

8th April 1936

THE
LEGISLATIVE ASSEMBLY DEBATES

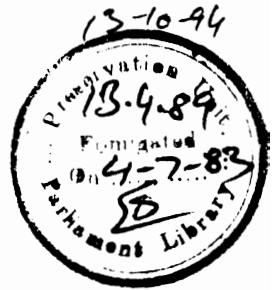
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Volume V, 1936

THIRD SESSION

OF THE

FIFTH LEGISLATIVE ASSEMBLY,
1936



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Legislative Assembly.

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SIR LESLIE HUDSON, KT., M.L.A.

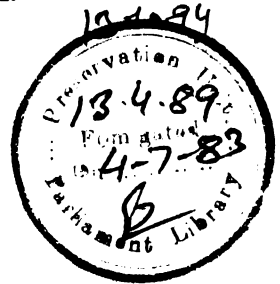
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Assistant of the Secretary :

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MR. B. DAS, M.L.A.

DR. ZIAUDDIN AHMAD, C.I.E. M.L.A

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

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LEGISLATIVE ASSEMBLY.

Wednesday, 8th April, 1936.

SPEECH DELIVERED TO THE COUNCIL OF STATE AND THE LEGISLATIVE ASSEMBLY BY HIS EXCELLENCY THE VICEROY.

His Excellency the Viceroy having arrived in procession with the Presidents of the Council of State and the Legislative Assembly took his seat on the Dais at Eleven of the Clock.

His Excellency the Viceroy: Gentlemen, it is not my intention this morning to give you any detailed account of the work done by Government during the past year. My purpose is as shortly as possible to show you that there has been considerable and satisfactory development and progress in all branches of our administration during the past five years and to give you my hopes for the future of India. But before doing so I must ask you to bear with me for a few moments while I say something of a very personal nature.

I think you may imagine my feelings as I stand before you all this morning on this, the last occasion that I shall have the privilege of addressing Honourable Members of our two Legislatures; for in a few days I shall be giving up my official life amongst you with all its engrossing interest and occupation; I shall be digging up roots which during the past 23 years have grown down very deep, for I have learnt in these years to have a heartfelt and abiding regard and affection for India, her Princes and her people. I shall leave you with feelings of the deepest sorrow and regret, but alas! with the knowledge that the age-limit has been reached and the time has come for my departure.

But there is one incident in my life here which has caused me some distress, and as it refers to a matter connected with the Legislatures, I feel bound to mention it to you before I go. I regret extremely the calculated discourtesy that has been shown me by Honourable Members who represent the Congress Party, when I have come here as His Majesty the King Emperor's representative to address the Assembly or have in that capacity sent Messages to be read to the House. I am sure that this action on the part of Congress Members has met with the disapproval of every loyal citizen of India.

Apart from this, I shall leave you when I go with feelings of the deepest gratitude—gratitude for the many friendships made on sound and sure foundations—gratitude for the trust and confidence you have placed in the sincerity of my desire throughout my life here to work for the highest interest of India—and I profoundly hope that, when I am gone, even those who have most objected to my every administrative action may find in the future that my labours have been for India's good.

Yes, I shall look back on a long life in India with constant memories of all its joys and sorrows, its failures and successes, its work and play, and shall always be grateful to India for having given me this wonderful opportunity of doing what I hope may prove to be useful service for my Sovereign, for India and for the British Empire.

[H. E. the Viceroy.]

Before going on to speak of the situation in India itself, I must say a few words on the state of affairs outside her borders. I am glad to feel that during my term of office the relations between the Government of India and the countries which lie on India's frontiers have been peaceful and friendly. (*Major Nawab Ahmad Nawaz Khan*: "Hear, hear.") If there have been some incidents on the Frontier for the solution of which Military operations have been necessary, I can still claim that progress has been made towards the establishment of more settled conditions in this area. If, as I hope, our present policy of gradual penetration by consent and negotiation is quietly and consistently pursued, I do not doubt that my successors in this high office will find the frontier problem far less troublesome in the future than it has proved in the past.

There is another aspect also of our external affairs, which has been mentioned regularly in almost all my addresses to Honourable Members, namely, the position of Indians overseas. It is a subject which arouses the keenest interest throughout India as touching national self-respect; it is a subject on which all sections of non-official opinion, both inside and outside the Central Legislature, are equally and, if I may say so, rightly sensitive.

It is not my purpose today to recapitulate, in detail, the issues affecting Indian interests that have arisen during my term of office in different parts of the British Commonwealth of Nations, the steps that my Government have taken to protect those interests, or the outcome of those efforts. The spokesmen of my Government in both the Houses have, from time to time, stated what we have striven for and what we have achieved. If success has not always been equal to our expectations, it has not been for want of earnest and strenuous endeavour. And, let me add that the powerful support of the Secretary of State for India has, throughout my five years of office, been unfailingly and wholeheartedly given to our advocacy of the Indian cause. Unanimity between Indian and official opinion has happily been the keynote of this particular chapter of our history. May this always be so. To men of my own civilisation, throughout the Empire, who influence opinion or guide policy I venture to make an earnest appeal. That splendid political organisation, the British Commonwealth of Nations, in which we all take just pride can endure only if all its constituent parts have faith in one another. The measure of the permanence of their mutual association will depend on their mutual contentment. India has the pride of an ancient civilisation. She is, therefore, quick to resent any kind of discrimination against her sons and daughters who have settled in other parts of the Empire. She is confident of a future destiny, no less glorious than her past and, therefore, impatient of delay in the removal of disabilities on Indians where these exist. Equality of status is their due; its progressive realisation is the aim of the Government of India and, if I may say so, an obligation on all statesmen throughout the Empire who desire its solidarity. I am confident that, in the pursuit of their aim, the Government of India will never falter. May those whose obligation it is to ensure its speedy fulfilment be given the vision and the strength to work for prompt and generous fulfilment of their duty.

Here in India itself, among the questions which have given me and, I am sure, all thoughtful men increasing concern is that of the unemployment and distress prevailing among many of our educated young men. Our colleges and schools are turning out in immense numbers men who seek employment, particularly in the professions, and fail to obtain it. The matter has received attention from a considerable number of Committees, but I do not think I am indulging in any invidious comparisons if I say that the report recently published by the Committee which sat under the Chairmanship of Sir Tej Bahadur Sapru carries us nearer than any previous report to the heart of the question.

While opinions will naturally differ regarding the wisdom and the probable effect of the remedies which should be applied, I believe that the main lines along which this great problem must be tackled are becoming increasingly clear. "Demand and supply" is a phrase which brings for many rather unpleasant suggestions, particularly when it is applied in the human sphere. We must resolutely set our faces against any idea that human lives and souls can be regarded as a commodity. But if we are to achieve anything in our assault on this problem, we must begin by facing facts, however unpleasant they are, and we must recognise that we have here a supply of young men for whose services there is no effective demand. No solution therefore can succeed which does not adjust the immense disparity which, as all are agreed, exists at present.

There are two possible methods of adjustment in such a position: we can adjust by attention to the demand and we can adjust by attention to the supply. I believe myself that we should do both, but I should be failing in courage if I did not say that the main emphasis will have to be on the adjustment of supply. No adjustments of which I can conceive will provide all those who are now seeking employment with Government jobs, professional careers or responsible posts in industry. Whatever changes you introduce, even if these changes are of an almost revolutionary character, you will not create a society capable of giving the increasing stream of academically educated men posts of the kind to which, having regard to the sacrifices and efforts they have made, they feel themselves entitled to aspire.

There has been a tendency to look to industrialisation for a solution. I am in full sympathy with those who seek the development of our industries. Here the period of my life that has been spent in India—a fleeting moment in the ages of India's history—has seen a tremendous advance. I hope that the years to come will carry it far further. But do not let us deceive ourselves or our young men with the hope that developments along this line will absorb the present output of our schools and colleges in responsible positions. To anyone who cherishes that hope I suggest that he should try to frame an estimate of the number of men from our colleges who have such posts today. He will then be able to judge of the number of such posts that will be provided by expansion—on any scale he likes to choose—and I believe that he will be surprised at the result.

So I come myself to the conclusion suggested by the Sapru Committee's Report that unemployment has to be tackled at the source. This does not mean that we must abandon the efforts to increase the sphere of employment. Far from it; these efforts must be pursued and

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increased. But efforts to expand the professional and industrial spheres do not touch the source of the evil. That lies in a system which diverts the energy and enthusiasm of the young into channels which, too often, end in the desert. If this growing evil is not to overwhelm them—and us—the educational system will have to be adjusted to bear a much closer relation to the needs of the country. Many still lack the elements of education while others are assisted and encouraged to go on in directions which, as they discover too late, end in disappointment and frustration.

It is fortunate that educationists, who are disturbed by the congestion which is caused in high schools and colleges by the presence of large and evergrowing numbers of pupils and students who are ill-fitted to receive a purely literary form of education, have been thinking and planning along similar lines. The Central Advisory Board of Education has examined this vital matter in some detail and has stressed the importance of dividing up the school course into a number of stages, each with its own clearly defined objective. A strong lead has thus been given, and I earnestly hope that that lead will be followed up by Local Governments with whom the main responsibility for educational reconstruction lies. In the colleges you must demand quality rather than quantity; for in every society, be it as democratic as you like, the progress and welfare of the State depend to a remarkable degree on the few men that are called to leadership, and it is of the utmost importance that these should receive the best training you can give.

This problem of unemployment is probably only part of a larger problem—that presented by the rapid growth of population, and there again my last word must be that in my opinion India is faced with the choice between quality and quantity. Numbers do not make a nation great; and in India you must struggle, not for abundance, but for fulness of human life.

I have said that I fully sympathise with those who seek the development of Indian industries. But India is predominantly and by nature an agricultural country, and I have therefore always been anxious to do everything possible to develop the science of agriculture in this country. To this end the Imperial Council of Agricultural Research has continued to forge ahead with its task of initiating, promoting and co-ordinating research which has for its object the improvement of the efficiency of the cultivator and an increase in his earnings. The value of this central organisation has now been established beyond doubt.

It is a matter of special gratification to me that it has been possible to continue the beneficent work of the Imperial Council of Agricultural Research even during a period of financial depression. The special allotment of thirty lakhs which we have been able to make this year from the Rural Development Fund will enable the Council to go ahead with some important schemes of research which would otherwise have been held up.

During the five years that I have held the high office of Governor General of India the policy which I and my Government have followed in one sphere of our administration has been severely and persistently

criticised. We have been attacked for the policy which we followed to maintain law or order, or, to use an equally well-known and also more suitable phrase, to prevent any grave menace to the peace and tranquillity of India. But when you give your verdict on my stewardship, I would ask you not merely to repeat the catchword of "repression", I would ask you to compare India as it was in 1931 and 1932 and India as it is today. I claim that it is more peaceful, and as a result of greater tranquillity, more prosperous and happy than it has been for many years. Let us look back for a moment, what were the conditions in those black years, 1931 and 1932? In Bengal numerous serious terrorist outrages had created a very difficult and dangerous situation, a situation far worse than on the previous occasions when terrorism had caused the gravest anxiety to us all. I expressed the hope, when I first addressed the Central Legislature in September 1931 and on another occasion a year later when I again had before me a long list of serious terrorist crimes, that all those who had their country's welfare at heart would not let any feeling of sentimental sympathy blind them to the dangers of this movement, but would give their active support to Government in their efforts to counter it. I can claim, I think, that those hopes have been realised and that my plea for support did not fall on deaf ears, for there has been no serious outrage in the last six months, though certain incidents go to show that the movement and the spirit behind it still persist.

There can be no more distasteful task than that of ordering boys and young men to detention in camps and jails, but I can assure Honourable Members that the most scrupulous care is taken by the responsible authorities to ensure that no orders are passed on mere suspicion, but always after the most careful enquiry. No one can regret more than I do the necessity which forces us to continue to deprive a large number of young men of their liberty, but I should have failed in my duty to India if I had agreed to any relaxation of our policy or to any action which would lead to a revival of this sinister movement.

Then again we must look back to those days in 1932 when Congress, after a period of intensive preparation, re-opened the civil disobedience campaign, and I and my Government had to use the full resources of the State in fighting and defeating a movement which would otherwise remain as a perpetual menace to orderly government and individual liberty. We can claim that we have had ever-increasing support from the general public, and it has become generally recognised that sterile methods of negation and obstruction do not conduce to the well-being of India or its constitutional advancement. We can claim also that, as soon as the movement was suspended, we were not slow to relax our measures or to remove the ban on associations which had been declared unlawful. I also took the earliest possible opportunity of giving members of the Congress party an opportunity of entering the Central Legislature. But apart from the black months or black years when terrorism or civil disobedience were rampant, there have been other times of crisis and anxiety. There have been times when communist propaganda and the activities of Moscow trained communists became dangerous, and we have had to take action which has, I think, been effective without being unduly drastic, to prevent the spread of this movement. There have also, to my deep regret, been times when communal disputes have burst out in

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different parts of the country, and during recent months the situation in the Punjab has caused us all grave anxiety. But there has been a marked improvement in the situation during the last few weeks, and I take this opportunity of thanking those leaders who have succeeded in persuading their followers to drop all unconstitutional methods and to strive for the settlement of the dispute by legal and peaceful means. It is my earnest prayer that their efforts will meet with success, and I should rejoice to hear of a final settlement of this dispute by the restoration of complete peace and goodwill in that great Province.

In India's economic history also the past five years have been an eventful period, and it is manifestly impossible for me within the compass of this address to attempt anything in the nature of a comprehensive review. I shall content myself, therefore, with referring to a few of the more important happenings during my time of office.

India, like other countries of the world, has been called upon to face the most severe and most prolonged trade depression of modern times. The strain upon her economic fabric has been great and it is testimony to its inherent strength that she has weathered the storm without recourse to those remedies of despair which have, in so many countries, added to the difficulties of international trade and retarded its recovery.

I would not have you think that I am over-complacent or over-optimistic. It is now generally recognised that so far as the sterling group of countries are concerned, a definite movement towards economic recovery has been in progress for some time past. Hopes have been disappointed in the past, but the present improvement has persisted for a longer period and has, on the whole, shown greater vitality than any of its predecessors. India as a member of the sterling group is sharing in this recovery. Our most recent trade statistics show a welcome and marked increase in our export trade and in our balance of trade in merchandise. The progress may as yet be slow, but accompanied as it is by an improvement in the level of prices, a readjustment of the disequilibrium between agricultural and industrial prices and a marked increase in industrial output, it is such as to justify our confident hope for the future.

Within a few months of my arrival in India I was faced with the unpleasant fact that, despite the measures already undertaken in March 1931, the progress of the public revenues for the year 1931-32 gave increasing evidence of their falling very considerably short of the expenditure. The surcharges imposed in September 1931, together with heavy retrenchments in expenditure ordered in the latter part of the year, sufficed to produce the necessary balance in the budget essential to preserve India's credit. The retrenchment measures then undertaken, including the very considerable reduction in military expenditure, have been substantially maintained.

Since that critical year a budget surplus has emerged and, so far as the public revenues provide an index for the purpose, India has happily seen the worst of the depression. The surplus has been used to redress

the pledge to restore the cut in pay, to provide means for the Provincial Governments to undertake measures of rural development, to give direct relief to certain Local Governments, and to reduce direct taxation. I am glad that it has been found possible to proceed another step in this direction in the last year of my office. But with the inevitably heavy liabilities ahead inherent in the introduction of a new constitution, it has been essential to proceed cautiously in this matter. The Provinces are looking to Central Revenues for relief. We await, not without some apprehensions, the recommendations of Sir Otto Neimeyer to this end. If the future of the Railways could be made more secure—if the necessary element of co-operation in their success were recognised by the Provinces—the Government of India and the Provincial Governments should, I anticipate, be able to face the financial problems ahead with some confidence.

An important contributing feature of the improvement in the position of the public exchequer has been the fall in interest rates. Whatever views may be held of the significance of this matter—and clearly the improved position in regard to law and order has had a marked effect on public confidence—the fact remains that since 1931 the cost of government (including in this term the Provinces, the railways and the central civil budget) has been reduced in this respect by no less than 8½ crores per annum of which 3½ crores represent a drop in our annual foreign obligations. And in view of the public apprehension expressed when the contrary process was taking place, it must be a subject of gratification to some people that whereas the price of 3½ per cent. Government paper was 53 in September 1931, it now stands not far short of par. This improvement in the credit of the holders of Government securities and the prevailing low interest rates are conditions favourable to India's being able to take advantage of any turn of the tide.

The Government itself has managed in recent years to convert its liabilities into comparatively cheap issues of reasonable maturities, it has been able to consolidate a large portion of its former floating debt, it has reduced the proportion of its foreign obligations, while, through the agency of the Reserve Bank, India has greatly strengthened its foreign assets.

When, on the very eve of the introduction of the new constitution, I turn to survey the improvement in the public finances of India during the past five years and the undoubted return of confidence, I experience fewer regrets than I might have done—and indeed, I confess than at times I have done—in the fact that I have had on occasions to use my special powers to achieve some of these results. Many governments in the world must envy the financial position of the Government of India in the year 1936, and although the recent budget clearly did not satisfy all your aspirations—what Budget ever did?—I confidently believe that the future Federal Finance Minister of India will whole-heartedly applaud our determination to maintain the financial stability and credit of this country.

As I address you for the last time my memory is, as I have already told you, full of the experiences of my long stay in India. My thoughts

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run back over the succession of varied events during these years. Yet even more cogent now are those personal sympathies and political principles which impel me to draw aside, if I can, the veil concealing the future; for India stands on the very threshold of a momentous change, and I, though I leave you, shall ever be concerned to know how Fortune deals with you.

“In nature’s infinite book of secrecy,
A little I can read.”

I see just across the threshold self-reliant Provinces, receiving from the Crown great authority, equipped with wide power, each, under the Crown, master in its own house, managing its own affairs, promoting and stimulating its own activities to ends congenial to the tastes, sentiments and condition of its people.

I see the growth of a new political spirit—indeed its stirrings are even now apparent—in whose expanding influence communities will no longer “war within the bosom of a single State”; but men, differing it may be in political interest, will agree in desiring above all the good of their country and the general well-being of their fellows.

I see, but perhaps in a less immediate focus, a Central Government, not the result of a compact of contracting Provinces, but exercising by direct devolution from the Crown full authority for those matters of all-India interest, which are—some of them as necessary for the well-being of India as any provincial matter, and others vital to India in a degree to which no provincial matters can attain;—a Central Government left in no uncertainty of its powers in its field, but possessing a jurisdiction precedent to that of all governments in India and an executive authority protected in the fullest sense against encroachment or challenge;—a government supported by the obligation laid upon Provinces to avoid all impediment or prejudice to the exercise of its executive authority.

I see developing a jurisprudence based more and more firmly on the broadest philosophical conceptions of the nature of law, and reaching out hands to all vivid schools of legal learning throughout the world. For the Federal Court will interpret the constitution under which you will live. It will elucidate the true character of legislative power. It will adjudicate between disputing governments. It will determine the legitimate scope of the various legislative organs in India. In so doing it will itself explore and will open to legal thought in India a new range of juridical ideas and a more intimate search into the bases of public and private rights and liberties.

Other figures too loom upon my gaze, but I would leave you with the general picture of great problems demanding solutions, wide powers of the Crown entrusted to you, onerous responsibilities laid upon you, and a growing spirit and capacity which will enable you to surmount all difficulties.

Fortunate are they who will join with you in realising this inspiring future, and my every good wish attends the distinguished statesman who will so soon assume the burdens of the great office which I, with many grateful memories, shall regretfully lay down. (Cheers.) (Loud and Prolonged Applause.)

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

QUESTIONS AND ANSWERS.

TREATMENT OF INDIANS IN ZANZIBAR.

1477. ***Mr. S. Satyamurti** (on behalf of Mr. T. S. Avinashilingam Chettiar): Will Government state:

- (a) whether they have received any reply from His Majesty's Government regarding the treatment of Indians in Zanzibar;
- (b) if so, what is the reply; and
- (c) what further steps they propose to take in the matter?

Sir Girja Shankar Bajpai: (a) As regards the Clove Growers' Association, I would invite the attention of the Honourable Member to the recent announcement of the Secretary of State for the Colonies that an enquiry will shortly be undertaken to review the position of the Zanzibar clove industry, and, in the light of the experience that has now been gained, to report whether in the permanent economic interests of the territory as a whole any, and if so, what modifications are necessary or desirable in the system of control as it exists. No reply has yet been received to our communication regarding the land and debt legislation which was issued on the 22nd February.

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

Mr. S. Satyamurti: With regard to this enquiry to which my Honourable friend refers in his answer to clause (a) of the question, may I know what are the steps which have been taken, or are proposed to be taken, either to associate the Government of India or to give an opportunity to the Government to present such aspects of the case of the working of the Association before this Committee, as they may feel called upon to do?

Sir Girja Shankar Bajpai: So far as the Indian community of Zanzibar is concerned, no suggestion has yet been received by the Government of India to give it assistance in presenting its case. The Imperial Citizenship Association, however, has suggested that the Government of India might depute somebody from here to assist the Indians to put their case before Mr. Binder who has been appointed to conduct this enquiry. That suggestion is under consideration.

Mr. S. Satyamurti: Are the Government of India in touch with the Indians in Zanzibar in any manner?

Sir Girja Shankar Bajpai: The Indian Association in Zanzibar frequently communicates with the Government of India. Further, as my Honourable friend is aware, Mr. Tyab Ali from Zanzibar is in this country, and he has been in touch with the Government of India.

Mr. S. Satyamurti: Will they take immediate steps to see if the interests of Indians in Zanzibar require any special representation before this Committee on behalf of the Government of India, representing the interests of Indians as a whole in Zanzibar?

Sir Girja Shankar Bajpai: My Honourable friend may rest assured that any assistance which is desired by the Indians in Zanzibar and which the Government of India are in a position to give will be given.

Mr. S. Satyamurti: May I know if this enquiry will be completed before the next season arises?

Sir Girja Shankar Bajpai: My information is that Mr. Binder will be leaving England about the 21st or 22nd of this month, and the idea is that the investigation should be completed well in advance of July, when the next crop comes on the market.

EMPLOYMENT OF CADETS TRAINED ON THE "DUFFERIN".

1478. ***Mr. S. Satyamurti** (on behalf of **Mr. T. S. Avinashilingam Chettiar**): Will Government state:

- (a) with reference to their answer to starred question No. 1164 of this Session whether they have received replies from the shipping companies regarding employment of "Dufferin" trained Indian cadets;
- (b) if so, what is their reply; and
- (c) what further action they propose to take in the matter?

The Honourable Sir Muhammad Zafrullah Khan: (a) Replies from some of the Shipping Companies addressed by Government have been received while those from others are still awaited.

(b) and (c). Generally speaking the replies so far received are sympathetic, but Government cannot state what further action, if any, will be necessary until their examination of the question has been completed.

Mr. S. Satyamurti: May I ask for an elucidation of the word "sympathetic" in the answer to clause (b) of the question, whether these companies have definitely undertaken to provide employment for the cadets going out of the "Dufferin"?

The Honourable Sir Muhammad Zafrullah Khan: The replies indicate that the companies are willing to consider the cases of "Dufferin" cadets whenever suitable vacancies arise. They realise the necessity of encouragement in that direction, in view of the fact that the training in the steamship "Dufferin" would not have been provided unless Government had been satisfied that these companies were going to afford scope for employment to the "Dufferin" cadets.

Mr. S. Satyamurti: How many of these companies have replied, and how many have not replied?

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

Mr. S. Satyamurti: Will Government be good enough to expedite replies from companies which have not yet replied?

The Honourable Sir Muhammad Zafrullah Khan: Yes, Sir.

PLACING OF LAND REVENUE ON A STATUTORY BASIS.

1479. ***Mr. S. Satyamurti** (on behalf of **Mr. T. S. Avinashilingam Chettiar**): Will Government state:

- (a) whether the Montagu-Chelmsford Report had recommended to place land revenue on a statutory basis;
- (b) whether any attempts were made in this direction;
- (c) whether the Madras Government made any proposals in this matter, and whether they dropped them; if so, why; and
- (d) whether they propose to consider the desirability of giving effect to that recommendation?

Sir Girja Shankar Bajpai: (a), (b) and (d). The attention of the Honourable Member is invited to the reply given by me to his starred question No. 1181 asked on the 12th March.

(c) The Madras Government made certain proposals which in the light of further discussions they did not pursue.

Prof. N. G. Ranga: Will Government try to ascertain whether it is a fact that in many of these provinces, where the ryotwari settlement prevails, more than 50 per cent. of the net income from land is being taken as land revenue?

Sir Girja Shankar Bajpai: If my Honourable friend will bring to my notice any districts where this practice prevails, I shall consider the suggestion to make an enquiry.

Prof. N. G. Ranga: In view of the fact that the Taxation Enquiry Committee has suggested that a system, analogous to that prevailing in Australia, imposing only a uniform standard and lower rate of land revenue should be adopted in this country, will Government consider the advisability of calling a Conference of all the Revenue Members of the various provinces with a view to devising means by which such a system can be adopted in this country also?

Sir Girja Shankar Bajpai: My Honourable friend will realise that the Report of the Taxation Enquiry Committee has been in the hands of Local Governments for a long time, and only a few months before Provincial Autonomy is clearly not an appropriate moment for convening a conference to consider so far-reaching a change.

Prof. N. G. Ranga: Are Government aware of the great discontent prevailing in the Punjab against the existing sliding scales of land revenue and that in the United Provinces there are a number of amendments proposed to the land revenue law—and also in the Madras Presidency—against the proposed re-settlement rates?

Sir Girja Shankar Bajpai: It is not possible for me to be in touch with such representations as may have been made in the provinces against impending provincial legislation. I am not in a position to answer that.

Prof. N. G. Ranga: Will Government at least consider the advisability of suggesting to these Provincial Governments that no drastic changes should be made in their land revenue systems resulting in any enhancement of land revenue assessment until the Reforms are inaugurated?

Sir Girja Shankar Bajpai: Since the inception of the reforms, I have not come across a single provision in a Land Revenue Act which has had the effect of increasing the rate of assessment.

Prof. N. G. Ranga: Are Government aware of the fact that in very many districts of the Madras Presidency itself re-settlement had been imposed as a result of which as much as 80 per cent. enhancement was imposed there?

Sir Girja Shankar Bajpai: But my Honourable friend began by saying that the pitch of assessment was 50 per cent. I was attempting to point out that in such of the provinces where legislation has been passed the tendency has been to reduce the limit of the pitch of assessment below 50 per cent.

Prof. N. G. Ranga: What about the Madras Presidency?

Sir Girja Shankar Bajpai: Even in the Madras Presidency, so far as I know, the condition which was laid down was that on re-assessment the increment shall not exceed 18½ per cent.

RESERVATION OF RESIDENTIAL SITES FOR EUROPEANS AT TUAVA.

1480. ***Mr. S. Satyamurti** (on behalf of Mr. T. S. Avinashilingam Chettiar): Will Government state:

- (a) with reference to their answer to starred question No. 1196 of this Session, regarding the recommendation to reserve residential sites for Europeans at Tuava, whether they have received any reply from His Majesty's Government;
- (b) if so, what is the reply; and
- (c) what steps they propose to take in this matter?

Sir Girja Shankar Bajpai: (a) No, Sir.

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

Mr. S. Satyamurti: What is the approximate date on which they addressed His Majesty's Government on this matter?

Sir Girja Shankar Bajpai: The second of March.

Mr. S. Satyamurti: Have they reminded them since?

Sir Girja Shankar Bajpai: We have not sent any reminder yet.

Mr. S. Satyamurti: How long do Government usually wait for an answer from His Majesty's Government in matters of this kind?

Sir Girja Shankar Bajpai: The position here is that segregation has been suggested by a Committee. The Government of India have already made representations to His Majesty's Government that this principle shall not be introduced. There has been no indication either from His Majesty's Government or from any other quarter that any progress has been made towards giving effect to this proposal. In the circumstances we have thought it best to leave the matter with the representation that we have made. If there is any indication suggesting that this proposal is being seriously taken, we shall certainly remind the Colonial Office.

UNEMPLOYMENT PROBLEM.

1481. ***Mr. S. Satyamurti** (on behalf of Mr. T. S. Avinashilingam Chettiar): Will Government state:

- (a) whether they are aware of the great amount of unemployment in this country;
- (b) whether they propose to take any steps to lessen this evil; and
- (c) whether they have considered the Sir Tej Bahadur Committee Report; if so, what are the results of the consideration?

The Honourable Sir Frank Noyce: (a) I am aware of the fairly general educated unemployment: but I am not aware of a great amount of unemployment among workmen.

(b) and (c). I would refer the Honourable Member to the debate on the subject in the Council of State on the 25th March, 1936, and to the speech delivered in this House this morning by His Excellency the Viceroy.

Mr. S. Satyamurti: May I know if that part of the Viceroy's speech in which he refers to restriction of supply of educated men and women in this country, as a means of solving partially the unemployment problem, has the imprimatur of the Government of India?

The Honourable Sir Frank Noyce: I am not prepared to answer that question.

Mr. S. Satyamurti: May I know why?

The Honourable Sir Frank Noyce: The Viceroy is the head of Government of India.

Mr. S. Satyamurti: I am simply asking if it is his own personal opinion: I am not criticising it, nor do I want to, if it is so. I am asking whether, in expressing that opinion, which I consider very dangerous, that we should partially meet this unemployment by restricting the supply of educated men and women, he is speaking in his own personal capacity, or as representing the Government of India.

The Honourable Sir Frank Noyce: I must decline to answer that question.

Mr. S. Satyamurti: What is the opinion of the Government of India on that matter?

The Honourable Sir Frank Noyce: I have nothing to add to the reply I have already given.

Mr. S. Satyamurti: Are Government taking any steps to restrict the supply of educated men and women from the universities?

The Honourable Sir Frank Noyce: I would suggest to my Honourable friend to put down a question on the subject.

Mr. S. Satyamurti: I want your help in the matter, Sir: yesterday, my Honourable friend, the Education Secretary, said that the Government are not considering any question of restricting the supply of graduates or educated persons: this morning, the head of the Government says they are dealing with the problem of unemployment by restricting the supply of educated men and women: I want to know which is true . . .

Mr. President (The Honourable Sir Abdur Rahim): Has the Honourable Member read the speech?

Mr. S. Satyamurti: I have.

Mr. President (The Honourable Sir Abdur Rahim): It is necessary to put down a question.

COLLECTION OF STATISTICS FOR UNEMPLOYMENT.

1482. ***Mr. S. Satyamurti** (on behalf of Mr. T. S. Avinashilingam Chettiar): Will Government state:

- (a) in view of their answer to starred question No. 1184 of this Session, whether they propose to try to create a machinery to take statistics for unemployment; and
- (b) whether they propose to make an attempt to collect statistics of unemployed graduates, having in view the fact that this can be done easily through the Universities?

The Honourable Sir Frank Noyce: (a) No.

(b) Government are prepared to refer this matter to the Central Advisory Board of Education though I am not prepared to endorse the Honourable Member's view that the collection of statistics by the Universities will be an easy matter.

Mr. S. Satyamurti: May I know the reasons for the negative answer to clause (a) of the question?

The Honourable Sir Frank Noyce: I have explained that on several occasions in this House in the course of the Session, and I have nothing to add to the replies I have given.

Mr. S. Satyamurti: Have Government considered that, for the efficient administration of this country, such statistics will be of great help, in order to enable them to take such steps as they may consider feasible and necessary from time to time in dealing with a problem, which goes to the very root of any administration in any country?

The Honourable Sir Frank Noyce: The statistics may be useful, and undoubtedly would be useful for various purposes; but I have explained on several occasions the reason why it is impossible to collect them.

Mr. S. Satyamurti: With reference to the answer to clause (b), may I request my Honourable friend to be good enough to address the universities in this matter, as to whether they are prepared to give any help in the direction of collecting statistics with regard to existing unemployment amongst graduates of universities?

The Honourable Sir Frank Noyce: I have stated that we propose to refer this matter to the Central Advisory Board of Education which will doubtless take such action as appears to it suitable.

EVICITION OF NATTUKOTAI CHETTIARS FROM LANDS IN MINBU DISTRICT
IN BURMA.

1488. ***Mr. S. Satyamurti** (on behalf of Mr. T. S. Avinashilingam Chettiar): Will Government state:

- (a) with regard to the eviction of Nattukotai Chettiars from lands in Minbu District in Burma, whether they have received any reply from the Government of Burma;
- (b) if so, what is the reply; and
- (c) what action they propose to take in the matter?

Sir Girja Shankar Bajpai: (a) No.

(b) Does not arise.

(c) I would refer the Honourable Member to the concluding part of my answer to parts (b) to (d) of Mr. Ananthasayanam Ayyangar's question No. 1142, on the 12th March, 1936.

Mr. S. Satyamurti: When was this letter sent to the Burma Government?

Sir Girja Shankar Bajpai: On the 29th of February, Sir.

Mr. S. Satyamurti: Have the Government of India sent any reminder since then?

Sir Girja Shankar Bajpai: No; we have not sent a reminder; we impressed upon the Government of Burma the desirability of communicating their views to us as soon as possible.

Mr. S. Satyamurti: Will Government try and remind them, in view of the fact that if the allegations made by the community concerned are correct—I am saying nothing about it, it may or may not be so—that this is a case of injustice—will Government impress on the Government of Burma to reply to the matter as early as possible?

Sir Girja Shankar Bajpai: As my Honourable friend probably remembers, the time given to the Chettiars in Burma for disposing of these lands is to end in June 1937. It was for that reason that we thought that it was not necessary to hustle the Government of Burma. Further, as my Honourable friend is aware, the representative of the Chettiars came

here and we all impressed upon him the desirability of trying to settle the matter amicably with the Government of Burma. These, in my opinion, I submit, are considerations which justify our leaving a certain amount of latitude to the Government of Burma.

TREATMENT OF IMPERFECT SIGHT BY NATURAL METHODS.

1484. ***Pandit Sri Krishna Dutta Paliwal:** (a) Are Government aware that Dr. R. S. Agarwal, L.S.M.F., an eye specialist, is running an Eye-Institute in Daryaganj, and a free eye clinic in Chandni Chowk, Delhi, the special feature of which is to treat the cases of imperfect sight by natural methods, and that numerous patients, notably Sir Mohan Shumshere Jung Bahadur Rana, K.C.I.E., Senior Commanding General of Nepal, His Highness the Maharaja of Alwar, Mr. B. L. Rastogi, ex-M.L.A., Mr. Sachchidananda Sinha, Barrister-at-Law, have been remarkably benefited by it and have spoken highly about Dr. Agarwal's system of treatment?

(b) Are Government aware that Dr. Agarwal's simple scheme to prevent myopia among students has been a grand success, and that Dr. Agarwal has demonstrated that simple scheme in different institutions of India? If not, are Government prepared to ascertain?

(c) Are Government aware that out of seven blind patients with one or both eyes, six have been cured simply by eye exercises, one being cured in two hours, another in ten days and the rest took about one to three-months?

(d) Are Government aware that Dr. W. H. Bates, M.D., of New York is the discoverer of the system which Dr. Agarwal is following?

(e) Do Government intend to start some clinic or school at Delhi for the treatment of imperfect sight by natural methods and for imparting training in that system?

Sir Girja Shankar Bajpai: (a) to (d) Government have no information.

(e) No.

†1485.*

THROUGH BOOKING ARRANGEMENTS FROM LAHORE AND DELHI TO SRINAGAR.

1486. ***Mr. K. L. Gauba:** Will Government be pleased to state:

- (a) whether the through booking arrangements from Lahore and Delhi to Srinagar *via* Rawalpindi and Jammu Tawi introduced last year will be continued this year; if so, what arrangements have been made for the current year?
- (b) If it is a fact that last year, the two routes were operated by two out-agents, one of whom was concerned with the Rawalpindi-Srinagar service and the other with the Jammu-Srinagar service?
- (c) Whether both routes this year are going to be given to the one out-agent who was served last season with a notice of the termination of his contract on the ground of unsatisfactory work; if so, why; and

†This question will be answered on the 9th April, 1936.

- (d) whether the reason ascribed for the proposed change is administrative convenience of having one agent on the two routes, and if so, what assurances have been taken for the satisfactory conduct of the services to the public by the proposed out-agent, and whether last year the Railway had to serve a notice of discontinuance of his contract?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes, the arrangements for this year are very similar to those for the last year.

(b) Yes.

(c) Yes. The Agent, North Western Railway, states that the notice of termination of the contract was given through an error and was subsequently withdrawn.

(d) Yes, both administrative and public convenience. The usual assurances for the satisfactory conduct of the services are embodied in the agreement with the out-agent. The concluding part of the Honourable Member's question has been dealt with in my reply to part (c).

APPOINTMENT OF AN INDIAN MEMBER IN THE RAILWAY BOARD.

1487. ***Pandit Nilakantha Das:** (a) Will Government please state if any vacancy is going to occur in the personnel of the Railway Board?

(b) If so, do Government propose to appoint an Indian in that vacancy? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: (a) Mr. Tylden-Pattenson is proceeding on six months leave, and a temporary vacancy will occur.

(b) No; in filling such a vacancy the most suitable candidate irrespective of nationality must be selected, and Mr. Highet, the senior State Railway Agent, who was for many years Director of Establishment, Railway Board, is replacing Mr. Tylden-Pattenson.

PROPOSED ABOLITION OF THE INCOME-TAX OFFICE AT HAZARIBAGH.

1488. ***Mr. Ram Narayan Singh:** (a) Are Government aware of the fact that great indignation (as evidenced by the telegram supplied to the Department concerned) is prevailing in the whole of the Hazaribagh District on account of the proposed abolition of the income-tax office at Hazaribagh and its removal partly to Purulia and partly to Deoghar?

(b) Are Government aware that this proposal, if given effect to, will put the income-tax payees of the district of Hazaribagh to a lot of trouble of all sorts, owing to the great distances of Purulia and Deoghar from Hazaribagh and also owing to its out of the way situation?

(c) Are Government prepared to reconsider the question and to leave the office at Hazaribagh, as it is today?

Mr. A. H. Lloyd: (a) Government have received protests against the proposal referred to in this part of the question.

(b) In the opinion of Government no inconvenience will be caused by the change to residents in the Giridih Sub-Division, most places in which are as near to Deoghar as to Hazaribagh if not nearer. Government realise that it will not be as convenient to most residents of the remainder of the Hazaribagh District to deal with an Income-tax Officer stationed at Purulia as to deal with one stationed at Hazaribagh. They have still under consideration the question of selecting Ranchi instead of Purulia as the headquarters of the new charge comprising Southern Hazaribagh and Manbhūm. Moreover, inconvenience will be reduced to a minimum owing to the standing orders under which Income-tax Officers have, as far as possible, to conduct their business while on tour in the various places in their charge.

(c) Government are not prepared to reconsider the arrangement under which Southern Hazaribagh will be grouped with Manbhūm but, as already stated, have not yet finally decided what is to be the headquarters of this combined charge.

Mr. Ram Narayan Singh: May I know, Sir, for whose benefit will this change take place?

Mr. A. H. Lloyd: To the benefit of Government.

Mr. Ram Narayan Singh: Do they consider also the conveniences of the income-tax payers when they establish an income-tax office at any place and when the office is shifted from one place to another?

Mr. A. H. Lloyd: The interests of the income-tax payers were considered most carefully, Sir. The scheme for re-arranging the charges in Bihar and Orissa was worked out by myself during last year on two visits to Bihar,—naturally, working in consultation with the Commissioner. The re-distribution of charges was made necessary by two facts. In the first place we had received emphatic protests in this House and elsewhere which we felt were deserving of acceptance regarding certain other parts of the previous arrangements and secondly we had to deal with the addition of certain territory to Orissa as a result of the formation of the new Province. In order to study the interests of economy, it was necessary to make an arrangement which in some cases involved the doubling up of parts of two districts in a single Income-tax Officer's charge. The fact that some inconvenience might result to some individuals was always present to our minds, but we were unable, unless we were to increase unduly the number of the staff, to meet those objections in all cases. This is a case in which we were unable to meet the objections. I may, however, Sir, with your permission, quote one sentence from a letter I have received within the last few days from the Bihar and Orissa Chamber of Commerce, which has had to look upon the re-arrangement as a whole scheme, and not concentrate on one particular item, though the letter refers in particular to the change from Purulia to Ranchi which I have mentioned in my answer. It says:

"This Chamber feels very grateful to you for the very sympathetic and masterly fashion in which you have been dealing with our complaints."

Mr. Ram Narayan Singh: May I know, Sir, whether the office at Ranchi will be a new one?

Mr. A. H. Lloyd: Sir, there has not been before a combined Income-tax office for the southern part of Hazaribagh and Manbhum. Obviously, therefore, the office will be a new one.

Mr. Ram Narayan Singh: Will the Honourable Member explain when the Income-tax office is transferred to Ranchi, how the Government are going to be benefited?

Mr. A. H. Lloyd: I submit, Sir, I have already answered this question fully in a very long reply to a supplementary question.

RULES GOVERNING THE ISSUE OR REFUSAL OF PASSPORTS TO PERSONS TRAVELLING ABROAD.

1489. ***Mr. T. S. Avinashlingam Chettiar:** (a) Will Government state what are the principles guiding the issue or refusal of passports to persons travelling abroad?

(b) Will Government lay a copy of the rules on the table of the House?

(c) How many persons were refused passports in the course of the year and what are their names?

(d) On what particular grounds were they refused passports?

The Honourable Sir Henry Craik: (a) The interests of the State and the character, antecedents and financial circumstances of the applicant are taken into consideration.

(b) No.

(c) I shall be laying on the table shortly, in answer to Mr. Saksena's question No. 821, a statement which will give the Honourable Member the information he requires.

(d) The compilation of this information in every case would involve a good deal of labour which I am not prepared to undertake. I am willing, however, to consider whether I can furnish the information in any particular case if the Honourable Member so desires.

Mr. S. Satyamurti: With reference to the answer to clause (b), may I understand the Honourable Member to say that there are no rules, or do the Government refuse to lay a copy of the rules on the table of the House?

The Honourable Sir Henry Craik: The latter.

Mr. S. Satyamurti: There are rules, therefore.

The Honourable Sir Henry Craik: Yes.

Mr. S. Satyamurti: Then, may I know whether those rules are of uniform application to all cases, or whether they give any discretion to the authority granting or refusing passports?

The Honourable Sir Henry Craik: Whether they give any discretion? Yes, they do.

Mr. S. Satyamurti: May I know whether that discretion is governed only by those considerations which the Honourable the Home Member mentioned, namely, the interests of the State, the character, the financial circumstances of the person wanting the passport, or is there any other consideration?

The Honourable Sir Henry Craik: I should say broadly those cover all cases.

Mr. S. Satyamurti: May I know, Sir, what is meant by the phrase 'interests of the State',—which State and what interests?

The Honourable Sir Henry Craik: This State.

Mr. S. Satyamurti: Is it the Government of India?

The Honourable Sir Henry Craik: The State.

Mr. S. Satyamurti: May I know if the Honourable Member means the Government of India?

The Honourable Sir Henry Craik: No, the State.

Mr. S. Satyamurti: May I know what are the interests of the State, which the Honourable the Home Member means, when he says in agreeing or not agreeing to give passports have to be taken into consideration? I want some elucidation. Sir.

The Honourable Sir Henry Craik: The State I refer to is British India.

Mr. S. Satyamurti: May I know, Sir, what are the tests by which the going out of this country of a man is likely to affect the interests of the State adversely?

The Honourable Sir Henry Craik: That is for the authority vested with discretion to grant passports to decide.

Mr. S. Satyamurti: May I know then that passports are refused only to those whose presence the authority granting passports considers very desirable in this country, and therefore, they ought to be retained here?

The Honourable Sir Henry Craik: Yes, Sir.

PRINCIPLES GOVERNING THE REFUSAL OF PASSPORTS TO ENTER INDIA.

1490. ***Mr. T. S. Avinashilingam Chettiar:** Will Government state:

- (a) what are the principles governing the refusal of passports to enter India;
- (b) in the course of last year how many Indians were refused permission to come back to their country;

(c) what are their names and for what reasons were they refused permission; and

(d) whether any Britishers were refused permission to enter India, if so, their names and number and the reasons for doing so?

The Honourable Sir Henry Craik: (a) I would refer the Honourable Member to the reply to part (a) of the question which I have just answered.

(b) and (c). Only two British Indian subjects were refused facilities last year to return to India. They are the persons mentioned in the reply given by me on the 13th September last, to Mr. Paliwal's question No. 370. I have nothing further to add to what I said on that occasion.

(d) His Majesty's Consular Officers abroad are competent to refuse facilities for entry into India without reference to the Government of India. I am not, therefore, in a position to furnish the Honourable Member with the information he requires, but I am aware that passports were refused for entry into India to a Mr. Davis and a Miss Paynter on consideration of their financial circumstances in each case.

Mr. S. Satyamurti: In the case of Mr. Subhash Chandra Bose, has his passport been refused to come back to India, or has he been allowed to come back to India and then arrested?

The Honourable Sir Henry Craik: Yes, the latter.

Mr. S. Satyamurti: Do I understand the Honourable Member to say that Mr. Bose has got a passport enabling him to return to India?

The Honourable Sir Henry Craik: I understand, that he has.

Mr. S. Satyamurti: And he has been arrested this morning?

The Honourable Sir Henry Craik: Yes.

Mr. S. Satyamurti: Under what law?

The Honourable Sir Henry Craik: Under Regulation III of 1818.

Mr. S. Satyamurti: What are the reasons, Sir?

The Honourable Sir Henry Craik: That does not arise out of this question, Sir.

Mr. S. Satyamurti: The question of arrest does arise!

HUNGER-STRIKE BY CERTAIN PRISONERS OF THE DOGRA SHOOTING CASE, AJMER.

1491. ***Pandit Sri Krishna Dutta Paliwal:** (a) Is it a fact that Messrs. Ram Singh, Mangilal and others of the Dogra shooting case, Ajmer, are on hunger-strike?

(b) If so, will Government please state the names of those prisoners, who are on hunger-strike and the dates on which each of them gave up his food?

(c) What are the reasons for their hunger-strike?

(d) Is it a fact that they are being forcibly fed?

(e) What is the present state of their health?

(f) Is it a fact that the condition of some of them is precarious?

(g) What was their weight when they were first admitted to jail, and what is it now?

(h) Do Government intend to remove their grievances?

The Honourable Sir Henry Craik: (a) and (b). There are only two prisoners in the case, namely, Ram Singh and Mangilal. They are not on hunger-strike at present. The former went on hunger-strike on the 30th December, 1985, and remained on strike for four days. The latter was on hunger-strike for four days from the 16th January, 1986.

(c) Their non-classification as 'B' class prisoners.

(d) Only Mangilal was forcibly fed on the 4th day.

(e) Their health is at present fair, but they have lost weight due mainly to their insistence on a liquid diet and fruit only and no solid food.

(f) No. On the contrary they are all taking exercise daily, have books to read, and perform their allotted task.

(g) Ram Singh's weight on admission was 131 lbs. and on 21st March, it was 110 lbs. Mangilal's weight on admission was 161 lbs. and on the 21st March, it was 114 lbs.

(h) It is not intended to alter the trying Magistrate's classification of these prisoners as 'C' class; but as a special case reading facilities have been provided for them in the jail.

Prof. N. G. Ranga: What are the grievances for the redress of which these people have gone on hunger-strike?

The Honourable Sir Henry Craik: I have answered that. I have said that their grievance was their non-classification as "B" class prisoners?

Prof. N. G. Ranga: Have they been classified as "B" class prisoners?

The Honourable Sir Henry Craik: No.

Prof. N. G. Ranga: Why not?

The Honourable Sir Henry Craik: Because they are not entitled to it.

Mr. S. Satyamurti: Are Government considering the whole question of classification of prisoners to classify all political prisoners as special class prisoners?

The Honourable Sir Henry Craik: That does not arise out of any answers I have given.

Mr. S. Satyamurti: Yes, Sir; it does.

The Honourable Sir Henry Craik: No, Sir; it does not.

Mr. S. Satyamurti: It is for you to decide, Sir; it is not for the Honourable the Home Member to say that. The question is, what are the reasons for their hunger-strike, and the reason given by the Honourable the Home Member is that they are dissatisfied with their classification. I am asking whether, as a means of satisfying their grievances, the Government are considering the question of giving a special class to all political prisoners.

Mr. President (The Honourable Sir Abdur Rahim): The Chair thought the Honourable the Home Member said that they were not considering the question of any reclassification.

Mr. S. Satyamurti: I am asking why they are not considering the question.

Mr. President (The Honourable Sir Abdur Rahim): It does not arise out of this.

Mr. S. Satyamurti: It does arise, Sir.

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

The Honourable Sir Henry Craik: These persons are not political prisoners; they are murderers.

Prof. N. G. Ranga: Whether they were convicted for murderous attacks or not, my point is, is it or is it not a fact that they are still considered according to the jail regulations as convicts?

The Honourable Sir Henry Craik: Certainly.

Prof. N. G. Ranga: Are they not convicts?

The Honourable Sir Henry Craik: They are not political prisoners; they are would-be murderers.

Prof. N. G. Ranga: Who are political prisoners and who are not?

The Honourable Sir James Grigg: Who indeed?

Prof. N. G. Ranga: We will make you one one of these days.

ENACTMENT OF A SPECIAL RURAL INSOLVENCY ACT.

1492. ***Prof. N. G. Ranga:** (a) Are Government aware of the recommendation of the Royal Commission on Agriculture and the Central Banking Enquiry Committee that a special Rural Insolvency Act should be promulgated?

(b) If so, is no such legislation sought to be passed? If not, why not?

(c) Will Government state when and what action they propose to take to implement that recommendation?

Sir Girja Shankar Bajpai: (a) The recommendation was to the effect that the case for a simple rural Insolvency Act should be carefully considered in all provinces.

(b) and (c). The recommendation was referred to Local Governments and the action taken by them is indicated in the reports showing the progress made in giving effect to the recommendations of the Royal Commission on Agriculture, copies of which are available in the Library of this House. In addition legislation for the relief of indebtedness has been undertaken in various Provinces and certain provisions have been made which directly affect rural insolvency.

Prof. N. G. Ranga: Is it not a fact, Sir, that this Rural Insolvency Act is an enactment of the Central Government, and that the Royal Commission on Agriculture, and the Central Banking Inquiry Committee have definitely recommended that it is for the Central Government to pass this particular legislation?

Sir Girja Shankar Bajpai: I am not aware that the recommendation was that the Government of India should take action either in advance of, or in direct opposition to, the views of the Local Governments.

Prof. N. G. Ranga: In view of the fact that neither of these Commissions has stated that the Provincial Governments should undertake this particular legislation, but they have made it clear that an all-India legislation should be undertaken by the Government of India, would Government be pleased to consider the advisability of undertaking that legislation at least now, or will they consider the necessity of doing so?

Sir Girja Shankar Bajpai: I have already informed the House that the Government of India, after considering the recommendation of the Royal Commission, decided to refer this matter to the Provinces. The Provinces have considered the matter, and their views will be found in the reports to which I have referred my Honourable friend. I submit that he should look at these reports, and then, after that, we can have a discussion on the subject.

Prof. N. G. Ranga: In view of the fact that not one Provincial Government so far has undertaken this legislation,—and I have got that information from the reports referred to by the Honourable Member,—will Government consider the advisability of addressing again the Provincial Governments and also examining the possibility of undertaking this legislation by themselves?

Sir Girja Shankar Bajpai: All that I need say is that the Local Governments which have not taken action have given good reason for not taking any action, and it is not necessary for the Government of India to address them again.

Dr. Ziauddin Ahmad: Are the Government of India satisfied with the reasons given by the Local Governments for not taking action?

Sir Girja Shankar Bajpai: In a matter of this kind, I think the wishes of the Local Governments ought to prevail.

Qazi Muhammad Ahmad Kazmi: So far as I understand, the Honourable Member said that in these matters the views of Provincial Governments must prevail. Can they prevail without any consideration by the Government of India?

Sir Girja Shankar Bajpai: My Honourable friend is not justified in assuming that the Government of India have not considered the views of the Local Governments.

Qazi Muhammad Ahmad Kazmi: Can the Honourable Member give a summary of those reasons which the Local Governments have given for not undertaking legislation of any kind?

Sir Girja Shankar Bajpai: May I request my Honourable friend to read for himself the reasons of the Local Governments which will be found in the reports to which I have referred?

Mr. S. Satyamurti: Will Government consider addressing the Local Governments again, in view of the significant fact, that the Chairman of this Commission will soon be amidst us?

Sir Girja Shankar Bajpai: I have no doubt that, if His Excellency the Chairman of the Commission thinks it desirable to address Local Governments again, he will give instructions to that effect.

Prof. N. G. Ranga: Will Government state the name of any particular Government which has passed or attempted to pass this particular legislation?

Sir Girja Shankar Bajpai: It may not have passed a particular Act to amend this particular piece of legislation, but I can give my Honourable friend the names of two Acts in which this question of rural insolvency has been tackled—the United Provinces Encumbered Estates Act, 1934, my Honourable friend may refer to section 48 of that Act, and the Bengal Agricultural Debtors Act, 1935, sections 22 and 24 of that Act are relevant.

Qazi Muhammad Ahmad Kazmi: Is the Honourable Member aware that the United Provinces Encumbered Estates Act does not apply to peasants?

Sir Girja Shankar Bajpai: I have satisfied myself that the section to which I have referred does refer to the question of rural insolvency.

Prof. N. G. Ranga: I have satisfied myself that the sections referred to by the Honourable Member are simply consequential sections following the other sections of the Acts passed there by the Local Governments. Will Government consider the advisability,—this is a very reasonable suggestion—of again referring this matter to the Local Governments and examining this question again?

Sir Girja Shankar Bajpai: I have already stated the views of the Government on that point.

Mr. M. S. Aney: Did the Government of India, as a matter of fact, consider the suggestions or recommendations which had been made by the Provincial Governments? And have they come to any conclusion; and, if so, can they produce that conclusion before the House?

Sir Girja Shankar Bajpai: I have already informed the House that each Local Government considered the matter and stated its views. The Government, on an examination of those views.

Mr. M. S. Aney: agreed with them?

Sir Girja Shankar Bajpai: Yes.

Mr. M. S. Aney: That is all right.

AMENDMENT OF THE USURIOUS LOANS ACT.

1493 ***Prof. N. G. Ranga:** (a) Are Government aware of the recommendation made by the Royal Commission on Agriculture and the Central Banking Enquiry Committee to so amend the Usurious Loans Act as to specify the maximum rate of interest and thus protect the debtors from *Sahukara*?

(b) If so, why have Government so far failed to get any suitable legislation passed?

(c) Are Government aware of the fact that the Royal Commission on Agriculture and the Central Banking Enquiry Committee have suggested that All-India legislation should be undertaken to oblige the money-lenders to register themselves and regulate money-lending?

(d) If so, have only one or two Provincial Governments thought of such regulation?

(e) Are Government aware that the need for such regulation has grown enormously more insistent since those Commissions made their recommendation?

(f) Will Government state why they have failed to undertake such legislation?

(g) When do they propose to bring forward suitable legislative proposals before the Assembly?

The Honourable Sir Henry Craik: (a) and (b). The Honourable Member's statement is not correct. I cannot find that the Royal Commission on Agriculture in India made a specific recommendation that the Usurious Loans Act should be amended so as to fix the maximum rate of interest. The Indian Central Banking Enquiry Committee said "We are unable to agree with the suggestion to amend the Act so as to fix a definite statutory limit to the rate of interest".

The Government of India after very thorough consultation and consideration decided, for reasons indicated in the answer given on the 19th July, 1934, to starred question No. 143 asked by Sir Muhammad Yakub that legislation on this subject must be primarily provincial. As regards provincial legislation already undertaken or proposed on the subject, I refer the Honourable Member to that answer and to the answer given by

the Honourable the Law Member on the 6th February, 1935, to his starred question No. 58. Most of the Bills mentioned in the latter answer have since passed into law.

(e) Here again the Honourable Member's statement is incorrect. Neither the Royal Commission on Agriculture nor the Banking Enquiry Committee suggested all-India legislation for enforcing registration of money-lenders and for regulating money-lending. On the contrary their recommendations were for provincial legislation. And the Banking Enquiry Committee was not in favour of a system of licensing money-lenders, either compulsory or voluntary.

(d) Some of the Local Governments have already undertaken legislation on the lines of the Punjab Regulation of Accounts Act, 1930, and a Bill for the registration of money-lenders has been introduced in the Central Provinces Legislative Council.

(e) The question whether economic conditions which have developed since the Commission and Committee made their recommendations have increased the need for legislation is no doubt one which the provinces have considered and are considering.

(f) and (g). The Honourable Member is referred to the answer given to parts (a) and (b).

Prof. N. G. Ranga: Have the Provincial Governments been addressed by the Central Government about the advisability of undertaking an amending legislation to the Usurious Loans Act?

The Honourable Sir Henry Crank: Most of them have already done so.

Prof. N. G. Ranga: As for the other Provincial Governments which have not taken any action at all in regard to this, will Government consider the advisability, even at this late hour, of addressing them on the question of their undertaking this amending legislation?

The Honourable Sir Henry Crank: I do not see that there is any necessity to address the Local Governments. They are aware of the problem; they have either considered it or are considering it.

Dr. Ziauddin Ahmad: Are Government aware that the total amount of debt which the agriculturists pay to their creditors every year is about two and a half times the revenue of the Government of India?

The Honourable Sir Henry Crank: I have seen a calculation to that effect.

Dr. Ziauddin Ahmad: If you make the calculation, you will find that that is correct, namely, about 2½ times the revenue of the Government of India.

The Honourable Sir James Grigg: That means an average rate of 20 per cent.

Dr. Ziauddin Ahmad: And that is the rate which the agriculturists pay to the creditors, in spite of the fact that the Government rate of interest is only three per cent. Is it or is it not, then, the duty of the Government of India to take some interest in the prosperity of the agriculturists who form 75 per cent. of the population?

The Honourable Sir Henry Craik: As I have said, after a most thorough consultation and consideration, the Government of India decided that legislation on this subject must be primarily provincial, and I think the majority of the Local Governments have undertaken, and a great many of them have passed, legislation in the sense desired.

Dr. Ziauddin Ahmad: It means that the Government of India have no interest in the prosperity of the agriculturist?

The Honourable Sir Henry Craik: It means nothing of the kind. That is an entirely unjustifiable inference. It is reading into my answer a great deal more than I have stated.

Qazi Muhammad Ahmad Kazmi: May I know what are those provincial Governments which have refused to have any legislation of the kind?

The Honourable Sir Henry Craik: I must have notice.

Mr. S. Satyamurti: I object to the Honourable Member giving his answer, sitting. We do not hear a word, even when he gets up.

Qazi Muhammad Ahmad Kazmi: He is supposed to have answered, though I have not heard him.

Mr. President (The Honourable Sir Abdur Rahim): The Chair does not think the Honourable Member has answered. What is the answer?

The Honourable Sir Henry Craik: What was the question?

Qazi Muhammad Ahmad Kazmi: Will the Honourable Member please let us know the names of those Provincial Governments which have refused to have any legislation of the kind regarding tenants in their provinces?

The Honourable Sir Henry Craik: So far as I know, none of them have refused. They have either considered or are considering. If the Honourable Member will put down a question, I will give a detailed reply.

Qazi Muhammad Ahmad Kazmi: In answer to a previous question, I was informed that certain Provincial Governments have given reasons for not legislating on this matter and the Government of India are satisfied with those reasons. That presumes that certain Local Governments are not intending to have any legislation to that effect in their provinces.

Sir Girja Shankar Bajpai: I may point out that the questions relate to two different matters altogether. One is the amendment of the Usurious Loans Act. That is the question which the Honourable the Home Member has answered. I answered the question about the Rural Insolvency Act.

Sir Cowasji Jehangir: May I ask the Honourable the Home Member whether he will consider not having questions and answers after Lunch at any time?

The Honourable Sir Henry Orsk: I will gladly consider that.

INDIAN MEMBERS OF THE INDIAN MEDICAL SERVICE.

1494. ***Sardar Sant Singh:** (a) Will Government please lay on the table a list of the members of the Indian Medical Service serving on the District staff? How many of them are Indians and how many Europeans?

(b) How many of the Indian members of the Indian Medical Service are on the command staff or in the Army Headquarters?

(c) Is there any Indian member of the Indian Medical Service in any responsible administrative post, such as Assistant Director of Medical Service, or Deputy Director, Medical Service? If not, why not?

(d) How long has it been since no Indian member of this service was ever placed in any responsible administrative post?

(e) Do Government propose to place the Indian members on such posts? If so, when?

Mr. G. B. F. Tottenham: (a) I lay a statement on the table. There are five Indian and ten European officers on staffs of military districts.

(b) None.

(c), (d) and (e). At present no Deputy or Assistant Director of Medical Services is an Indian, but these appointments have been held by Indian officers in the past and will no doubt be so held in future. I would refer the Honourable Member to the list I laid on the table on the 18th September, 1935, in reply to Dr. Rajan's starred question No. 470.

List of I. M. S. Officers Serving on the District Staff.

Peshawar District.

1. A. D. M. S.—Col. I. M. Macrae, C.I.E., O.B.E.
2. D. A. D. P.—Lt.-Col. A. C. Craighhead.

Kohat District.

3. A. D. M. S.—Col. W. J. Powell, C.I.E.
4. D. A. D. P.—Captain T. B. Pahlajani.

Rawalpindi District.

5. A. D. M. S.—Col. A. A. McNeight, V.H.S.

Lahore District.

6. D. A. D. H.—Major K. M. Bharucha.

Waziristan District.

7. D. A. D. P.—Captain S. S. Bhatnagar.

Baluchistan District.

8. D. A. D. H.—Captain V. E. M. Lee.

Meerut District.

9. A. D. M. S.—Col. W. H. Hamilton, C.I.E., C.B.E., D.S.O.
10. D. A. D. H.—Lt.-Col. J. C. Chukerbuti.

Lucknow District.

11. A. D. M. S.—Bt.-Col. F. F. S. Smith.
12. D. A. D. P.—Major J. S. Riddle.

Presidency and Assam District.

13. D. A. D. P.—Major J. W. F. *Albuquerque.*

Bombay District.

14. A. D. M. S.—Col. S. G. S. Haughton, C.I.E., O.B.E.

Madras District.

15. A. D. M. S.—Col. D. C. V. FitzGerald, M.C.

Sardar Sant Singh: May I know if it is a fact that the Punjab Government have appointed one I.M.S. man to the hospital at Amritsar?

Mr. G. R. F. Tottenham: That does not arise out of this question. This question refers to the military side.

Sardar Sant Singh: Have Government given permission to an additional I. M. S. man to serve under the Punjab Government?

Mr. G. R. F. Tottenham: A large number of I. M. S. men are posted to the provinces.

Sardar Sant Singh: Is there any special provision by which they are not to be employed on the district staff in more than a fixed number?

Mr. G. R. F. Tottenham: I am not aware of any special provision of that kind.

RELIGIOUS HOLIDAYS OBSERVED IN THE INDIAN MILITARY ACADEMY.

1495. ***Sardar Sant Singh:** (a) Will Government be pleased to state if any religious holidays are observed in the Indian Military Academy, Dehra Dun? If so, which?

(b) Does the Indian Military Academy observe the holidays which are declared as public holidays under the Negotiable Instrument Act for Dehra Dun?

Mr. G. R. F. Tottenham: (a) and (b). No religious holidays are observed at the Indian Military Academy, Dehra Dun, not even those declared public holidays under the Negotiable Instruments Act. The Honourable Member will appreciate that if religious holidays were recognised at all, it would be necessary to recognise those of all communities, which constitute a formidable total; while, if each cadet were to observe those of his own community, the work of the whole class would be held up in his absence. After careful consideration, Government have come to the conclusion that the course adopted is the best one. They are satisfied, however, that the cadets have ample spare time for private worship.

Mr. M. S. Aney: Are the Christmas holidays observed?

Mr. G. R. F. Tottenham: They have two vacations a year,

Qazi Muhammad Ahmad Kazmi: I want to know whether the Christmas holidays are given?

Mr. G. E. F. Tottenham: I should require notice of that question.

Qazi Muhammad Ahmad Kasmi: Has the Honourable Member made any inquiries at all about the holidays given in the school?

Mr. G. E. F. Tottenham: The Academy have two terms in the year and two vacations. I am not quite sure when the terms end and the vacations begin in each case.

Qazi Muhammad Ahmad Kasmi: So, I understand the Honourable Member has made no inquiries about it whatsoever?

Mr. G. E. F. Tottenham: I have made ample inquiries to answer the question put by Sardar Sant Singh.

ACTS OF CORRUPTION ON THE KALURKOT RAILWAY STATION OF THE NORTH WESTERN RAILWAY.

1496. ***Sardar Sant Singh:** (a) Has the attention of Government been drawn to the various acts of corruption on the Kalurkot Railway Station in the Rawalpindi Division of the North Western Railway?

(b) What steps have they taken to stop this practice?

(c) Is it a fact that many complaints about the staff of this particular station have been made by the passengers to the Railway authorities? If so, with what result?

The Honourable Sir Muhammad Zafrullah Khan: (a) to (c). Government are informed that some complaints against the staff have been received and are being enquired into. If the staff are found at fault, necessary action will be taken against them.

Sardar Sant Singh: Is the Honourable Member aware that the station master of this station in the Mianwali district uses abusive language towards the passengers?

The Honourable Sir Muhammad Zafrullah Khan: Had I been aware that this particular station master had offended in that respect he would not have continued to be the station master of this or any other place for long.

Sardar Sant Singh: Will the Honourable Member be prepared to make enquiries about this particular station master?

The Honourable Sir Muhammad Zafrullah Khan: On receipt of some of these complaints sent direct to me, I had intended to direct that the Agent of the North Western Railway should send somebody, who would not be known to the station staff, to watch and to make inquiries. I am afraid the publicity given to this matter here has put that out of the question.

SPREAD OF FLY EPIDEMIC IN THE SUMMER HILL QUARTERS, SIMLA.

1497. *Maulvi Syed Murtuza Sahib Bahadur: (a) Will Government please state if the Secretary, Indian Clerks' Association, Summer Hill Quarters, and the Medical Officer in charge, Summer Hill Quarters, complained to the Health Officer, Simla, regarding the spread of fly epidemic—source of all contagious diseases—and the most insanitary conditions of the suburbs of Government quarters, such as Aindri, etc., which are at a stone's throw from the quarters? If so, what action was taken by the authorities concerned in the matter? If none, why not?

(b) Will Government please state if the suburbs of the Government Summer Hill quarters are exempted from the *general operation of Simla sanitary rules*? If so, when was their exemption sanctioned by the Local Government? If not, why have those suburbs been neglected by the Simla Health Department?

(c) Is it a fact that the sanitary staff of Simla is paid special allowance by Government for looking after the sanitation of Summer Hill Government quarters? If so, was any action taken by the sanitary staff concerned to check the spread of fly epidemic, which has told much on the health of its residents? If not, why not?

Sir Girja Shankar Bajpai: (a) One complaint was received by the Municipal Committee, Simla, from the Honorary Secretary, Summer Hill Club, and was investigated. The Health Officer, Simla, denied the presence of any epidemic due to flies in the area in question. The Government understand that the Municipality has decided to enforce measures directed against fly breeding in such villages as Aindri.

(b) The suburbs are not exempted from the operation of the Rules. They were not neglected by the Health Department, though difficulty was experienced in enforcing the Rules in some of the villages.

(c) The Sanitary Inspectors at Summer Hill and other parts of Simla receive a small extra duty pay monthly from the Municipal Committee from the grant which it receives from the Government of India for undertaking the sanitation of Government quarters in Simla. Every effort is made by the Sanitary Inspectors to check the nuisance and danger from flies at Summer Hill.

TRAFFIC AND COMMERCIAL INSPECTORS ON THE NORTH WESTERN RAILWAY.

1498. *Maulvi Syed Murtuza Sahib Bahadur: (a) Will Government please state the number of Traffic and Commercial Inspectors on the North Western Railway?

(b) Will Government please state how many of them are Europeans, Sikhs, Parsees, Muslims, etc.?

(c) Is it a fact that there are no Parsees who hold these posts? Are Government prepared to consider the appointment of a man of this community to this post? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: (a) and (b). I lay a statement on the table of the House giving the required information.

(c) The reply to the first part of the question is in the negative. As regards the rest, these posts are generally filled by promotion into which communal considerations do not enter.

Statement.

Designation.	European	Sikhs.	Parsis.	Muslims.	Anglo-Indian.	Hindus.
Traffic Inspectors	25	1	1	1	7	5
Commercial Inspectors				
Rates Inspectors				1		5
Claims Inspectors		1		4		10
Sales Inspectors	..	2	..	3	..	3

ANSWERS OF CERTAIN QUESTIONS ASKED IN THE LEGISLATIVE ASSEMBLY.

1499. *Dr. N. B. Khare: With reference to the interpellations in this House on the 9th March, 1936, numbers 1025 to 1027, will Government please state:

- (a) whether the notices of these questions were given on the 7th February, 1936; if not, on what date; and
- (b) when the answers in detail will be placed before this House?

Mr. A. H. Lloyd: (a) Yes.

(b) The answers were laid on the table of the House on 25th March, 1936.

MUSLIMS IN THE INDIAN POLICE IN THE BOMBAY PRESIDENCY.

1500. *Mr. K. L. Gauba: (a) Are Government aware of the fact that the number of Muhammadans in the Indian Police, higher grade, in the Bombay Presidency does not exceed two (one of whom is about to retire)?

(b) If so, are Government prepared to consider the advisability of enhancing the number of Muhammadans in the higher Police Service, particularly in the Indian Police in that Presidency?

(c) Will Government make it clear whether it is incumbent upon them to reserve posts in the higher services for Muslims under the scheme of special representation, which has been already put into force?

(d) Are Government prepared to introduce into the Bombay Presidency the system, which has been in existence in the Madras Presidency, by which one of the seats has been specifically reserved for non-Brahmans, which term includes Muhammadans?

The Honourable Sir Henry Craik: (a) Of the eight posts of District Superintendent of Police at present held by Indians on the Indian Police cadre, Bombay, two are held by Muhammadans, of whom one is about to retire.

(b) Appointments to Provincial Police Services are made under rules framed by Local Governments. As regards the Indian Police, recruitment to which is also made on a provincial, as distinct from an all-India, basis, Provincial Governments are empowered to withhold appointments from competition and make their proposals for filling them by limited competition or nomination when necessary. Further, Local Governments are required, when submitting annually their proposals for recruitment by examination, to submit their views in regard to the necessity of reserving vacancies to be filled by limited competition or nomination. Government do not consider that any further action is called for at present.

(c) If by the expression "scheme of special reservation" the Honourable Member means the Home Department Resolution No. F.-14/17-B./33-Ests., dated the 4th July, 1934, I would point out that the orders in that Resolution do not apply to the Indian Police.

(d) The assumption that one vacancy in the Indian Police in Madras is specifically reserved for non-Brahmans every year is incorrect. The position is that limited competition in Madras is held annually to recruit from among particular communities in order to prevent the preponderance in the service of any one community. The term 'non-Brahmans' however does not include 'Muhammadans'. In the case of Bombay there is, as explained in part (b) above, nothing to prevent the Local Government from similarly recommending recruitment by limited competition from a particular community if they consider it necessary in the interests of that community to do so.

POSTMEN AND LOWER GRADE STAFF UNION, DELHI PROVINCE.

1501. *Mr. Anugrah Narayan Sinha: (a) Are Government aware that in view of the administrative position of the Delhi Province in charge of a Chief Commissioner directly subordinate to the Governor General in Council and of the unique importance of its chief city, Delhi, as the capital of India, the Postmen and Lower Grade Staff Union, Delhi Province, was affiliated to the All-India Postmen and Lower Grade Staff Union as a Provincial Union corresponding with the status of a Provincial Union, accorded to Clerks Union of the Delhi Province by the All-India (including Burma) Postal and Railway Mail Service Union?

(b) Is it a fact that the Director General, Posts and Telegraphs, was pleased to instruct the Vice-President of the Lower Grade Staff Union, Delhi Province, in his letter No. 12-Est. B./32 of 13th October, 1932, that reference from his Union regarding matters of local interest should be made to the Postmaster, Delhi, and those in respect of any matter affecting the circle as a whole in which the decision of the circle was necessary, the Postmaster General, Punjab and North-West Frontier be addressed, a copy of the letter being simultaneously furnished to the Postmaster, Delhi?

(c) Is it a fact that this position was not accepted by the Postmaster General, Punjab and North-West Frontier Circle?

(d) Will Government be pleased to state if they have made up their mind to allow the privilege to the Postmen and Lower Grade Staff Union, Delhi Province, to correspond in the manner contemplated in Director General's letter referred to above? If not, why not?

(c) Will Government be pleased to state whether the Delhi Provincial Union has been assigned the same status as is accorded to Clerks' Union of the Delhi Province? If not, why not?

The Honourable Sir Frank Noyce: (a) to (e). Information has been called for and a reply will be placed on the table of the House in due course.

PRIVILEGE OF VOLUNTARY RETIREMENT TO POSTMEN AND INFERIOR SERVANTS SERVING IN BURMA.

1502. ***Mr. Anugrah Narayan Sinha:** (a) Will Government be pleased to state whether concessions of voluntary retirement from service, on account of separation of Burma from India, was offered to Indian postmen and inferior servants of General Post Office, Rangoon, and its town sub-offices? If not, why not?

(b) Are Government prepared to consider the desirability of allowing the same privilege of voluntary retirement to postmen and inferior servants serving in Burma, that was extended to clerks and other officers?

The Honourable Sir Frank Noyce: (a) and (b). The question of the terms to be offered to employees of the Central Government in Burma at the time of separation is still under consideration.

ABOLITION OF THE LOWER DIVISION CADRE CREATED IN THE INTEREST OF THE POSTMEN.

1503. ***Mr. Anugrah Narayan Sinha:** (a) Is it a fact that lower division cadre which was created in the interest of postmen has now been abolished?

(b) Is it a fact that the postmen in order to be promoted to the lower division cadre had to pass certain tests prescribed for the purpose?

(c) Is it a fact that the last examinations under the rules for such appointments was held in the Calcutta General Post Office in May 1935?

(d) If not, will Government be pleased to state how many postmen appeared at this examination and how many were successful?

(e) Is it a fact that those postmen who had passed the prescribed test were not given appointments when vacancies occurred in Calcutta General Post Office or its town sub-offices?

(f) Is it a fact that those postmen who have been appointed in lower grade divisions have not been allowed their due increments?

(g) Is it a fact that officiating period as overseer or sorting postmen are not counted towards service and consequently towards increment in their salary?

The Honourable Sir Frank Noyce: (a) Yes, but the Lower Division cadre was not created in the interests of postmen alone.

(b) Yes.

(c) to (g). Government have no information and do not propose to call for it. It is open to the officials concerned to represent their case to the proper authority if they consider that they have a grievance.

VACANCY IN THE CADRE OF POSTMASTER GENERAL INCLUDING THE DEPUTY DIRECTOR GENERAL, POSTAL SERVICES.

1504. ***Bhai Parma Nand:** (a) Is it a fact that there is a permanent vacancy in the cadre of Postmasters General including the Deputy Director General, Postal Services? If so, from which date?

(b) If the reply to part (a) above be in the affirmative, will Government please state why the vacancy has not yet been filled permanently?

The Honourable Sir Frank Noyce: (a) Yes. From the 22nd December, 1935.

(b) The question of selecting an officer to fill the vacancy permanently is under consideration.

DEVELOPMENT OF INDIAN SHIPPING.

1505. ***Mr. S. Satyamurti:** Will Government be pleased to state:

(a) whether they have considered or propose to consider the whole question of the future of Indian shipping, coastal as well as ocean-going, in view of the provisions of the Government of India Act of 1935; and

(b) whether they intend taking any steps to help Indian shipping to progress, if not, why not?

The Honourable Sir Muhammad Zafrullah Khan: (a) I would invite the Honourable Member's attention to my reply to his question No. 754 on the 24th February, 1936. Government are not aware of any provisions of the Government of India Act, 1935, which make it necessary to reconsider that policy.

(b) Government propose, to maintain their policy of assisting the developing of Indian shipping.

Mr. S. Satyamurti: Are Government aware that when the Government of India Act, 1935, comes into force, any kind of help or subsidy which they make to any concern in India will be equally applicable to concerns registered in the United Kingdom also, and, in view of that, will Government consider taking steps in the meantime (such time as will be available) to help the progress of Indian shipping, both coastal and ocean-going?

The Honourable Sir Muhammad Zafrullah Khan: With regard to the question of help for Indian shipping, my reply is as I have read it out. With regard to the other part of the question, that is asking me to interpret the provisions of the Government of India Act, 1935, and that is a thing which I am not competent to do.

Mr. S. Satyamurti: I heard my Honourable friend say: "Government are not aware of any provisions of the Government of India Act, 1935, which affect this matter"?

The Honourable Sir Muhammad Zafrullah Khan: I said "which make it necessary for Government to reconsider the policy which they have been pursuing."

Mr. S. Satyamurti: I am asking whether his attention has been drawn to the fact that, once this Act comes into force, any help which may be given to Indian shipping companies registered in India will have to be given to companies registered in the United Kingdom also, and whether the Government of India will consider taking steps in the meantime to help Indian shipping, that is, all registered companies in this country alone.

The Honourable Sir Muhammad Zafrullah Khan: I have already stated that it has been the Government of India's policy, to the extent described in my reply to the previous question to which I have referred, to help Indian shipping; and I said there is nothing so far as provisions of the Government of India Act, 1935, are concerned, which makes it necessary to reconsider that policy, that is to say, to help Indian shipping in the directions indicated in those replies.

Mr. S. Satyamurti: Do Government realise that, once they begin to help shipping under the working of this Act, they will have to help all Empire ships equally?

The Honourable Sir Muhammad Zafrullah Khan: The continued pursuit of the policy indicated will not be affected in any way by the provisions to which the Honourable Member has referred.

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

POSITION OF THE FOREIGN AND POLITICAL DEPARTMENT VIS-À-VIS STATES OUTSIDE THE BRITISH EMPIRE.

1506. ***Mr. S. Satyamurti:** Will Government be pleased to state:

- (a) whether, in the discharge of its duties so far as states outside the British Empire are concerned, the Foreign and Political Department, merely carries out the orders of His Majesty's Government, or is their agent to an extent; if so, to what extent;
- (b) whether they consider the position which India takes in respect of matters arising between India and foreign states; and
- (c) whether their decisions are communicated to the Secretary of State for India or to His Majesty's Government, as the decisions of the Government of India or of the Foreign and Political Department alone?

Sir Aubrey Metcalfe: (a) The constitutional position is that the Government of India have no relations with Foreign Powers. Such relations are ultimately the responsibility of His Majesty's Government and the instructions of His Majesty's Government have accordingly to be obtained upon all important issues affecting relations with a Foreign State. In practice, the views of the Government of India receive full consideration from His Majesty's Government, particularly, in respect of matters affecting the relations between His Majesty's Government and Foreign States with which India is in direct geographical contact.

(b) The Honourable Member's meaning is not clear and Government must ask for further elucidation of that meaning before a reply can be framed.

(c) The Foreign and Political Department are, like other Departments of the Government of India, merely a part of that Government and are not, therefore, in a position to come to any decision of their own. It follows that all decisions are expressed to be made by the Government of India.

Mr. S. Satyamurti: With reference to the answer to clause (a), may I know if India is a signatory of the Treaty of Locarno?

Sir Aubrey Metcalfe: I think not, but should have to verify the point.

Mr. S. Satyamurti: Is India being consulted with reference to the negotiations going on about the occupation of the Rhineland by the Germans?

Sir Aubrey Metcalfe: The Government of India have not been consulted.

Mr. S. Satyamurti: Does the Honourable Member know that the Dominions are being consulted?

Sir Aubrey Metcalfe: I am not aware of that.

Mr. S. Satyamurti: Has the Honourable Member's attention been drawn to a statement of the Premier of England the other day that in giving instructions to Mr. Eden, the Foreign Secretary, he was keeping in the closest touch with the representatives of Canada, New Zealand and South Africa?

Sir Aubrey Metcalfe: I saw something in the Press about that but I must point out that India is not at present a Dominion.

Mr. S. Satyamurti: May I take it, therefore, that India's being a member of the League of Nations or being a party to the Versailles Treaty is not in any independent capacity, but operates merely as an additional vote for England?

Sir Aubrey Metcalfe: I cannot accept that as a correct statement of the position.

Mr. S. Satyamurti: What is the correct position? Has India any independent voice wholly or partially, or is she merely an additional vote and security for England? I want the exact position to be elucidated.

Sir Aubrey Metcalfe: I am certainly not prepared to make my answer more lucid than I have done. I think, Sir, you will admit that my position is reasonable.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member cannot reasonably be expected to be more explicit in dealing with a difficult question like that.

Mr. S. Satyamurti: I submit, Sir, we have given ample notice, he deals with the question every day and he says it is difficult for him to be more explicit?

Mr. President (The Honourable Sir Abdur Rahim): The question has been answered so far as the Honourable Member has been able to do that.

Mr. S. Satyamurti: As regards clause (b), I should like an elucidation of the position. I ask whether the Foreign and Political Department considers that the position which India occupies in matters arising between India, that is as an original Member of the League of Nations, and foreign States, is an independent one, or whether the Government simply carry out orders passed in London or Whitehall.

Sir Aubrey Metcalfe: In the last resort, as I have already explained, the Government of India, as at present constituted, have to carry out the instructions of the Secretary of State and His Majesty's Government. The Honourable Member knows that perfectly well. I have explained that on all important issues the Government of India are consulted and full weight is given to the views which they express. I cannot explain the situation more clearly than that, no matter how long the Honourable Member continues his cross-examination.

Mr. S. Satyamurti: I intend putting my questions, so long as I can. I want to know from my Honourable friend whether, before the last resort is reached, in every case where the Government of India and foreign States come into any relations, the opinions of the Government of India are put before the British Government and are taken into consideration by them.

Sir Aubrey Metcalfe: I have already said that that is so; I cannot state it more clearly.

Mr. S. Satyamurti: Is it in every case?

Sir Aubrey Metcalfe: In every case where India is concerned, our views are stated by the Government of India and those views are taken into consideration by His Majesty's Government.

Mr. S. Satyamurti: Was India consulted on the question of the German occupation of the Rhineland?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has already answered that question.

Mr. S. Satyamurti: Was India consulted in respect of the action which His Majesty's Government are proposing to take or are taking in respect of the German occupation of the Rhineland?

Sir Aubrey Metcalfe: His Majesty's Government have not as yet, so far as I know, taken any action in that matter; they are still considering what is to be done.

Mr. S. Satyamurti: Is it not the case that Staff talks are going on between the French, Belgian and British General Staffs and that these are causing a great alarm in Germany?

Sir Aubrey Metcalfe: May I know what these Staff talks have to do with my Honourable friend or the Government of India?

Qazi Muhammad Ahmad Kazmi: Is the opinion of the Government of India taken as that of an assessor or of a juryman?

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

LOSS OF INDIAN REVENUE THROUGH THE FRENCH PORTS.

1507. ***Mr. T. S. Avinashilingam Chettiar:** Will Government state:

- (a) whether they are aware of the message on page 3 of the *Hindustan Times*, dated the 15th March, 1936, regarding the loss of Indian revenue through the French ports;
- (b) whether the facts stated in it are true;
- (c) the estimated loss of Indian revenue through the French ports; and
- (d) whether they are taking any steps in the matter?

Sir Aubrey Metcalfe: (a) Yes.

(b) The facts stated with regard to loss to Indian revenues are substantially correct.

(c) It is not possible to give an accurate estimate.

(d) I have at present nothing to add to what has appeared in the press.

Mr. S. Satyamurti: Are Government taking steps in the matter?

Sir Aubrey Metcalfe: Certainly, they are taking all the steps that can be taken, but it would not be in the public interest to explain exactly what these steps are.

Mr. S. Satyamurti: I am asking whether they are taking any steps in the constructive direction, as I put it to the Honourable the Finance Member, of creating a *zollverein*, or customs union, for the whole of geographical India?

The Honourable Sir James Grigg: I would like to know how you would create a *zollverein* of British India and French territory in India.

Mr. S. Satyamurti: By negotiation. You do many things in Great Britain!

ELECTION OF THE STANDING FINANCE COMMITTEE.

The Honourable Sir James Grigg (Finance Member): Sir, I beg to move:

"That this Assembly do proceed to the election, for the financial year 1936-37, in such method as may be approved by the Honourable the President, of a Standing Finance Committee of the Assembly not exceeding fourteen in number, to which shall be added a Member of the Assembly to be nominated by the Governor General. The Member so nominated shall be the Chairman of the Committee."

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

"That this Assembly do proceed to the election, for the financial year 1936-37, in such method as may be approved by the Honourable the President, of a Standing Finance Committee of the Assembly not exceeding fourteen in number, to which shall be added a Member of the Assembly to be nominated by the Governor General. The Member so nominated shall be the Chairman of the Committee."

The motion was adopted.

ELECTION OF THE STANDING FINANCE COMMITTEE FOR RAILWAYS.

The Honourable Sir Muhammad Zafrullah Khan (Member for Commerce and Railways): Sir, I beg to move:

"That this Assembly do proceed to elect in such manner as may be approved by the Honourable the President, eleven Members from the Assembly who shall be required to serve on the Standing Finance Committee for Railways, as provided for in clause 6 of the Resolution adopted by the Legislative Assembly on 20th September, 1924, on the subject of the separation of Railway Finance."

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

"That this Assembly do proceed to elect in such manner as may be approved by the Honourable the President, eleven Members from the Assembly who shall be required to serve on the Standing Finance Committee for Railways, as provided for in clause 6 of the Resolution adopted by the Legislative Assembly on 20th September, 1924, on the subject of the separation of Railway Finance."

The motion was adopted.

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

The Honourable Sir Frank Noyce (Member for Industries and Labour): Sir, I beg to move:

"That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, three non-official Members to serve on the Standing Advisory Committee for the Indian Posts and Telegraphs Department."

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

"That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, three non-official Members to serve on the Standing Advisory Committee for the Indian Posts and Telegraphs Department."

The motion was adopted.

ELECTION OF THE STANDING COMMITTEE FOR THE
DEPARTMENT OF COMMERCE.

The Honourable Sir Muhammad Zafrullah Khan (Member for Commerce and Railways): Sir, I beg to move:

"That this Assembly do proceed to elect in such manner as the Honourable the President may direct, three non-official Members to serve on the Standing Committee to advise on subjects in the Department of Commerce."

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That this Assembly do proceed to elect in such manner as the Honourable the President may direct, three non-official Members to serve on the Standing Committee to advise on subjects in the Department of Commerce."

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): What are the functions of this Committee? May I know whether it has ever met during the last year? My own information is—I may be wrong—that it has never met during the last year. At any rate what is the use of having a Committee which never meets?

The Honourable Sir Muhammad Zafrullah Khan: During the last year no questions arose over which the Department could consult the Committee.

Mr. S. Satyamurti (Madras City: Non-Muhammadan Urban): What about the Ottawa Agreement? Could you not have consulted the Committee on that?

Sir Cowasji Jehangir: Will the Honourable Member then tell us what is the use of having this Committee? We have lots of Committees. We go through the farce, I will not say farce, we put ourselves to the trouble to electing Members to these Committees. If they do not meet at all, then it is better to drop out those Committees.

The Honourable Sir Muhammad Zafrullah Khan: The use of this Standing Committee is that, during the course of the year, if questions arise on which its advice is required, it can be consulted. As I have said, no occasion arose last year when we could have consulted the Committee.

Sir Cowasji Jehangir: May I then put it to the Honourable Member that here is a high sounding Committee on Commerce, and if no questions arose during the whole year which could be put before the Committee, is it not then a very good argument for not having this Committee at all?

The Honourable Sir Muhammad Zafrullah Khan: If the House does not choose to elect its Members to serve on this Committee, it is open to the House to do so.

Sir Cowasji Jehangir: It is open to the Honourable Member to make more use of the Committee.

The Honourable Sir Muhammad Zafrullah Khan: I will.

Mr. S. Satyamurti: I submit, Mr. President, that the House expects from the Honourable the Mover of this motion a more responsible answer. My Honourable friend, the Baronet from Bombay, a very responsible Leader of a Party, asked the Government as to why they did not make use of this Committee during one full year. The Honourable the Commerce Member says, it is open for the House not to elect the Committee. The Honourable the Baronet from Bombay has, in my judgment, given valid reasons why the Committee ought not to be elected. But for the Government Member to say, "if you do not want to elect a Committee, you need not do so," I submit, Mr. President, this is a flippant and an irresponsible answer.

Mr. President (The Honourable Sir Abdur Rahim): The Chair does not think the Honourable Member should use such language.

Mr. S. Satyamurti: I am using only parliamentary language.

Mr. President (The Honourable Sir Abdur Rahim): Is the Honourable Member questioning the ruling of the Chair?

Mr. S. Satyamurti: I am not questioning your ruling, Sir. I said, in my opinion, the Honourable Member's answer was flippant. So long as I am here using parliamentary words,—I am entitled to say what I feel—I suggest that when an Honourable Member of the Government makes a motion of this kind and when a respected and leading Member of this House, like the Baronet from Bombay, gets up and puts relevant questions, we expect some relevant answers, and it is not for the Honourable the Commerce Member to dictate to us to elect or not to elect representatives to serve on the Committee. I, therefore, submit, Sir, that this House ought to consider its own dignity and refuse to vote for this motion. To say that there was no question during the whole of last year on which the Committee could have been consulted betrays great ignorance on the part of the Honourable Member and it also shows great irreverence to the Committee. Last year, we had the Ottawa Agreement, the Indo-British Agreement—all these surely relate to commercial matters, and the Committee could have been consulted. If these are not commercial matters, I wonder what then are commercial matters. There was also the question of tariffs. Does my Honourable friend suggest that the Tariff Board's reports and none of the subjects I have mentioned just now were important enough to be placed before this Committee? If these questions were not fit enough for the Committee to give its advice, what other questions will arise? I, therefore, do appeal to my Honourable friends to say, no, to this motion.

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

"That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, three non-official Members to serve on the Standing Committee to advise on subjects in the Department of Commerce."

The Assembly divided:

AYES 43.

Abdullah, Mr. H. M.
 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.
 Bajoria, Babu Baijnath.
 Bajpai, Sir Girja Shankar.
 Bhagchand Soni, Rai Bahadur
 Seth.
 Buss, Mr. L. C.
 Craik, The Honourable Sir Henry.
 Dalal, Dr. R. D.
 Das-Gupta, Mr. S. K.
 Dash, Mr. A. J.
 Dow, Mr. H.
 Fazl-i-Haq Piracha, Khan Bahadur
 Shaikh.
 Ghuznavi Sir Abdul Halim.
 Hands, Mr. A. S.
 Hudson, Sir Leslie.
 Hutton, Dr. J. H.

Jenkins, Mr. E. M.
 Khurshaid Muhammad, Khan Bahadur
 Shaikh.
 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.
 Rajah, Rao Bahadur M. C.
 Rau, Mr. P. R.
 Roughton, Mr. N. J.
 Sale, Mr. J. F.
 Scott, Mr. J. Ramsay.
 Spence, Mr. G. H.
 Tottenham, Mr. G. R. F.
 Witherington, Mr. C. H.
 Yamin Khan, Sir Muhammad.
 Zafrullah Khan, The Honourable Sir
 Muhammad.
 Ziauddin Ahmad, Dr.

NOES 47.

Aaron, Mr. Samuel.
 Aney, Mr. M. S.
 Asaf Ali, Mr. M.
 Ayyangar, Mr. M. Anantha-
 sayanam.
 Badi-uz-Zaman, Maulvi.
 Bhagavan Das, Dr.
 Chaliha, Mr. Kuladhar.
 Chunder, Mr. N. C.
 Das, Mr. B.
 Datta, Mr. Akhil Chandra.
 Deshmukh, Dr. G. V.
 Essak Sait, Mr. H. A. Sathar H.
 Gadgil, Mr. N. V.
 Ghiasuddin, Mr. M.
 Ghulam Bhik Nairang, Syed.
 Giri, Mr. V. V.
 Govind Das, Seth.
 Gupta, Mr. Ghanshiam Singh.
 Hans Raj, Raizada.
 Hosmani, Mr. S. K.
 Jedhe, Mr. K. M.
 Jehangir, Sir Cowasji.
 Jogendra Singh, Sirdar.
 Kailash Behari Lal, Babu

Khan Sahib, Dr.
 Khare, Dr. N. B.
 Lalchand Navalrai, Mr.
 Maitra, Pandit Lakshmi Kanta.
 Mudaliar, Mr. C. N. Muthuranga.
 Muhammad Ahmad Kazmi, Qazi.
 Murtuza Sahib Bahadur, Maulvi
 Syed.
 Paliwal, Pandit Sri Krishna Dutta.
 Pant, Pandit Govind Ballabh.
 Parma Nand, Bhai.
 Raghunir Narayan Singh, Choudhri.
 Raju, Mr. P. S. Kumaraswami.
 Ranga, Prof. N. G.
 Satyamurti, Mr. S.
 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.
 Thein Maung, Dr.
 Umar Aly Shah, Mr.
 Varma, Mr. B. B.

The motion was negatived.

ELECTION OF THE CENTRAL ADVISORY COUNCIL FOR RAILWAYS.

The Honourable Sir Muhammad Zafrullah Khan (Member for Commerce and Railways): Sir, I beg to move:

"That this Assembly do proceed to elect in such manner as may be approved by the Honourable the President, six non-official Members from the Assembly who shall be required to serve on the Central Advisory Council for Railways."

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

“That this Assembly do proceed to elect in such manner as may be approved by the Honourable the President, six non-official Members from the Assembly who shall be required to serve on the Central Advisory Council for Railways.”

The motion was adopted.

Mr. President (The Honourable Sir Abdur Rahim): I have to inform Honourable Members that for the purpose of election of members to the Standing Finance Committee, Standing Finance Committee for Railways, Standing Advisory Committee for the Indian Posts and Telegraphs Department, and the Central Advisory Council for Railways, the following dates have been fixed for receiving nominations and holding elections, if necessary, namely:—

Name of Committee.	Nominations.	Election.
(1) Standing Finance Committee	14-4-1936	16-4-1936
(2) Standing Finance Committee for Railways	14-4-1936	16-4-1936
(3) Standing Advisory Committee for the Indian Posts and Telegraphs Department	14-4-1936	17-4-1936
(4) Central Advisory Council for Railways	17-4-1936	Date to be announced later.

The nominations for all the Committees will be received in the Notice Office upto 12 noon on each day appointed for the purpose. The elections which will as usual be held in the Secretary's Room in the Council House between the hours of 10-30 A.M. and 1 P.M. will be conducted in accordance with the principle of proportional representation by means of the single transferable vote.

THE INDIAN TARIFF (SECOND AMENDMENT) BILL.

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

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 (Second Amendment).”

The motion was adopted.

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

THE SALT ADDITIONAL IMPORT DUTY (EXTENDING) BILL.

The Honourable Sir James Grigg (Finance Member): Sir, I beg to move for leave to introduce a Bill further to extend the operation of the Salt (Additional Import Duty) Act, 1931.

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

"That leave be granted to introduce a Bill further to extend the operation of the Salt (Additional Import Duty) Act, 1931."

The motion was adopted.

The Honourable Sir James Grigg: Sir, I introduce the Bill.

THE INDIAN TEA CESS (AMENDMENT) BILL.

The Honourable Sir Muhammad Zafrullah Khan (Member for Commerce and Railways): Sir, I beg to move for leave to introduce a Bill further to amend the Indian Tea Cess Act, 1903, 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 Tea Cess Act, 1903, for certain purposes."

The motion was adopted.

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

THE INDIAN AIRCRAFT (AMENDMENT) BILL.

Sir Girja Shankar Bajpai (Secretary, Department of Education, Health and Lands): Sir, I beg to move for leave to introduce a Bill to amend the Indian Aircraft Act, 1934, for a certain purpose.

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

"That leave be granted to introduce a Bill to amend the Indian Aircraft Act, 1934, for a certain purpose."

The motion was adopted.

Sir Girja Shankar Bajpai: Sir, I introduce the Bill.

THE INDIAN MINES (AMENDMENT) BILL.

The Honourable Sir Frank Noyce (Member for Industries and Labour): Sir, I beg to move for leave to introduce a Bill further to amend the Indian Mines Act, 1923, 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 Mines Act, 1923, for certain purposes."

The motion was adopted.

The Honourable Sir Frank Noyce: Sir, I introduce the Bill.

Sir, I beg to move:

"That the Bill further to amend the Indian Mines Act, 1923, for certain purposes, be referred to a Select Committee consisting of Mr. V. V. Giri, Prof. N. G. Ranga, Mr. Ram Narayan Singh, Qazi Muhammad Ahmad Kazmi, Mr. M. Ghiasuddin, Khan Sahib Nawab Siddique Ali Khan, Mr. N. C. Chunder, Mr. G. Morgan, Mr. N. M. Joshi, Mr. A. J. Dash, Sir Abdul Halim Ghuznavi and the Mover, with instructions to report on or before the 14th April, 1936, and that the number of Members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Sir, I owe the House an apology for making the first two motions in regard to this Bill on the same day. My excuse must be that the situation arising out of the fires in the Jharia coalfields demands urgent attention. It is specially desirable that such preventive and remedial measures as can be taken should be brought into force at once as colliery fires are more active in the monsoon period than in any other. It is in these circumstances that I am seeking the co-operation of the House in passing this Bill through all its stages during the current Session. May I, Sir, venture to express the earnest hope that that co-operation will be forthcoming in tangible form this afternoon by the passing of this motion today, in order that the Select Committee may meet during the ensuing week-end?

As the House is aware—I have given the information in reply to a number of questions on the subject—there are now about forty-seven fires in twenty-nine different collieries in the Jharia coalfield. The House would, I think, wish me at the outset to explain briefly and in language as free from technicalities as I can make it, the causes of these fires. The chief cause, indeed, so far as is known, the only cause of the fires, with one or two exceptions, has been spontaneous combustion, that is, a process of oxidisation of crushed coal which goes on increasing until the heat developed is sufficient to cause the coal to break out into active combustion. In one important case which was not apparently due to spontaneous combustion, the fire—an extensive one—appears to have been caused by the dumping of hot rejections from the manufacture of soft coke into a quarry from which there were openings into a coal seam. The coal eventually caught fire and all efforts to restrict and isolate the fire were unsuccessful, with the result that it spread to five contiguous collieries.

Fires being due to the oxidisation of crushed coal, the next question which naturally arises is "What causes the crushing of the coal?" The chief cause of this is the premature collapse of the strata above the coal seams due to the weak nature of the pillars of coal left in the mine to support the roof. In the past, it has unfortunately been too frequently the practice to form the pillars of too small a size in the first instance or to reduce them to too small dimensions afterwards. The weakness of the support afforded by the pillars has resulted in the premature collapse of the roof and the crushing and burying of the small pillars of coal in the process. In some instances, systematic extraction of the reduced pillars has been started, but when the work reached a stage when collapse of the roof took place, the collapse has extended over a larger area than that from which pillars have been extracted, crushing and burying pillars in the way I have already described. Underground fires also occur, though less frequently than in the case of premature collapses, in

[Sir Frank Noyce.]

mines in which pillars of a reasonable size have been formed. In the extraction of the pillars, owing to the great thickness of the seams in the Jharia coalfield—some of them are between 40 and 50 feet in thickness—it is usually impracticable to remove all the coal. Parts of pillars and occasionally whole pillars of coal are lost and the conditions which cause spontaneous combustion take place.

Until last year, the measures taken to control and isolate the fires in the Jharia coalfield proved effective in preventing serious accidents. That is a point to which I should like to draw the special attention of the House. I would now very briefly describe the measures which have been taken to control and isolate the fires. Where the area in which coal is on fire lies at a fair depth from the surface and there are no fissures in the ground visible at the surface, brick stoppings are built in all the galleries communicating with the area on fire. If the sealing can be done effectively, the fire gradually becomes smothered by the products of combustion and although the fire may not be actually extinguished, it may be possible to prevent it from becoming active. If there are breaks in the surface, the same procedure is adopted, and in addition the fissures in the ground are blanketed, that is, sealed off with sand or earth so as to prevent the movement of air from the fire to the surface and *vice versa*.

As I have said, it was not until last year that there was a serious accident due to fires in coal mines. The first serious accident took place at the Bagdigi colliery on the 29th June last and resulted in nineteen people being killed and seven injured. A Court of Inquiry was set up by the Government of Bihar and Orissa and it was found that the accident was due to an explosion of inflammable gases. This in its turn was caused by an inrush of water during heavy rain on a fire which was in progress in the upper seam, the result being the reversal of the air current. Actually, nearly all the workers in the mine were got out in time. The fatalities in the mine numbered only five and of these one was the courageous headman who had realised that something was wrong and having got out most of the men had gone back to secure the evacuation of the remaining men. The bulk of the casualties was due to the unfortunate circumstance that a number of the men who had been got out of the mine waited for their companions too near the entrance to the incline and were burnt by flames coming from within the mine. The report of this case drew attention to the inadequacy of the regulations in respect of underground fires and recommended a number of changes. It also recommended the appointment of a Committee to enquire into dangers arising from underground fires and to suggest further safety measures.

The circumstances disclosed by this report and other information which had reached me forced on me the conviction that it was necessary to act more urgently than the Court of Enquiry had contemplated. The appointment of a committee, as every one is aware, is seldom the speediest way of securing the object aimed at, and the framing of regulations under the Mines Act, as it stands at present, is bound to be the sole business. Section 31 of that Act prescribes a double process of consultation: any regulations which we desire to make have, after they have been drafted, to be placed before the mining boards in the first instance, and, when their opinions have been received and examined might have

then to be published for criticism. After criticisms of the public generally and of the other interests concerned have been reviewed, it is only then that the regulations can be promulgated. Honourable Members will realise that, however expeditiously we may work, this process seldom takes much less than a year. I took steps, therefore, to secure a discussion of the question with experts with a view to seeing whether action should not be taken more urgently and, if so, what action was possible and desirable. It was after these arrangements had actually been put in train that a second and more serious accident, due to a fire, occurred. This was at the Loyabad colliery and, as the House will remember, it took place on the 30th of January. It is at present under examination by a Court of Enquiry and so I do not propose to deal with its causes. But I may say that such information as I have at present is that the fire was discovered only a few hours before the accident and that all the night shift were safely evacuated. Those who were killed were engaged in an attempt to control the fires.

The proposals I am now placing before the House are the outcome of an informal conference held in this building on the 19th and 20th of February. It was attended by representatives of six organisations—three of coal owners, two of mine managers and one of mining labour. I would take this opportunity of acknowledging the very full co-operation offered by all these organisations. We had also the assistance of various experts, official and non-official. As a result, we came to a fairly general agreement on the nature of the measures which were immediately required, and the conference also recognised that further investigation would be necessary to put the safety provisions on a satisfactory footing.

I trust that the explanation that I have given and the notes appended to the Statement of Objects and Reasons will enable Honourable Members to follow the proposals in the Bill without much difficulty. The operative clauses are only four in number. Of these, one clause, clause 3, enlarges in minor respects the existing power to make regulations. Another, clause 5, proposes to give Government power to frame regulations much more speedily than is possible at present. Any regulations so framed are to be purely temporary in their duration, and any proposals for permanent regulations should be referred at or about the same time to the mining boards and we shall go through that regular but lengthy procedure before any permanent regulations are made. Clause 4 of the Bill is designed to secure in at least the main coalfields the establishment of central rescue stations. Clause 2 of the Bill is of a temporary character and seeks to enlarge the powers already vested in the Inspectorate to issue orders to individual mines.

I referred earlier to the suggestion of the Bagdigi Court of Enquiry that a committee should be appointed to investigate the whole question of safety in mines, and our intention is to secure an expert investigation of the kind recommended within, I hope, the next twelve months. We have not yet reached any conclusions regarding either the composition of the committee or its terms of reference. But I may say that I think it is likely that it will be asked also to deal with the general and very important and complex problem of coal conservation. As recent events have emphasised, this is bound up to a certain extent with this question of safety.

[Sir Frank Noyce.]

It may be true, as some of our experts hold, that the amount of coal actually lost by the fires is not a great deal in comparison with the amount which has been already extracted; and what is far more important, also in comparison with the amount still remaining to be mined. The threat to the collieries, as a whole, is a serious one and must become more so for one cannot see an end to the outbreaks of fires if the present system of working continues. As some Members of the House may be aware, a committee known as the Coalfields Committee investigated the question of coal conservation with special reference to the Jharia and Raniganj coalfields in 1920. Its main recommendation was that sandstowing, that is, packing the space from which coal is removed with incombustible material, usually sand, should be made compulsory within certain limits and that funds for this purpose should be raised by a cess of eight annas a ton on all coke and coal, to be collected by the railway companies on despatches, and to be administered by a controlling authority. These proposals, involving as they do, a considerable measure of control over the industry, failed to secure a sufficient measure of support at the time. But every year that goes by makes the problem of dealing with the waste of one of India's most valuable natural resources more difficult and it is one to which we have devoted earnest attention during the last two or three years. Our efforts in that direction had reached a stage at which I had hoped that it would not be long before we were able to place our proposals before those interested, but it now seems preferable to adopt the course of action I have just now indicated, namely, that the dual aspect of the problem, the avoidance of waste and the avoidance of accidents, should be investigated by an expert committee. I hope, that with the advice of a committee of this kind, we shall be in a position to take more complete action and will also be in a position to approach the House with proposals for the better conservation of the coal resources of the country.

I have seen suggestions that the measures we are now putting forward should have been put forward many years ago. On that I should like to offer a few observations. The first is that the subject of safety in mines and indeed of danger from fires is not as some journalistic comments I have seen might lead Honourable Members to believe, one that has suddenly come to our notice. I read, for example, in one cutting to which Mr. Satyamurti kindly drew my attention that: "the surprise is that, through these many years, those in charge of coal mining should have been unaware of what appear to be rudimentary precautions." Actually, the question of safety precautions is under the almost constant consideration of the industry generally and more particularly of our mining inspectorate. Questions of safety bulk largely in the Mines Act itself and that Act is supplemented by an elaborate code of regulations, rules and bye-laws. I might mention that there are separate sets of regulations for coal mines, metalliferous mines and oil mines and that the Coal Mines Regulations alone are well over 150 in number and are under frequent revision in the light of experience. The regulations were entirely revised in 1926, and, since then, we have gone through the elaborate procedure required for their amendment on four occasions, while further regulations arising out of the report of the Coal Dust Committee are at the present moment awaiting the criticisms of the public and the interests concerned before being finally revised and

issued. Quite a number of the mining regulations are made specially with a view to danger from fires. But it is impossible to foresee and still less to prevent every kind of accident. In the case of the very accident which brought the present dangers prominently before us—the Bagdigi accident—the Court of Inquiry found as follows and I should like to draw the special attention of the House to this extract from their report:

“The accident was one which the management of the Colliery did not anticipate, and we are doubtful whether they could reasonably have been expected to anticipate such an occurrence. No reversal of the air current had ever previously occurred. So far as we can ascertain, this accident was of a unique nature and appears to be unprecedented.”

It is, I think, true, that if the recommendations of the Coalfields Committee of 1920 had been accepted and had proved workable, they would have led to a considerable diminution of the danger of fires in coal mines. But although that Committee did not ignore safety questions they were viewing the matter primarily from the point of view of saving coal, and I doubt if any one working on the material then available would have been led, from the point of view of safety, to frame regulations similar to those which are now in contemplation.

The fact of the matter is that the position has in recent years been changing. A much larger amount of coal than formerly is standing on pillars, fires have become more frequent and more extensive; and, unless we can frame adequate safety measures coal-mining, particularly in certain areas, will tend to become a much more dangerous occupation than in the past. I recognise that the steps which we contemplate taking are not likely to be entirely adequate; but they represent the steps which, in the light of all the expert advice and experience at our command, appear to be wise and urgently necessary; and as I have already said, I hope that we shall shortly be in a position to review the whole situation and to take more comprehensive measures for ensuring the safety of those who labour in this industry. Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

“That the Bill further to amend the Indian Mines Act, 1923, for certain purposes, be referred to a Select Committee, consisting of Mr. V. V. Giri, Prof. N. G. Ranga, Mr. Ram Narayan Singh, Quazi Muhammad Ahmad Kazmi, Mr. M. Ghiasuddin, Khan Sahib Nawab Siddique Ali Khan, Mr. N. C. Chunder, Mr. G. Morgan, Mr. N. M. Joshi, Mr. A. J. Dash, Sir Abdul Halim Ghuznavi, and the Mover, with instructions to report on or before the 14th April 1936, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five.”

Mr. N. M. Joshi (Nominated Non-Official): Mr. President, it is a matter of great satisfaction that the Government of India have introduced this Bill and propose to deal with it expeditiously and with promptitude. The Honourable Member in charge of the Department of Industries and Labour has asked the House to co-operate with him in passing this Bill without delay. So far as it lies in my power, I shall give him my heartiest co-operation, and, as a mark or as a beginning of that co-operation, I assure you, I shall not make a long speech this afternoon. The Honourable Member has traced the history of this Bill, how the fires began to appear in the coal-fields at Jharia and how recently three disastrous accidents took place—the accident at Bagdigi, Joktiabad and Loyabad. He also

[Mr. N. M. Joshi.]

described to us what happened at the Conference which the Government of India held last month. The Honourable Member did not like the criticism which had appeared in some papers that the Government of India should have taken the steps, which they are taking today, earlier. I think the Honourable Member was a little too hard on his critics. I personally feel that there is some justification for the criticism which has appeared regarding the conduct of the Government in this matter. The fires in the coal areas had begun to appear in 1925; and the Honourable Member himself stated that at present there are about 47 fires in 29 collieries. The Government of India should certainly have taken steps earlier; and if the critics say that it is these accidents that have compelled the Government to give their attention to this matter, I think the critics are not quite unjustified.

There is some provision in the Bill for the establishment of rescue stations and for making provision for rescue work. Suggestions for this kind of work have been made long ago. Dr. Penman, the present Chief Inspector of Mines, himself wrote a paper some years ago, and another gentleman also, who is interested in coal mining, has also written a paper and made suggestions that rescue stations should be established. I, therefore, feel, Sir, that the Honourable Member-in-charge should not have been hard upon those critics who have stated that these steps should have been taken a little earlier. There is absolutely no doubt that the accidents at Loyabad and other places have at least expedited the consideration by Government of this very serious question. I do not wish to deal with the detailed provisions of this Bill except to say that I do not approve of the limitation of two years which the Bill proposes for the continuance of the power which the Chief Inspector of Mines and other Inspectors are to be given under section 2 of this Bill. I feel, Sir, that to assume that the fires will cease within two years is an unwarranted assumption. The fires have continued for 10 years, and to say that simply because we have started taking measures now that the fires will cease within two years is, I think, not justified. I would therefore like the Government of India to remove that limitation. If after 2 years we find that the fires have ceased, then certainly the Government of India can introduce a measure for the repeal of this section if that repeal is necessary. I do not wish to speak anything more about the details of this Bill, but I may be permitted to make a few general remarks upon the question of safety in mines. Sir, the work of a miner is the most dangerous work of all kinds of industrial work, and it is our duty, and it is the duty of the Government also to give constant attention to the subject of safety of those who work underground. The Honourable Member just stated that the Government of India is not going to be content with the introduction and passing of this Bill, but the Government of India propose to appoint a Committee to investigate the whole problem of safety in mines. In this connection, Sir, I would like to make one or two suggestions to the Government of India. My first suggestion is that the Committee to be appointed should not only consist of experts but it should be a representative one. My second suggestion is that the terms of reference to this Committee should be very wide, including the whole aspect of safety in mines. I suggest that the Committee should be a representative one for this reason that, if the Committee consists of experts, it is not likely that the Government of

India would appoint any representative of the miners on it. I am anxious that the Committee which will investigate the problem of safety in mines should have on it some representation of the miners who work in Indian mines. It may be said, Sir, that these miners in India are ignorant and illiterate people and they may not be able to do much useful work on the Committee. Sir, I take a different view in this matter. I feel that although the Indian miners may not be educated, still the miners work in the mines for several years, some of them work in the mines for their lifetime, and I have no doubt that they learn something by their experience, and they can make some useful suggestions. Secondly, if I have to choose a man to consider the problem of safety, I would first see what is the interest of that man in safety. The miner's interest in the safety of mines is the greatest; he is more interested in the safety of the mines than even the mine owner. I would certainly prefer a man who has the greatest stake in this subject, though not with sufficient knowledge, to a man who may not be interested in safety but who may possess full knowledge of the subject of safety. I would therefore suggest to the Government of India that they should not treat with contempt the experience which the miners may have as regards this subject. Moreover, whether they have knowledge or not, they are the most interested party in the matter of safety. I would like the Government to give sufficient representation to the miners on the Committee that may be appointed. Then, Sir, I would like the Government of India to make the terms of reference very wide. From the speech of the Honourable Member, he himself feels that the whole subject should be investigated. There are some matters which lead directly to accidents, but there are also many other indirect things which lead to accidents. So far as my feeling goes, I have no doubt that even questions like low wages and long hours have some bearing upon accidents. If people are not paid well and you find hungry men going below mines they sometimes make mistakes. Similarly, if the hours of work are very long, the man may not be able to discharge his responsibilities well and he may make a mistake which may lead to an accident. I, therefore, feel that when this subject of safety in mines is to be investigated the investigation should not be confined to fires only or to direct causes of the accidents or dangers in mines, but also the indirect causes should be investigated. I do not possess technical knowledge of the subject of safety in mines. I have not learnt much of chemistry, or of physics, or of mechanics. I would therefore leave those matters to experts, but I would like to say that in some respects we are progressing too slowly, such as, in the matter of making use of safety lamps compulsorily. At present unless the Inspector himself observes gases the use of safety lamps is not made compulsory. I think the safety lamps are not so costly that we should hesitate to make their use compulsory. Then, in view of the fact that in the accident that took place in the Joktiabad colliery some women were killed, I would like the Government of India very seriously to consider whether they should not immediately stop the employment of women underground. I know that the Government of India have agreed to stop the employment of women by stages, and perhaps in three or four years the employment of women underground may be stopped. But I would like them now to consider, in view of the accident where the lives of women were involved, whether the Government should not take immediate steps to stop the employment of women underground. I would make one or two remarks also as regards rescue stations which are proposed to be introduced under clauses of this Bill. I would like the

[Mr. N. M. Joshi.]

Government of India, when they decide to establish rescue stations, to see that these rescue stations are manned with an adequate number of men, and Government should make provision for the proper training of these men. Also they should not hesitate to spend money on the proper equipment of the apparatus for the rescue stations. There are not many matters on which I would like to say much on this occasion, but there is one matter which I would like to make. Going through the Reports of the Committees of Enquiry, I find that both the Committees have found certain irregularities, especially the Committee that sat on the accident that took place at Joktiabad.

The Honourable Sir Frank Noyce: I may tell my Honourable friend that that accident was not due to fire. It was due to the use of a particular explosive, which is quite a different matter.

Mr. N. M. Joshi: I am making a general remark on safety in mines. What I would like to see is that the regulations are properly observed. The Committee of Enquiry has pointed out several irregularities in the matter of Joktiabad colliery. I would, therefore, suggest to the Government of India that they should see that their Inspectorate is sufficiently strengthened so that the mines will be inspected often, and secondly, the Government should take prompt steps to deal with those people who are responsible for the irregularities. With these remarks I support the motion made by the Honourable Member.

Mr. B. Das (Orissa Division: Non-Muhammadan): I welcome this measure and on behalf of this side of the House I assure co-operation to the Honourable Member for Industries and Labour. What I welcome most is his announcement that in the cold weather there will be an expert Committee to go into the whole problem of accidents and the wastage of coal in coal-mines which particularly upsets the mine owners, whether they are Indians or Britishers. My Honourable friend, Mr. Joshi, pleaded with his usual pertinacity that the miners should be represented on that Committee. I would suggest that the Committee should be a representative one, and I would concede to the miners their representation. But I would urge on the Government, on behalf of the coal mine-owners, that the coal mine-owners should be represented on that Committee. The experts, however expert they may be, must have the guidance of practical mine-owners in the Committee, so that they may recommend things that can be given effect to and may not remain as only paper recommendations.

My Honourable friend, Sir Frank Noyce, has gone into the causes of accidents. He particularly referred to depillaring. Depillaring has been going on, not only in the old mines, but also in the new mines. I know of one mine owned by Government themselves, the Bengal Nagpur Railway Talcher Coal fields, where depillaring is going on, although the mine is a new one, simply because the Railway had some difference with the owners of coal fields—the Talcher coal fields. That is a bad thing and I am glad the Government have decided at last that they should have some control over depillaring. My Honourable friend alluded to the explosive nature of the atmosphere in the mines, collieries and pits. According to the reports that have been produced by the two Committees appointed by the Government of Bihar and Orissa, at one place the explo-

sion was due to collapsing, fire getting into the atmosphere where, somehow, the reverse process of air came into operation owing to rains outside and the fire set in. At the other place, that is, the colliery at Jharia coal fields, they were using liquid oxygen cartridges and the Committee says that those cartridges took fire. The present Chief Mining Expert and his staff are there all the time visiting these mines. They have not yet realised or appreciated that the present practice of working the mines is wrong. So, the mere framing of regulations will not regulate or control unless the regulations are strictly adhered to and they are framed in such a way that the mine-owners can give effect to these things. I would, therefore, suggest that the regulations should be so framed that they should limit the depillaring. They should regulate the volume of fresh air in the mines. Of course certain mines now have no statistics in their offices about the regulation of air. In one mine there was measurement of air. In the other mine there was no measurement of the volume of air that has been blown in. Wherever explosive substances are to be used for working the coal mine, Government should insist on the regulation that a certain amount of air should be injected into those mines and there should be measurement kept both as regards the intake and the outlets.

Then, Sir, both the committees have talked about the presence of dry coal dust. At present there is no scientific method of checking the amount of coal dust prevailing in the atmosphere underneath the ground in those mines, where explosive substances are used for working those mines. There may not be scientific instruments to measure the amount of coal dust but the regulations should be so made as to control the amount of coal dust in the air. One method of controlling is that the atmosphere should be kept wet. If the atmosphere is dry, then the regulation should be such that a certain amount of water is thrown into those galleries and pits, so that atmosphere gets wet and much coal dust does not fly about. That is an aspect of the thing which should be taken in hand at once.

Another thing which has been proved by one of these committees is that the explosive nature of the gases in these mine pits has not been analysed. I think that the regulation should be so framed, that there should be at least three tests, one in each shift, so that scientific tests are taken as to the explosive nature of the air where the liquified oxygen, dynamites and other explosive substances are used for working coal.

It appears that there has not been proper supervision over use of explosives in mines. As my friend, Mr. Joshi, pointed out, the miners are not chemical experts or technical experts. Government should see their way to ask these mine-owners to see that there are more technical men employed especially where liquified oxygen or dynamite is used. There should be always a technical foreman who understands the chemical nature of these high explosives. At the same time simultaneously with the promulgation of these regulations, Government should insist that every mine should have complete record in its office in the form of records, charts and log sheets about these new conditions that will be set out in the regulations. Pending the appointment of the expert committee, I would ask the Honourable Member, who also controls the Research Department and the Alipur Test House to send his chemical experts to analyse the gas in the various mines wherever fires are burning and where the explosive method of working coal mines is in vogue. That will be a very useful thing for the guidance of the expert committee that will come next winter.

[Mr. B. Das.]

Sir, I have got a note from the Indian Mining Federation where they state that they welcome these measures in order to minimise accidents in mines but they rather demur to bearing all the expenses of the rescue stations. I do not know what will be the expenses of these rescue stations. The Government want to provide rescue stations at Jharia, Raneegunje and one other place. If the expenses are high, probably the mine-owners will demur. These Indian mine-owners are not very affluent, their mines are working in many instances at a loss and the capital they have invested is poor and probably they will not be able to pay the cess on production basis that the passing of this measure will involve and, if the mine-owners plead that they cannot pay the requisite amount and if it be required to have proper rescue stations or even to carry out preliminary scientific analysis of the air conditions in mines or even to give effect to those suggestions which my Honourable friend, Mr. Joshi, made, I think, for the sake of humanity, in the interest of the workers in the mines, where people live and work from eight to twelve hours, in conditions of darkness and have very little fresh air, Government should themselves make a grant to carry out these experiments—these rescue stations and chemical experiments, and, as for myself, as a Member of this House, I will support any such humanitarian expenditure. With these words, I support the motion for the Select Committee.

Prof. N. G. Ranga (Guntur *ca m* Nellore: Non-Muhammadan Rural): After 16 years of delay, the Government of India have come forward with this proposal to increase safety in mines in the interests of the workers. The Coalfield Committee of 1920 suggested that steps should be taken to increase the safety of workers in mines, and yet the Honourable Member for Industries and Labour thought it fit to take to task certain journalists who had complained that Government had been moving too slow in this matter. Although we are very anxious to see that this Bill becomes law as soon as possible, I am obliged to ask the Honourable Member for Industries and Labour to extend the date by which the Select Committee has to report to this House, in view of the fact that some members of the Independent Party and several of us in the Congress Party are obliged to go elsewhere to attend our respective conferences till the 15th morning. I, therefore, request the Honourable Member in charge of this Bill to fix his meeting of the Select Committee any time between the 15th and 20th, so that it would be possible for us all to attend the meetings of the Select Committee. Sir, I learn that you have the right to suspend the last date by which the report is to be submitted to this House by seven days, and I request you to extend that date so that it will be convenient for us all.

Mr. B. Das: May I point out that a Select Committee report is to be laid on the table for seven days and then it can be taken into consideration?

Mr. President (The Honourable Sir Abdur Rahim): That question does not arise now.

Prof. N. G. Ranga: Sir, we are to have an expert Committee to go into this question, and that is why we are told that the period for which this Bill is to carry on is fixed for two years. We know how these ex-

pert Committees work and how soon or how slow the Government usually are to act on the recommendations of these expert Committees. I do not wish that this particular provision of two years should be kept at all, and I would rather that Government should accept the suggestion made by my Honourable friend, Mr. Joshi, that no such fixation of the period should be insisted upon. I am also in favour of the representation of the various interests of the miners and mine-owners on this Committee which is to be appointed to go into this whole question of safety in the mines and the conditions of work in the mines. If any experts are to be brought from England at all, I would like the Government of India to bring some representatives of the Miners' Federation in Great Britain, so that we would have amongst the ranks of those experts those who have had an expert knowledge of the working of mines as miners themselves and their representatives. In regard to these restrictions, I would like to know whether Government would like to take into consultation the mine-owners only or the miners also. I am particularly anxious that the miners should be taken into as full a consultation and co-operation as possible. I know Government usually are partial to employers, as has been seen in the procedure which they followed in convening that Conference of mine-owners which they consulted in framing this particular Bill when they invited two representatives from the employers and one from the miners, and if such a procedure is to be followed hereafter also in connection with the establishment of these rescue stations and in connection with the organization of these Mining Boards in different areas, I am afraid much injustice will be done to the workers themselves. I, therefore, hope that Government will keep in mind the necessity of broadening the terms of reference to this particular Committee and also getting to serve on it representatives both of miners and mine-owners in equal strength.

Some Honourable Members: The question may now be put.

Mr. M. Ananthasayanam Ayyangar (Madras ceded Districts and Chittoor Non-Muhammadan Rural): Sir, I won't take more than five minutes,—I want to speak not with respect to the subject-matter so much as to the way in which this Bill has been introduced and the manner in which some provisions which in some respects are to have the force of a Statute are sought to be introduced behind the back of this House, so that we do not know as to what exactly is going to be done. The Bill has been introduced only just now and it is sought to rush through all the usual formalities. Sir, I have absolutely no objection to the Bill being enacted into law, with suitable modifications and safeguards. But no opportunity is given to the mine-owners or the workers in any event to make a representation. My friend, Mr. Joshi, has said that he himself is not an expert and not one of the members of the Select Committee has any intimate knowledge of the working of mines or the dangers for which provision is sought to be made in this Bill or in the regulations that are being sought to be made by virtue of this Bill. My second serious objection is to the giving of power for these regulations forming part of a Statute and having the force of law for a period of two years. I am surprised that my friend, Mr. Joshi, said that it ought to be made immediately perpetual in operation or to have the force of law for all time to come. Government has seen through the difficulty of clothing the Inspector of Mines with that power and they

[Mr. M. Ananthasayanam Ayyangar.]

come forward with the proposal that for two years these should have the force of law. I find from the Mines Act that some rules can be framed by the Governor General, a second set by the Governor, a third set of rules can be framed by the Inspector and a fourth set of rules can be made by the owners of mines,—without any of those regulations being placed on the Table of this House or without any opportunity being given to this House to approve them or not and without this House being given any opportunity of knowing exactly what is being made, part and parcel of the Statute. Section 31 (4) says that whatever rules and regulations are framed, they should be published in the Gazette of India and, after such publication, they shall have effect as if enacted by this Bill. Therefore, before we agree to clothing the Inspectors with the power to frame rules which will certainly be part and parcel of the Act, one has to seriously consider what exactly they are doing in our name and on our behalf. Even the Honourable Member in charge may not know directly the full situation and he may leave it, owing to the pressure of work, to the last person who may be in charge of this Department. Under these circumstances, I think, the Select Committee should ask that suitable provision should be made to place those regulations, after they are made, on the Table of this House for a period of time, so that Members may get themselves acquainted with the inconveniences and so forth. Another point is that I find, under some regulation under this Bill, power is sought to be taken to get over certain formalities, which formalities are now observed under the existing Act by referring to the various Mining Boards and other authorities with regard to the suitability or the desirability of the various rules and regulations. Under clause 5 of the present Bill the necessity to refer to Mining Boards is dispensed with and that is for a period of two years. I wonder if the necessity to refer to these Mining Boards is intended to be dispensed with in order that suitable effect should be given to the desire of my Honourable friend, Mr. Joshi, and also my Honourable friend, Professor Ranga, and, if it is their intention to see that the Mining Boards might be left out of consideration and they need not be referred to at all with respect to the rules and regulations to be framed. Under clause 5, those rules and regulations shall have effect for not more than two years. I, therefore, say that it is not proper that behind the back of these Mining Boards these rules and regulations should be framed. I would say that the period proposed should be restricted to three months, within which a Mining Board should be consulted, and if they have any objection, that should be sought to be removed. I would, therefore, say that if our vote is sought for a legislation of this kind, we should certainly have an opportunity to apply our minds to the various rules and regulations sought to be framed, though, if there is an emergency, certainly it would be necessary to clothe the person in charge of the administration with certain exceptional powers, but that should be the exception and not the rule. With these observations I would conclude my speech with the hope that these points would be taken into consideration in the Select Committee and during the passage of the Bill.

The Honourable Sir Frank Noyce: Sir, I do not propose to detain the House long. I should like to thank the House most warmly for the co-operation that I have received in expediting the passage of my motion.

My Honourable friend, Mr. Joshi, has as usual, covered a very wide field, but at this late hour, I propose to confine myself to one important point he raised, and that is the limitation of two years that we have included in the Bill in regard to clause 2. My Honourable friend, Mr. Joshi, asked whether we expect these fires to be extinguished within two years, and if not, why this clause would only be in operation for that period. I very much wish that I saw any prospect of the fires being extinguished within two years or even in twenty years. The reason why the clause is to be operative for two years only is simply this. We hope to have the position reviewed by an authoritative Committee which will recommend to us the permanent measures that we should adopt. The measures we propose to include in the regulations we frame under the powers which the House will, I trust, give us in the course of the next few days, are purely temporary. It is true they have support from the representatives of all the interests concerned, employers, their mining experts and labour, but still they have been somewhat hastily considered and although they are based on the best expert advice that we could get, we are not quite sure whether they will meet the case. We want the whole question examined from the widest point of view, the point of view which my Honourable friend himself advocated. We want the whole question of safety in mines investigated and based on a proper basis. That is the reason why we are confining the operation of clause 2 to a two-year period.

If I heard my Honourable friend, Mr. Ayyangar, quite correctly, he also raised the same point and thought that if the measures to be adopted are only to be put into force for two years, why have them at all? That, if I may say so, is a somewhat curious point of view in view of the concern with which the House generally has regarded these accidents and its obvious desire that all possible steps should be taken to prevent their recurrence.

My Honourable friend, Mr. B. Das, raised various technical questions. He was talking from an expert point of view, in language which I am afraid was above my comprehension. I can only regret very much that the Select Committee is not to have the benefit of his presence, but I can assure him that his suggestions will be carefully considered as soon as I get them in print.

One point in conclusion. My Honourable friend, Prof. Ranga, complained that we were hurrying our Select Committee. I have explained the reasons for that. I explained that if we are to get this Bill through this Session, it is necessary to have a meeting of the Select Committee this week-end. I very much regret that he finds himself unable to achieve the miracle of being in two places at once. I would suggest that if he finds greater attractions elsewhere, another name from his Party might be substituted for him. If that is not done, I do not think it possible to ensure the passage of this Bill this Session and I am quite sure that, from the views expressed in this House this afternoon and previously, it is the desire of the House to get the Bill through this Session. I do not think it is possible to postpone the date by which the report of the Select Committee should be presented to this House. I would again thank the House once again for the support.

Mr. S. Satyamurti (Madras City: Non-Muhammadan Urban). In view of the date suggested for the presentation of the report of the Select Committee, may I make a statement? It is not that the Honourable Prof. Ranga alone will not be able to attend the Select Committee meeting. Besides Prof. Ranga, other Honourable Members also will not be able to attend. There is the Honourable Mr. Ram Natayan Singh and also the Honourable Qazi Muhammad Ahmad Kazmi who will not be able to attend.

Mr. President (The Honourable Sir Abdur Rahim): They must have all been consulted before their names were included in the Select Committee.

Mr. S. Satyamurti: The names were given by the Party, I agree. We are quite willing to accommodate the Government in any reasonable manner. We can meet tomorrow morning. We are willing to support you if you are so pleased to suspend the Standing Orders with regard to the number of days during which the report of the Select Committee should be placed on the Table of the House.

Mr. President (The Honourable Sir Abdur Rahim): That will arise only when the Report of the Select Committee is presented.

Mr. S. Satyamurti: We are willing to co-operate in seeing the Bill placed on the Statute-book, as early as possible. I do ask my Honourable friend to consult the convenience of so many Members of the House, and see if he cannot come to some reasonable arrangement which, without inconvenience to either side, will help to achieve the object we all have in common, namely to get this Bill on the Statute-book as early as possible.

The Honourable Sir Frank Noyce: I am sorry I am not quite clear, what is the concrete suggestion which my Honourable friend makes?

Mr. S. Satyamurti: I would suggest that the Select Committee meets tomorrow morning before the House meets here, and do some work and possibly meet tomorrow evening after the House rises. Unless there is any very big point of controversy, the Select Committee should be able to finish its work in one or two sittings. I suggest that.

The Honourable Sir Frank Noyce: I need hardly say that I accept my Honourable friend's suggestion with great cordiality, and I am prepared to meet his wishes.

Mr. President (The Honourable Sir Abdur Rahim): The suggestion is that the Select Committee should meet tomorrow morning?

Mr. N. M. Joshi: My Honourable friend, Mr. Giri, and myself are engaged in the Railway Board meeting tomorrow morning, and, therefore, it will neither suit me nor Mr. Giri to meet in this Select Committee tomorrow morning.

Mr. President (The Honourable Sir Abdur Rahim): The Chair cannot help in this matter. Perhaps the Honourable Member, Mr. Satyamurti, will correspond with the Government Member and settle the matter.

Mr. S. Satyamurti: I would suggest to my Honourable friend that we shall try to meet tomorrow morning. Instead of the 14th April, can it be the 16th April? We shall not take advantage of the fact of the change of date, in order to put it off still further.

The Honourable Sir Frank Noyce: Yes, Sir. I am very willing to accept the suggestion that the Select Committee Report may be presented on the 16th April.

Mr. President (The Honourable Sir Abdur Rahim): Does the Honourable Member want to amend his motion?

The Honourable Sir Frank Noyce: Yes, Sir. With your permission, I should like to amend the date to 16th April.

Mr. President (The Honourable Sir Abdur Rahim): Has the Honourable Member the leave of the House to amend the motion by substituting 16th for 14th?

The motion was, by leave of the Assembly, amended.

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

“That the Bill further to amend the Indian Mines Act, 1923, for certain purposes, be referred to a Select Committee consisting of Mr. V. V. Giri, Prof. N. G. Ranga, Mr. Ram Narayan Singh, Quazi Muhammad Ahmad Kazmi, Mr. M. Ghiasuddin, Khan Sahib Nawab Siddique Ali Khan, Mr. N. C. Chunder, Mr. G. Morgan, Mr. N. M. Joshi, Mr. A. J. Dash, Sir Abdul Halim Ghuznavi and the Mover, with instructions to report on or before the 16th April, 1936, and that the number of Members whose presence shall be necessary to constitute a meeting of the Committee shall be five.”

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Thursday, the 9th April, 1936.