawful. This is a conspiracy which, so far as the evidence goes, seems to be confined almost entirely to the *bhadralok* classes, recruiting its members from among the more impressionable youths in schools and colleges."

Mr. M. Asaf Ali (Delhi: General): Was Bose an accused person in this case?

The Honourable Sir Nripendra Sircar: What answer does my Honourable friend expect from me? Why this interruption when I am getting only 15 minutes?

Mr. M. Asaf Ali (Delhi: General): I simply asked a question on a point of information and wanted an answer.

The Honourable Sir Nripendra Sircar: The answer is this. Mr. Asaf Ali knows, Bose was not an accused. The point is that we start with the *prima facie* strong evidence of a man who was Secretary of the All-India Congress Committee who was specially touring Bengal and was in touch with the Congress leaders, I mean Krishna Das, that the *Yugantar* party was under the control of, and among those who were led by this particular person, Mr. Subash Chandra Bose. I am trying to show that the main parties had not been broken up and that their members were guilty of this conspiracy and were committing these dacoities and murders all over India and Burma right up to the middle of 1933. That is the answer to the question as to whether conditions had so far improved after the letter of Krishna Das in 1931, that one need not take any notice of the *Yugantar* party or the *Anushilan* party. That is the point I will remind you of another fact, *viz.*, that if, as a matter of fact, things have improved so much in Bengal, that special powers of detention are now unnecessary, how is it that an Act giving special powers to the executive was passed in Bengal in 1934,—Act VII of 1934? Then, again, in 1935, an Act has been passed by which some of the special powers of the Executive, which were lapsing, have been extended for three years. The Legislature in Bengal, the executive in Bengal, have no doubt about the necessity of continuing these precautions even in 1935. This is solely on the point as to whether conditions in Bengal have so very much improved that no precautions need now be taken, and that detention necessary in 1932 is unnecessary now. Improving conditions justify increasing releases, but not the release of all now and at once.

Sir, one word more, and I have done. I do not exactly know what point my Honourable friend, the Deputy President, wanted to make. He pointed out that Mr. Bose was taken under Regulation III and not under the Bengal Criminal Law Amendment Act. I think he will concede that, if he could be arrested under Regulation III, he could equally be arrested under the Criminal Law Amendment Act. In fact, the Criminal Law Amendment Act gives wider powers. I think, my Honourable friend knows perfectly well that, in respect of persons dealt with under Regulation III, Government are enabled to give them much greater facilities by way of increased accommodation and of increased maintenance than

the prisoners under the Bengal Criminal Law Amendment Act. My Honourable friend knows that Rs. 1,350 a month was being paid to Mr. Sarat Chandra Bose and a fairly decent amount had all along been paid to Mr. Subhash Chandra Bose. If Mr. Datta so prefers and Mr. Bose is dealt with under the Bengal Criminal Law Amendment Act, the only change will be that he will get a very limited allowance, and there will be other difficulties.

Mr. Akhil Chandra Datta: Was that my request?

The Honourable Sir Nripendra Sircar: No, that is not your request, but sometimes the best way to punish a man is to grant his prayer, and I am trying to show what will happen if he is dealt with under the Bengal Criminal Law Amendment Act. I know Mr. Datta contends that there should be no detention under any Act, but I was dealing with his pointless remarks about Regulation III being applied, and not the Bengal Act.

Mr. Akhil Chandra Datta: That is not the prayer.

The Honourable Sir Nripendra Sircar: Sir, I have finished.

Mr. Bhulabhai J. Desai (Bombay Northern Division: Non-Muhammadan Rural): Mr. President, the matter which has been put
5 P. M. before the House requires a little closer examination than what has been applied to it by either the Honourable Mr. Hallett or the Honourable the Leader of the House. The real question underlying the announcement that emanated from the Government resolves itself into this, that they are now adopting methods—somewhat subtle methods of caution—of exiling people from this land only on their belief that, if they return to the country, the normal activities, by which this country is to be prepared for a democratic constitution,—to make people alive to their rights and their obligations—are all to be treated as crimes. One could understand the Russian method of lifting a person to be sent to Siberia and not allowing him to come back. There is undoubtedly a subtle improvement on that—the announcement that is made which is the subject of the motion this afternoon. But let me define the three issues as I ask the House to see in the matter which has been raised for debate. The first and foremost, as to which there has been a considerable amount of begging of the question, is the fundamental issue of the civic liberties of any Indian whatever not to be detained either inside or outside the country or exiled without a trial before a legally constituted tribunal under the law of the land. We shall never concede the right of any Government whatever to detain a man under those circumstances and to address arguments on the lower ground—on the ground “has a case been made out for executive action?” in substitution of the higher right and claim which we should always maintain for the freedom of men. That is the first issue, and on that not a word has been said as to why, during the years, when, except on one occasion when the Government had evidence enough, he was tried under section 124 and sentenced—on all succeeding occasions he has been detained or externed under circumstances under which, if there was evidence, it was the duty of the Government to try the man before a tribunal. The only answer, therefore, so far as that is concerned, is that, the Government not only do not propose, but do not venture to justify their action on the ground

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with which we have been familiar, namely, that the witnesses' lives are exposed to risk or danger, because there is no other reason given, so far as I am aware, by the Honourable Sir Henry Craik, in defence of the policy of detention without trial. All that he said is: "We have information which is not entirely based on police reports, but we are not able to let it out lest the lives of persons who have made statements, and would, therefore, be witnesses in the case are exposed to danger and to risk". But which are the true risks when we consider the broader issue? Is it the possible risk to the life or limb of a supposed witness who may or may not be telling the truth, or the liberties of the man who is deprived of it without trial, and his services being lost, so far as the country is concerned? It is impossible to bring home to this House, and particularly to those sitting on the other side, the agony of a high-souled man to whom the deprivation of the opportunities of service to his land is the greatest punishment—greater even than that which you can inflict upon him. (*Cries of "Hear, hear."*) It is impossible for me to imagine what freedom and liberty means when they talk glibly about conditions in Bengal. To that, I now next address myself. The principal issue is not whether the condition in Bengal has changed. The principal issue is: "Have you any evidence of the intention of Mr. Subhash Chandra Bose, on his arrival in India, of engaging himself in any activity—whether it exists independently of him or not?" (*Cries of "Hear, hear."*) In fact before a jury, the meanest possible jury, Sir N. N. Sircar would not dare address such an argument. He says: "I am not here to tell you that I have any evidence as to the man, as to whether he has the intention of taking advantage of his presence in this country to ally himself with what may be still an existing institution or not. On the evidence I have it that conditions exist of which advantage may or can be taken". They use words which are very difficult, they read sentences without any relation to each other, they read statements without bringing it home to persons as if those statements convey the actual declarations of the man himself. The true issue, therefore, before the House is this, for I do not recede from the first position that I took up, that this House, I hope and trust, will always stand for the civil liberty of man and a trial by the constituted tribunals if there is any charge against him. But assuming for the purpose of argument that there is a part of the House that requires the issue to be dealt with on the lower ground, I ask myself and I ask the House the question "has a word been said yet in support of it?" A history has been given to you which would be the history of the most innocent and the most respected hero of any country. (*Cries of "Hear, hear."*) It is said, he has capacity for organisation, he has ability, he has education, he took part in non-co-operation with which evidently Sir N. N. Sircar and his colleagues have no quarrel. He may have taken part in civil resistance with which also they do not see any quarrel or any vice. Therefore, the growth of a man in support of the liberties of his land and the methods that may be pursued—the earlier history—instead of being a credit seems to the little mind of those persons something against an individual. In fact, to us, who have been suppressed, the example of the growth of a man's mind and the way in which he ungrudgingly gave up his service for the freedom of his land—is anything but a crime that is said to emanate from him. I cannot see how, except the single fact of this letter of Krishna Das—taking as correct the evidence as to its genuineness which has been read out before you—all the rest

would not have been admissible in a Court of law. You cannot be allowed in giving evidence of the present intention of the man to say "Yes, from a school boy he grew up and up and up, and until he became the best of the Congress Nationals". If, in their eyes, that is a crime, all I can say is that the House, I hope, will not attend to that as being a part of an evidence. They think it may be an insidious method of argument, but in any Court of law, in any court of conscience, in any court of common sense, could we ever be told that, except that single letter of Krishna Das, anything has been said to this House—a great deal has been said about the condition of Bengal, a great deal has been said about the earlier biography of a man who gave up a big service in order to join non-co-operation—is that a crime or is that an act of sacrifice showing a large, generous, patriotic mind? What is it that he did? If he delivered a speech which was seditious, he was tried and punished. That cannot be a continuous crime or a recurring offence. If it was a recurring offence, there was nothing to prevent them trying him another time as they did Pandit Jawaharlal Nehru. Why did they then resort to this act for the purpose of what is called bestowing upon him a graceful pension—they can keep the pension if Subhash only can regain liberty. Therefore, the true issue before the House is this: Has any evidence been placed before this House—assuming that we are to judge the matter on this lower ground—of his immediate intention on his arrival in this country, so that the condition that is there in Bengal may provide a circumstance of which he is going to take advantage? And, of that, not a word has been said. But there is more than that, so far as I am able to state to this House. I am in possession, Sir, of correspondence—and from the way in which Government have copied practically every letter that I have hitherto received, from the manner in which it appears to have been re-gummed every time—I am sure they are in possession of the fact that he has the avowed intention of coming back to this country in order to take his proper and legitimate share in the activities of the Indian National Congress. And if there is one thing more than another of which it can be a conclusive evidence, even on the confession of my friends on the other side, it is that whatever the past and whatever his acts, his present and immediate intention with which alone you are concerned is that he is going to engage himself and to take part in an institution and organisation whose creed is both non-violence and truth. That part, therefore, is entirely known to them; and being known to them they cannot venture upon any evidence on the only issue before the House.

As I said, in 1931, it was said that Krishna Das reported that his inclinations were towards the *Yugantar* party: in fact, that, by itself, furnishes no evidence against Subhash; all that the letter states is that, from the information that he received Subhash was so inclined. Five years have passed since then, four of which he has passed in exile. All his declarations have been opened, and, if any correspondence had taken place, it could not have escaped the vigilance of Government. Therefore, mark you, since the year 1931, there is not an iota of evidence placed before this House contrary to the avowed intention to which I have referred, which he has publicly stated and to which I am here to testify, that the man is coming here with any definite intention which could justify executive action of this kind. To exile a man for all time for fear of a revolution means this: that we cannot reorganise our country. If revolution means that we are going to reorganise the masses of this country, it seems from the speeches of the Honourable Mr. Hallett and

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the Honourable Sir Nripendra Sircar that it is a crime. On the one hand, you say "Your masses are not sufficiently awake; therefore, you cannot govern yourself. You have not the ground, you have not the basis, you have not the foundation for self-government". You pretend and profess that we should prepare ourselves for self-government, and yet all you do, when any man wants to reach the masses, is to put the police on his trail. And the executive is on their head as far as they can help. If that is the method by which your professions are to be judged, we cannot help thinking that, they are not only insincere, but they are worse than insincere. Every time a man goes about among the masses of the people, in order to teach them their fundamental rights and the methods of future Government, you put your police on his trail. I can give my own recent experience.

I went up to my constituency. I visited 75 village centres. Let alone the immense waste of expenditure on police—there were two buses, with the deputy superintendent of police and three other police officers, two shorthand writers, two long-hand writers and others. That is bad enough. All I told the policemen was this and they hung down their heads in shame—I said "Instead of running after robbers, dacoits and thieves, has it now become your business to run after patriots, men whom you desire should go among the masses of the people and teach them what their fundamental rights and duties are?" But that is not enough: the degradation does not stop there. In the earlier part of the tour we found these men bringing their own tables and chairs to show that they were superior to the rest of the men in the land. Whenever there was a song sung in the beginning about Homage to the Motherland (*Bande Mataram*), we used to get up and they used to do the same. Afterwards there was a change in their demeanour by reason of the orders which they got. They were waiting till the last moment lest they should miss the last word I had to say: and then swiftly they ran away; to that also I have no objection; but when I went further into northern parts, they got definite orders that it was a part of their duty at the risk of sacrifice of their service, that they should sit down while the rest of their fellow-countrymen were singing a song paying Homage to their own Motherland. (*Opposition cries of "Shame"!*) This is the degradation, this is the moral ruin which this Government have brought about in the name of law and order, in the name of executive action, and in the name of preserving the peace of the country. This Government turns men into beasts by ordering them to act against their country and their countrymen against their better judgment and their natural instincts and spontaneous inclinations.

Sir, that by itself is not enough. You always find that they are afraid of the word "revolution", and they confuse it with a movement of armed force. They are afraid. Why are they afraid of it? If there has to be revolution in this land before the people are awake to what they themselves desire in their heart of hearts to be the true foundation of democracy, then it is inevitable. Therefore, I support this motion on the ground that it involves the highest principle of civic liberties and the Government have produced no evidence of Subhash Chandra's immediate present intention to engage in any subversive activities with which alone this House is concerned. (*Opposition Cheers.*)

Honourable Members: The question may now be put.

Sir Abdul Halim Ghuznavi (Dacca *cum* Mymensingh: Muhammadan Rural): Mr. President, coming as I do from Bengal, I think it is my duty to speak on this motion. Before I proceed with my speech, let me give an answer to my Honourable friend, the Leader of the Opposition. He has said "What is your evidence that Mr. Subhash Chandra Bose, when he comes back to India, will take again to terrorism or exciting people? You have no evidence whatsoever of his intention when he comes back to India. So far as we see, he is coming back to act as Secretary to the Indian National Congress. That is a very good movement, and why should you prevent him from coming back?" The answer is this, every time that he was released, the very first thing that he started was exciting people; and I will give you this instance first. When he was sentenced and when he was in Burma, he was released on the ground of ill-health. He was said to be suffering from tuberculosis. He came back to Calcutta, and the whole disease disappeared within a month, and he started exciting the youths of Bengal. He was again imprisoned: again, on the strength of ill-health, he was let out

An Honourable Member: How did the doctor certify?

Sir Abdul Halim Ghuznavi: and he again started youth and labour movements. That is the apprehension in the mind of the Government

Mr. S. Satyamurti (Madras City: Non-Muhammadan Urban): How do you know?

Sir Abdul Halim Ghuznavi: This is what lawyers call antecedent probability. Then, again, the present condition of Bengal does not, according to the Government of Bengal, justify his release. He has been repeatedly told, as late as even last month, that any attempt on his part to come back to Bengal will not be allowed by the Government of Bengal. (Interruption.) He has been told that as soon as the situation improves, as soon as the time comes, they will allow him to come back, and they will be only too pleased to do so. His brother has been informed repeatedly to inform him, and my information was that he was not coming back to India, but recently I find in the newspapers that he is coming back. As I know, the policy of the Bengal Government has been to examine these cases regularly and most carefully

Mr. M. S. Aney (Berar Representative): We have heard it often: nothing new about it!

Sir Abdul Halim Ghuznavi: Hear it once more

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member need not take notice of such interruptions.

Sir Abdul Halim Ghuznavi: and as soon as they find that they can release Mr. Subhash Chandra Bose, he will be released. So late as 1934, the Bengal Council, by an overwhelming majority,

An Honourable Member: Unrepresentative!

Sir Abdul Halim Ghuznavi: You might as well call this an unrepresentative House—the Bengal Council passed the Bengal Criminal Law Amendment Act. As the Honourable the Leader of the House has just reminded

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this Honourable House, the Bengal Council passed without a division another Act extending some of the Acts giving special powers for three years. The judgment again in the inter-provincial case (*Some Honourable Members*: "Same brief") was delivered as late as in 1935. That is the position in Bengal, and, I find in today's *Statesman*, Sir, the Honourable Sir Robert Reid, the Home Member in the Government of Bengal, said in the Bengal Council:

"Since 1934 the country has been free from those outrages, and he claims that this is due to the measure the Government have taken including the detention of revolutionaries. It would be very unwise to accept any proposal that there should be a wholesale release of these men. The Government would not do their duty by the province if they were to take that step."

At the same time, he said:

"The Government were pursuing a policy of steady release whenever possible. A considerable number of detenus were being released on giving money bonds. Some had been set at liberty on certain conditions, and a number of them had been taken into training camps recently opened. They hoped that the youngmen who had offered themselves for training would by this means have their minds diverted from their previous inclinations and find it possible to earn a good living."

Sir, I hope Mr. Subhash Chandra Bose will have patience and be advised to prolong his stay on the Continent for a little longer (*Several Honourable Members*: "Who will bear his expenses?"), so that the position in Bengal may improve further and enable the Government to withdraw all restrictions so far as he is concerned, and then he can come back to India,—the country which he loves so much—and do his duty here. Sir, his brother was also under detention. As soon as the Government found themselves in a position to release him, he was released, and, I am sure, Sir, the Government will examine the case of Mr. Subhash Chandra Bose also from time to time, and, as soon as they feel that they can release him, he will be released. (*Some Members of the Opposition*: "Oh, Oh.") Sir, I oppose this motion.

Mr. M. Asaf Ali: Sir, I move that the question be now put.

Mr. F. E. James (Madras: European): Sir, it is not a very pleasant task to take part in a discussion of this kind, especially when the subject of the discussion relates to a person whom one has known in past years. I have had the opportunity of knowing Mr. Subhash Chandra Bose since the year 1920. I was, as a matter of fact, a member of the Committee in connection with the North Bengal Flood Relief Fund which operated in 1921, of which Mr. Bose was a most effective and efficient Secretary. I then had an opportunity of seeing first hand his consummate executive ability in operation. Then, Sir, I think it was in 1922, if I may take the House into my confidence for a moment, when Lord Lytton became the Governor of Bengal, he asked me and one of my colleagues if he could be brought into touch with some of the leaders of the younger generation in Bengal, not as a Governor, but as a man; and I remember that a private meeting was arranged at a private house, between Lord Lytton and five or six leaders of young Bengal, among whom was Mr. Subhash Chandra Bose. I have, even today, a vivid recollection of the very frank and open conversation which took place there between the Governor of the province and what was then described as the coming men in Bengal. Then, Sir, I also remember Mr. Bose as the Chief Executive Officer of the Calcutta Corporation. My Honourable friend and colleague, Mr. George Morgan, saw much of his work at close

quarters, and I had from time to time in those days occasion to come in contact with Mr. Bose. Then came his detention in 1924. I may say that on that occasion I and some of my colleagues, who were then Members of the Bengal Legislative Council, were so anxious to be perfectly convinced that the evidence on which action, was taken was beyond question that we went to see the Governor of Bengal and had to be personally satisfied by him before we were prepared to say that the action that had been taken by the executive was justified. Then, Sir, later, after his release from this period of detention, Mr. Bose was a Member of the Bengal Legislative Council where there was a very pretty struggle for leadership between himself and Mr. J. N. Sen-Gupta, a struggle which divided and has continued to divide the Congress Party in Bengal. I may say that during his membership of the Bengal Legislative Council, when I was also a Member, I renewed my acquaintance with him, and I came, I think, to appreciate his ideals and the gradual trend of his mind towards certain methods of carrying out those ideals. These methods, I believe, are to this day clearly fixed in his mind, as the only satisfactory methods for carrying out what he desires for this country,—but I shall come to that later. Mr. Bose is a man of many parts, he has filled many roles. I remember one day, I think it was at the time of the Congress session in Calcutta seeing Mr. Bose as a Captain (*An Honourable Member*: “G.O.C.”), yes, as the General Officer Commanding the Congress Cavalry riding proudly through the streets in the North end of Calcutta City on a white horse (*An Honourable Member*: “He was in a car.”) He was at one time riding on a white horse, but perhaps feeling somewhat uncomfortable he came down from the horse and finished the journey in a car sitting on the back.

Sir, the Honourable the Leader of the Opposition has, I think, said quite rightly that these somewhat varied and lurid experiences of Mr. Bose's past are not necessarily the points at issue today, although they may, of course, and must and should properly colour any decisions reached in regard to any action that should be taken against him now. But the real point at issue is as to what are the apprehensions as to the future. Now, Sir, I understand that Mr. Bose was actually released on grounds of health, and that he was released on the understanding, and I must stand corrected if I am wrong here, that he should go abroad for those purposes.

The Honourable Sir Henry Craik: He wanted to go.

Mr. F. E. James: I understand that he desired to go abroad, may be for other reasons, but primarily for reasons of health, and that he received treatment in Europe. On those grounds he was released. There has been, so far as I understand, no statement on the part of Mr. Subhash Chandra Bose that he does not propose in future to associate himself with those movements with which he was undoubtedly associated in the past when I knew him. On the contrary, there have been very definite statements made in Europe in recent weeks and months, which, to my mind, make it perfectly clear that the methods for which he stood then are still dominant in his mind as the only effective methods to be followed in this country, in the achievement of the ideals to which the Honourable the Leader of the Opposition has referred. Mr. Bhulabhai Desai is not afraid of revolution; but is he sure that the revolution

[Mr. F. E. James.]

he is thinking about is the same kind of revolution that Mr. Subhash Chandra Bose is thinking about? Is he perfectly certain that the Congress that he is thinking about is the same kind of Congress with the same kind of activities that Mr. Bose is thinking about? There has been some remarkable evidence in recent press statements issued by Mr. Bose himself. There is here, taken from the *Hindustan Times*, a report of a speech which Mr. Bose delivered recently in Dublin. In the speech he dwelt on the need for propaganda in this country and the need for propaganda against false conceptions of this country in foreign lands. He went on to say that the movement for independence in India was going on different lines from those of the past. He emphasised that the day was not far off when they would have in India a bigger upheaval than was witnessed in 1930, or at any time within the last hundred years. In another article, which was published in this country, I think it was in November, of last year, he made the statement that the aggressive movement in this country had merely been suspended as it was decided to rally their forces and to prepare for another upheaval; and that the general expectation today in India was that, when the new Constitution was put into operation in about twelve months' time, it would be the beginning of a fresh agitation—I would mark the words—"a fresh agitation" coming as they do after the words "prepare for another upheaval."

Now, Sir, my Honourable friend, the Mover of this motion, made a stirring plea for a calm atmosphere in this country for the inauguration of the reforms. Does he really consider that the programme to which Mr. Bose has today committed himself is the best kind of programme for the creation of a calm atmosphere in this country? Does he really believe that the return of Mr. Bose, unrepentant for the past, determined to carry into the future a method which, to put it bluntly, is the method of mass revolution through the force of arms,—does he really believe that this is a method or a programme which should be permitted to be inaugurated in this country at a time when, on his own admission, there is need for a calm atmosphere for the inauguration of the reforms? Sir, as far as our own community is concerned, particularly in Bengal, I think I am voicing their unanimous feeling when I say that they are anxious that nothing should be done at the present moment which would run the risk of undoing what has already been done in the way of grappling with the terrorist menace. I am perfectly sure that, with his known antecedents, with his present professions of policy, they would not wish that Mr. Bose should be given free leave to return to this country and to resume those activities, possibly on a nation-wide scale, which not only previously caused untold misery in Bengal, but which were the fullest justification for his internment before his last release.

Several Honourable Members: Let the question be now put.

The Honourable Sir Henry Craik: I will begin by referring very briefly to a point raised by the Honourable the Deputy President about a question I had answered in September last. I was asked then if Mr. Bose would be allowed to come back to India, and I replied, "Yes, unless any restriction is imposed before his return". If, by anything I said then, I quite unconsciously conveyed a wrong impression, I can only apologise. What I meant was that he held a passport valid for a return journey to

- India, but we had then no information that he intended to return, and, therefore, we had not conveyed any warning. I have reason to believe that, very shortly after that, he perfectly clearly appreciated himself what the position was, and I do not think that anybody was really deceived.

My Honourable friend, Mr. Hallett, has dealt with the earlier history of Mr. Subhash Chandra Bose, and has shown very clearly his connection, his intimate connection, with the terrorist movement. It is not the case, as the Honourable the Leader of the Opposition put it, that he was inclined to dally with certain ideas. Our case is that his party was the *Yugantar* Party and that that was his main support in his political campaign, that he was the head or one of the heads of this terrorist organisation, and that it was on that account that he was put away in January, 1932. By his internment, of course, his connection with terrorism was perforce closed, but nonetheless his restless mind continued to harbour thoughts of revolution, and I have evidence to prove that. Let me say quite clearly that when I speak of revolution in this connection, I mean, not a peaceful revolution or change of ideas, but violent revolution brought about by a mass rising. He was interned, as I said, in January, 1932, and he was allowed to go away from India for medical reasons in February, 1933. He appears to have spent his time in Europe largely in writing a book,—“The Indian Struggle”—which we had to ban because of what we conceived would be its very deleterious effect on the minds of youth in this country. That book was published as recently as 1935, and the conclusion which any impartial reader of that book—and I have read it carefully—must draw is that throughout the civil disobedience or non-co-operation struggle the one thing that Mr. Bose regretted was the limitation imposed on that struggle by Mahatma Gandhi's creed of non-violence. Time after time he implies that it was non-violence that led to the failure of the Civil Disobedience Movement. If you put yourself into the mind of the author, it is clear that throughout he regrets that limitation was put upon it, and that, if he had been the leader, he would have changed the non-violent creed.

Pandit Nilakantha Das: Can you quote passages to prove it?

The Honourable Sir Henry Craik: I have not time now to make quotations.

Mr. D. K. Lahiri Chaudhury (Bengal: Landholders): Please send me the book to read.

The Honourable Sir Henry Craik: In the autumn of 1932, we became aware of a revolutionary organisation, called the *Samyavadi Sangha*. We had reason to believe that Mr. Subhash Chandra Bose was concerned with that, and, in a house search in Bombay, we came across certain letters that he had written when he was under treatment in the sanatorium at Bhowali in December, 1932. These letters were found early in 1933, in a house search in Bombay, and I have here a photographic copy of them, throughout in Bose's handwriting and signed by his name. I am prepared to show them to any Member or to lay it on the table. The principal letter says:

“As a matter of fact, the present programme of the Congress based as it is on the adjustment of interests and not on radicalism, cannot achieve much more. The two great limitations imposed by Gandhiji on the Congress programme are (1) non-violence and (2) non-interference with the vested interests in Indian society. Within these

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restrictions much scope does not exist for a militant plan of action. The Congress has not attempted an armed struggle—it only attempted to paralyse the civil administration. In the latter objective, it has failed. The military and civil administration of the country is altogether unimpaired. How then can we expect Swaraj? Do we really want Swaraj? If so, we have to face two problems. Firstly, how to overthrow the armed forces of the Crown—or at least how to keep them engaged. And secondly, how to paralyse the civil administration of the country. We must make it physically impossible for the law courts to function and for revenue, income-tax, etc., to be collected, while the army is kept engaged. The Irish method, for example, was to keep the entire army engaged through guerilla warfare—while the civil administration was completely wrecked by the volunteers. My view is that these two problems can no longer be shirked. To solve them we must fall back on the support of the masses. To get their support, we must stand for a Socialist republic—the establishment of which, will serve the real interests of the masses. Hence the left wing of the Congress must immediately organise itself as an all-India party with a socialist programme and a militant plan of action. I want the nucleus of an organisation to be started at once. I think we must organise under the name of the *Hindustani Samyavadi Sangha*”

And that is why he tried to start this organisation called the *Samyavadi Sangha*. This is the important part of that letter. A year or two later, this *Samyavadi Sangha* was actually found to be in existence in the Madras Conspiracy Case, where it was formed by released terrorist prisoners in Madras who had come into contact with Bengal terrorists in the jails in Madras. The Madras Conspiracy Case brought out that an organisation was formed among these released terrorist prisoners, though the name *Samyavadi Sangha* was later changed into the Hindustan Socialist Republican Army.

That letter is most definitely of a revolutionary character. It shows that the author is pledged up to the hilt and that his own ideas were in favour of pure revolution and violent revolution at that.

In May, 1933, to carry on my story, when Subhash Chandra Bose was living at Vienna, we intercepted a cyclostyled pamphlet. I have it here. The address on the wrapper is plainly in Bose's handwriting. The postmark is that of Vienna. It is called "India at the Cross-Roads" by "A Samyavadi". It contains the usual allegations about the repressive policy of Government, and so on. I do not propose to go into those, but it sums up the present situation in the country. The Congress, it says, has failed in its appeal to the Indian servants of the Crown in India. No attempt has been made to win over the Indian army and the Indian police. They are still loyal to the present regime:

"It should always be remembered that a nationalist movement can succeed in paralysing a foreign government only when either or all of the following steps are taken:—The prevention of tax and revenue collection, the adoption of measures whereby help from other quarters—whether financial or military—may not reach the Government in times of distress."

What does that mean?

Mr. M. S. Aney: It means non-co-operation.

The Honourable Sir Henry Craik: It means the cutting off of communications all over the country, and possibly the stopping, by some method, of troops coming from England:

"Thirdly, winning over the sympathy and support of the present supporters of the British Government in India, that is of the Army, the Police and the subordinate Civil Servants, so that orders given by the Government for crushing the movement will not be carried out. Fourthly, actual attempt to seize power by force of arms."

Is that not violent revolution? Is that what the Honourable the Leader of the Opposition described as the ordinary methods by which the country is being prepared for a democratic constitution? I leave it to the House to judge. The pamphlet continued:

"The last step must be ruled out because the Congress is pledged to non-violence but it is nevertheless possible to paralyse the present administration and compel it to submit to our demands if we can adopt the following measures:—Prevent the collection of taxes and revenue; through labour and peasant organisation prevent all kinds of help from reaching the Government when they are in difficulty; and win the sympathy and support of the Government's own supporters by means of our superior propaganda. If these three measures are adopted, the Governmental machinery can be thrown out of gear."

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): What is the date of that?

The Honourable Sir Henry Craik: This was intercepted in May, 1933. Well, I ask the House: Can you have a more definitely revolutionary pamphlet than that? It was sent to this country cyclostyled and not printed, and I claim that the Government, or any Government for the matter of that, would have acted with incredible folly if they had allowed a man of Bose's intellect—for he is admittedly a man of great intellect and great organising capacity—to enjoy his freedom and put such ideas into execution.

Then, we go on to another phase of his activity—the presidential speech which he intended to deliver at the Third Indian Political Conference in London in June, 1933. He was prevented from doing that, because he could not get a passport entitling him to land in England but he printed his speech and that had to be banned in India. Much of his speech is very similar to this document which has been intercepted, though the ideas are expressed in more restrained language. I shall give a few quotations. He says that compromise between England and India is out of the question:

"There are no common interests which make a compromise possible and desirable. The only solution of the present deadlock that is possible is through the attainment of India's freedom. This implies the defeat of the British Government in India. How India can win freedom for herself, we shall now have to consider. . . . The Congress hoped to win political freedom for India by paralysing the civil administration of the country through non-co-operation and civil disobedience. It is necessary to analyse the causes of our failure in doing so in order that we may be more successful in future. India therefore must resolve to launch another fight on a bigger and more intensive scale."

And, then, he talks of the intellectual equipment necessary to carry out this resolve. The language used here is much more restrained and cautious than that of the cyclostyled pamphlet, but from its spirit and terms and in many cases from the actual phraseology used, there is no doubt that both were composed by Mr. Subhash Chandra Bose himself. Both of them are frankly revolutionary. The "Samyavadi India of the future" is another document which came to light in 1934. I cannot say definitely that that was written by Subhash Chandra Bose, but it is part of the same movement, and, there, again, the language is very closely akin to his. However, as that is not definitely known to be his, I will pass it over very briefly, but it does describe what are the objects of this Samyavadi Association of which Bose was one of the first organisers, if not the principal organiser. The lower ranks of the Indian Army are to be won over—that is, seduced from their allegiance. The lower ranks

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of the Indian police, who also come from the peasantry, are to be won over. The lower ranks of the different departments of the civil services, who hardly get a living wage, are also to be won over. . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

The Honourable Sir Henry Craik: Well, Sir, I will conclude. I have much more evidence, but I will only say that I hope I have said enough to show that, not only has this man a definite terrorist connection, but that he has been harbouring, to the best of my belief, up to this day, definite ideas of a violent revolution: and I say that the executive would be failing in its duty if it allowed such a man freedom to carry out those ideas in India.

An Honourable Member: I move:

"That the question be now put."

Voices: No, no, no, no.

Mr. President (The Honourable Sir Abdur Rahim): Order, order. The question is:

"That the question be now put."

The Assembly divided:

AYES—65.

Aaron, Mr. Samuel.
Abdul Matin Chaudhury, Mr.
Abdullah, Mr. H. M.
Aney, Mr. M. S.
Asaf Ali, Mr. M.
Ayyangar, Mr. M. Ananthasayanam.
Azhar Ali, Mr. Muhammad.
Ba Si, U.
Badi-uz-Zaman, Maulvi.
Banerjee, Dr. P. N.
Bhagavan Das, Dr.
Chattoopadhyaya, Mr. Amarendra
Nath.
Chettiar, Mr. T. S. Avinashilingam.
Chetty, Mr. Sami Vencatachelam.
Chunder, Mr. N. C.
Das, Mr. B.
Das, Mr. Basanta Kumar.
Das, Pandit Nilakantha.
Datta, Mr. Akhil Chandra.
Desai, Mr. Bhulabhai J.
Deshmukh, Dr. G. V.
Ersak Sait, Mr. H. A. Sathar H.
Gadgil, Mr. N. V.
Gauba, Mr. K. L.
Giri, Mr. V. V.
Gupta, Mr. Ghansham Singh.
Hans Raj, Raizada.
Hosmani, Mr. S. K.
Jedhe, Mr. K. M.
Jogendra Singh, Sirdar.
Joshi, Mr. N. M.
Kailash Behari Lal, Babu.
Khan Sahib, Dr.

Khare, Dr. N. B.
Lahiri Chaudhury, Mr. D. K.
Lalchand Navalrai, Mr.
Maitra, Pandit Lakshmi Kanta
Malaviya, Pandit Krishna Kant
Mangal Singh, Sardar.
Mudaliar, Mr. C. N. Muthuranga.
Muhammad Ahmad Kazmi. Qazi.
Murtoza Sahib Bahadur. Maulvi
Syed.
Nageswara Rao, Mr. K.
Paliwal, Pandit Sri Krishna Dutta.
Pant, Pandit Govind Ballabh.
Parma Nand, Bhai.
Raghubir Narayan Singh, Choudhuri.
Rajan, Dr. T. S. S.
Raju, Mr. P. S. Kumaraswami.
Ranga, Prof. N. G.
Saksena, Mr. Mohan Lal.
Sant Singh, Sardar.
Satyamurti, Mr. S.
Shaukat Ali, Maulana.
Sheodas Daga, Seth.
Singh, Mr. Ram Narayan.
Sinha, Mr. Anugrah Narayan.
Sinha, Mr. Satya Narayan.
Sinha, Mr. Shri Krishna.
Som, Mr. Suryya Kumar.
Sri Prakasa, Mr.
Thein Maung, Dr.
Umar Aly Shah, Mr.
Varma, Mr. B. B.
Vissanji, Mr. Mathuradas.

NOES—56.

Abdoola Haroon, Seth Haji.	Leach, Mr. F. B.
Acott, Mr. A. S. V.	Lindsay, Sir Darcy.
Ahmad Nawaz Khan, Ma, or Nawab.	Lloyd, Mr. A. H.
Allah Bakhsh Khan Tiwana, Khan Bahadur Nawab Malik.	MacDougall, Mr. R. M.
Aminuddin, Mr. Saiyid.	Metcalfe, Sir Aubrey.
Ayyar, Diwan Bahadur R. V. Krishna.	Milligan, Mr. J. A.
Ayyar, Rao Bahadur A. A. Venkatarama.	Morgan, Mr. G.
Bajpai, Sir Girja Shankar.	Muhammad Nauman, Mr.
Bewoor, Mr. G. V.	Mukherjee, Rai Bahadur Sir Satya Charan.
Bhutto, Mr. Nabi Baksh Illahi Baksh.	Noyce, The Honourable Sir Frank.
Buss, Mr. L. C.	Rajah, Raja Sir Vasudeva.
Oraik, The Honourable Sir Henry.	Rajah, Rao Bahadur M. C.
Dalal Dr. R. D.	Rau, Mr. P. R.
Das-Gupta, Mr. S. K.	Row, Mr. K. Sanjiva.
Dash, Mr. A. J.	Sale, Mr. J. F.
DeSouza, Dr. F. X.	Sarma, Mr. R. S.
Ghiasuddin, Mr. M.	Scott, Mr. J. Ramsay.
Ghuznavi, Sir Abdul Halim.	Sher Muhammad Khan, Captain Sardar.
Gidney, Lieut.-Colonel Sir Henry.	Singh, Rai Bahadur Shyam Narayan.
Grigg, The Honourable Sir James.	Sinha, Raja Bahadur Harihar Prasad Narayan.
Grigson, Mr. W. V.	Sircar, The Honourable Sir Nripendra.
Hallett, Mr. M. G.	Spence, Mr. G. H.
Hudson, Sir Leslie.	Tottenham, Mr. G. R. F.
Hutton, Dr. J. H.	Witherington, Mr. C. H.
James, Mr. F. E.	Yakub, Sir Muhammad.
Jawahar Singh, Sardar Bahadur Sardar Sir.	Yamin Khan, Sir Muhammad.
Khurshaid Muhammad, Khan Bahadur Shaikh.	Zafarullah Khan, The Honourable Sir Muhammad.
Lal Chand, Captain Rao Bahadur Chaudhri.	Ziauddin Ahmad, Dr.

The motion was adopted.

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

"That the House do now adjourn."

(After the ringing of the Division Bell had stopped and before the President called on the Honourable Members to divide).

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): Sir, I rise to a point of order.

Mr. President (The Honourable Sir Abdur Rahim): There can be no point of order at this stage.

The Assmly divided:

(When Division was proceeding, some Honourable Members were noticed forcibly dragging some other Honourable Members to vote one way or the other.)

Mr. President (The Honourable Sir Abdur Rahim): Order, order. Honourable Members should not interfere with other Honourable Members in their freedom of voting.

AYES—62.

Aaron, Mr. Samuel.
 Abdullah, Mr. H. M.
 Aney, Mr. M. S.
 Asaf Ali, Mr. M.
 Ayyangar, Mr. M. Ananthasayanam.
 Azhar Ali, Mr. Muhammad.
 Ba Si, U.
 Badi-uz-Zaman, Maulvi.
 Banerjee, Dr. P. N.
 Bhagavan Das, Dr.
 Chattopadhyaya, Mr. Amarendra Nath.
 Chettiar, Mr. T. S. Avinashilingam.
 Chetty, Mr. Sami Vencatachelam.
 Chunder, Mr. N. C.
 Das, Mr. B.
 Das, Mr. Basanta Kumar.
 Das, Pandit Nilakantha.
 Datta, Mr. Akhil Chandra.
 Desai, Mr. Bhulabhai J.
 Deshmukh, Dr. C. V.
 Gadgil, Mr. N. V.
 Gauba, Mr. K. L.
 Giri, Mr. V. V.
 Gupta, Mr. Ghanshiam Singh.
 Hans Raj, Raizada.
 Hosmani, Mr. S. K.
 Jedhe, Mr. K. M.
 Jogendra Singh, Sirdar.
 Kailash Behari Lal, Babu.
 Khan Sahib, Dr.
 Khare, Dr. N. B.
 Lahiri Chaudhury, Mr. D. K.

Lalchand Navalrai, Mr.
 Maitra, Pandit Lakshmi Kanta.
 Malaviya, Pandit Krishna Kant.
 Mangal Singh, Sardar.
 Mudaliar, Mr. C. N. Muthuranga.
 Muhammad Ahmad Kazmi, Qazi.
 Murtuza Sahib Bahadur, Maulvi Syed.
 Nageswara Rao, Mr. K.
 Paliwal, Pandit Sri Krishna Dutta.
 Pant, Pandit Govind Ballabh.
 Parma Nand, Bhai.
 Raghunir Narayan Singh, Choudhuri.
 Rajan, Dr. T. S. S.
 Raju, Mr. P. S. Kumaraswami.
 Ranga, Prof. N. G.
 Saksena, Mr. Mohan Lal.
 Sant Singh, Sardar.
 Satyamurti, Mr. S.
 Shaikat Ali, Maulana.
 Sheodass Daga, Seth.
 Singh, Mr. Ram Narayan.
 Sinha, Mr. Anugrah Narayan.
 Sinha, Mr. Satya Narayan.
 Sinha, Mr. Shri Krishna.
 Som, Mr. Suryya Kumar.
 Sri Prakasa, Mr.
 Thein Maung, Dr.
 Umar Aly Shah, Mr.
 Varma, Mr. B. B.
 Vissunji, Mr. Mathuradas.

NOES—59.

Abdoola Haroon, Seth Haji.
 Acott, Mr. A. S. V.
 Ahmad Nawaz Khan, Major Nawab.
 Allah Baksh Khan Tiwana, Khan Bahadur Nawab Malik.
 Aminuddin, Mr. Saiyid.
 Ayyar, Diwan Bahadur R. V. Krishna.
 Ayyar, Rao Bahadur A. A. Venkatarama.
 Bajpai, Sir Girja Shankar.
 Bewoor, Mr. G. V.
 Bhutto, Mr. Nabi Baksh Illahi Baksh.
 Buss, Mr. L. C.
 Craik, The Honourable Sir Henry.
 Dalal, Dr. R. D.
 Das-Gupta, Mr. S. K.
 Dash, Mr. A. J.
 DeSouza, Dr. F. X.
 Ghiasuddin, Mr. M.
 Ghuznavi, Sir Abdul Halim.
 Gidney, Lieut.-Colonel Sir Henry.
 Grigg, The Honourable Sir James.
 Grigson, Mr. W. V.
 Hallett, Mr. M. G.
 Hidayatallah, Sir Ghulam Hussain.
 Hudson, Sir Leslie.
 Hutton, Dr. J. H.
 James, Mr. F. E.
 Jawahar Singh, Sardar Bahadur Sardar Sir.
 Jehangir, Sir Cowasji.
 Khurshaid Muhammad, Khan Bahadur Shaikh.
 Lal Chand, Captain Rao Bahadur Chaudhri.

Leach, Mr. F. B.
 Lindsay, Sir Darcy.
 Lloyd, Mr. A. H.
 MacDougall, Mr. R. M.
 Metcalfe, Sir Aubrey.
 Milligan, Mr. J. A.
 Mody, Sir H. P.
 Morgan, Mr. G.
 Muhammad Nauman, Mr.
 Mukherjee, Rai Bahadur Sir Satya Charan.
 Noyce, The Honourable Sir Frank.
 Rajah, Raja Sir Vasudeva.
 Rajah, Rao Bahadur M. C.
 Rau, Mr. P. R.
 Row, Mr. K. Sanjiva.
 Sale, Mr. J. F.
 Sarma, Mr. R. S.
 Scott, Mr. J. Ramsay.
 Sher Muhammad Khan, Captain Sardar.
 Singh, Rai Bahadur Shyam Narayan.
 Sinha, Raja Bahadur Harihar Prosad Narayan.
 Sircar, The Honourable Sir Nripendra.
 Spence, Mr. G. H.
 Tottenham, Mr. G. R. F.
 Witherington, Mr. C. H.
 Yakub, Sir Muhammad.
 Yamin Khan, Sir Muhammad.
 Zafrullah Khan, The Honourable Sir Muhammad.
 Ziauddin Ahmad, Dr.