

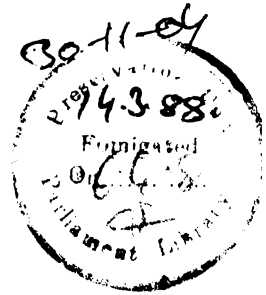
Monday, 12th March, 1934

THE
COUNCIL OF STATE DEBATES

VOLUME I, 1934

(8th February to 27th April, 1934)

SEVENTH SESSION
OF THE
THIRD COUNCIL OF STATE, 1934



PUBLISHED BY MANAGER OF PUBLICATIONS, DELHI.
PRINTED BY THE MANAGER, GOVERNMENT OF INDIA PRESS, NEW DELHI.
1934.

CONTENTS.

Thursday, 8th February, 1934—

	PAGES.	
Members Sworn	1	
Death of Mr. Abdul Hamid	1	3—11
Questions and Answers	2—11	1—21
Statements laid on the table	11—13	2—24
Messsages from His Excellency the Governor General	13—14	
Committee on Petitions	14	
Resolution <i>re</i> placing on record the deep sympathy of the Council with sufferers in the recent earthquake—Adopted	14—19	425
Governor General's Assent to Bill	19	5—27
Bills passed by the Legislative Assembly laid on the table	19	7—28
Motion for the election of two non-official Muslim Members to the Standing Committee on Pilgrimage to the Hejaz—Adopted	19—20	8—37
Statement of Business	20	7—54
		454

Saturday, 10th February, 1934—

Question and Answer	21—22	
Bill passed by the Legislative Assembly laid on the table	22	455
Nominations for the election of two non-official Muslim Members to the Standing Committee on Pilgrimage to the Hejaz	22	5—65
Resolution <i>re</i> Indianization of the Indian Civil Service—Withdrawn	23—35	5—81
		5—86

Tuesday, 13th February, 1934—

Questions and Answers	37—38	5—93
Reserve Bank of India Bill—Motion to consider, adjourned	38—69	493

Wednesday, 14th February, 1934—

Members Sworn	71	
Questions and Answers	71—78	495
Reserve Bank of India Bill—Motion to consider, adopted	79—111	—97
		—98

Thursday, 15th February, 1934—

Reserve Bank of India Bill—Consideration of clauses and Motion to pass, adjourned	113—46	—519
---	--------	------

Friday, 16th February, 1934—

Bill passed by the Legislative Assembly laid on the table	147	538
Reserve Bank of India Bill—Passed, as amended	147—63	
Imperial Bank of India (Amendment) Bill—Considered and passed	163—65	
Statement of Business	165	541
		—62

Saturday, 17th February, 1934—

Question and Answer	167—68	563
Presentation of the Railway Budget for 1934-35	168—73	—64
Motion for the election of two non-official Members to the Standing Committee to advise on subjects other than "Indians Overseas—Emigration" and "Haj Pilgrimage" dealt with in the Department of Education, Health and Lands—Adopted	173	—65
		—87
		587
		607

Saturday, 17th February, 1934—contd.

Motion for the election of four non-official Members to the Standing Committee on Emigration—Adopted	174
Election of two non-official Muslim Members to the Standing Committee on Pilgrimage to the Hejaz	174

Monday, 19th February, 1934—

Question and Answer	175
Indian Tariff (Amendment) Bill—Considered and passed	175—95

Tuesday, 20th February, 1934—

General Discussion of the Railway Budget for 1934-35	197—246
Election of four non-official Members to the Standing Committee on Emigration	247
Election of two non-official Members to the Standing Committee to advise on subjects other than "Indians Overseas—Emigration" and "Haj Pilgrimage" dealt with in the Department of Education, Health and Lands	247

Monday, 26th February, 1934—

Questions and Answers	246—56
Resolution <i>re</i> further revision and reduction of the new scales of pay—Negatived	251—58
Resolution <i>re</i> protection to the silk industry—Withdrawn	258—67

Tuesday, 27th February, 1934—

Member Sworn	269
Death of Sir Charles Watson	269
Message from the Legislative Assembly	269
Bills passed by the Legislative Assembly laid on the table	269—70
Congratulations to the Honourable Rai Bahadur Promode Chandra Dutt on his appointment to the Executive Council of Assam	270
Presentation of the General Budget for 1934-35	270—83
Statement of Business	283

Monday, 5th March, 1934—

Member Sworn	285
General Discussion of the General Budget for 1934-35	285—354

Tuesday, 6th March, 1934—

Questions and Answers	355—67
Wheat Import Duty (Extending) Bill—Considered and passed	367—73
Indian Medical Council (Amendment) Bill—Considered and passed	373—75
Cotton Textile Industry Protection (Amendment) Bill—Considered and passed	375
Steel and Wire Industries Protection (Extending) Bill—Considered and passed	375—76
Statement of Business	376

Wednesday, 7th March, 1934—

Questions and Answers	377—82
Resolution <i>re</i> recruitment to the Indian Medical Service—Withdrawn	382—96
Resolution <i>re</i> gold passes—Negatived	396—403
Resolution <i>re</i> new scales of pay for the Imperial Services at reduced rates —Withdrawn	403—11
Resolution <i>re</i> donation to Bihar Earthquake Relief Fund—Negatived	411—21
Khaddar (Name Protection) Bill—Considered and passed	422—24

Monday, 12th March, 1934—

Member Sworn	425
Questions and Answers	425—27
Death of Sir Thomas Ryan	427—28
Resolution <i>re</i> survey of the position of Indian industries—Withdrawn	428—37
Resolution <i>re</i> reference of important Government Bills to Joint Select Committees—Negatived	437—54
Resolution <i>re</i> economy on State-managed Railways—Moved	454

Wednesday, 14th March, 1934—

Member Sworn	455
Resolution <i>re</i> economy on State-managed Railways—Withdrawn	455—65
Resolution <i>re</i> laying of papers of the Joint Parliamentary Committee on the table—Withdrawn	465—81
Resolution <i>re</i> communal representation on State Railways—Withdrawn	481—86
Resolution <i>re</i> establishment of an Imperial Council on Co-operation— Withdrawn	486—93
Request by Honourable Members for the allotment of an extra non-official day	493

Monday, 19th March, 1934—

Question and Answer	495
Death of Raja Sir Moti Chand	495—97
Statement laid on the table	497—98
Resolution <i>re</i> publication of the report of the Capitation Rate Tribunal, etc.—Withdrawn	499—519
Resolution <i>re</i> composition of Indian delegations to imperial and interna- tional conferences—Withdrawn	519—38
Statement of Business	538

Wednesday, 28th March, 1934—

Members Sworn	541
Questions and Answers	541—62
Congratulations to the Honourable Sir Kurma Venkata Reddi on his appointment to the Executive Council of Madras	563
Bill passed by the Legislative Assembly laid on the table	563—64
Indian Trusts (Amendment) Bill—Introduced	564—65
Indian Finance Bill, 1934—Motion to consider	565—87
Bill passed by the Legislative Assembly laid on the table	587
Indian Finance Bill, 1934—Motion to consider, adopted	587—607

COUNCIL OF STATE.

Monday, 12th March, 1934.

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

MEMBER SWORN :

The Honourable Mr. Sidheshwari Prasad Varma (Government of India : Nominated Official).

QUESTIONS AND ANSWERS.

IMPORT OF MILITARY HORSES, RACE HORSES AND MULES.

76. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS (on behalf of the Honourable Mr. V. C. Vellingiri Gounder): Will Government be pleased to state :

- (a) The number and value of military horses and mules and race horses imported into India each year for the past ten years ?
- (b) The name of the country or countries from which they were imported ?

THE HONOURABLE MR. T. A. STEWART: Information regarding race horses is not available. I have, however, placed on the table a statement showing the total number of horses imported into India from various countries annually since 1922-23. A statement containing such information as is available in regard to military horses and mules is also laid on the table.

Statement showing number of horses of all kinds imported into India from 1922-23 to 1931-32 and the countries from which imported.

From	1922-23.	1923-24.	1924-25.	1925-26.	1926-27.
United Kingdom	191	185	361	299	415
Aden and Dependencies . . . . .	..	2	..	..	..
Mesopotamia	953	1,186	1,016	670	562
Bahrain Islands	12	1	..	7	1
Ceylon	38	30	17	59	22
Straits Settlement	51	18	46	18	7
Natal	12	1	..	..	7
Kenya Colony . . . . .	..	4	..	..	..
Mauritius and Dependencies . . . . .	..	..	2	1	..
Australian Commonwealth	1,845	1,059	1,067	2,217	4,516
Other British Possessions . . . . .	..	..	1	..	..
Total British Empire	3,102	2,486	2,510	3,271	5,530
Total Foreign countries	24	27	6	5	41
Grand Total	3,126	2,513	2,516	3,276	5,571

From	1927-28.	1928-29.	1929-30.	1930-31.	1931-32.
United Kingdom	326	317	326	267	329
Ceylon	43	76	32	44	62
Australian Commonwealth	2,968	3,134	3,291	2,628	3,616
Other countries	92	16	8	30	9
Total British Empire	3,429	3,543	3,657	2,969	4,036
Iraq	563	644	556	452	904
Egypt		35	45	36	3
Other countries	9	5		10	19
Total Foreign	572	684	611	498	926
Grand Total	4,001	4,227	4,268	3,467	4,962

Statement showing number and value of military horses and mules imported into India since 1925-26 and their country of origin.

Year.	Horses imported.			Mules imported.		
	No.	Value.	Country.	No.	Value.	Country.
1925-26	2,614	Rs. 16,46,350	Australia and England.	490	Rs. 4,55,700	United States of America.
1926-27	2,492	16,43,520	Do.	500	2,61,500	South Africa.
1927-28	2,737	18,31,145	Do.	383	2,79,973	United States of America.
1928-29	2,899	19,63,219	Australia, England and United States of America.	497	3,24,400	Do.
1929-30	2,806	19,72,500	Do.	379	2,94,483	Do.
1930-31	2,584	16,87,810	Australia and England.	373	2,89,630	Do.
1931-32	2,548	14,37,751	Do.	236	2,00,128	Do.
1932-33	1,449	8,59,600	Do.	246	2,37,636	Do.

Note.—Figures for 1923-24 and 1924-25 are not available.

HORSE-BREEDING AREAS IN INDIA.

77. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS (on behalf of the Honourable Mr. V. C. Vellingiri Gounder): Are there any places where horse-breeding is undertaken by the Government of India or by Local Governments directly or indirectly or by private agency ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF: A statement showing the areas in which horse-breeding is controlled or encouraged by the Government of India is laid on the table. Stallions are also maintained by Provincial Governments or local bodies for the improvement of horse-breeding, but exact information is not available.

Statement showing the areas in which horse-breeding is controlled or encouraged by the Government of India.

Horse-breeding is controlled by the Government of India in the following bound horse-breeding areas of the Punjab :

- (i) Sargodha, comprising the Shahpur district.
- (ii) Montgomery, comprising the Montgomery district.

The Government of India also encourage horse-breeding in the following unbound horse-breeding areas :

- (i) Meerut, comprising the districts of Meerut, Bulandshahr and Aligarh.
- (ii) Lyallpur, comprising the districts of Lyallpur, Jhang and Sheikhupura.
- (iii) Rawalpindi, comprising the districts of Rawalpindi, Jhelum, Gujerat, Attock and Hazara.

The Government of India also supervise the activities of the district boards in the above localities with regard to provision and supervision of stallions maintained for horse-breeding.

SE-BREEDING INDUSTRY IN INDIA.

78. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS (on behalf of the Honourable Mr. V. C. Vellingiri Gounder): (a) What is the percentage proportion of Indian-bred horses to foreign horses among the horses which are generally used for military and racing purposes in different stations in India ?

(b) Have the Government of India or Local Governments investigated the possibility of improving the Indian horse-breeding industry at any time ?

(c) If so, with what results ? If not, do Government propose to investigate the ways and means of improving the horse-breeding industry ?

THE HONOURABLE KHAN BAHADUR MIAN SIE FAZL-I-HUSAIN: (a) The information is not available.

(b) A Commission was appointed by the Government of India in 1900-01 to investigate *inter alia* the possibility of improving the horse-breeding industry in India.

(c) As a result of the recommendations of the Commission, horse-breeding circles were established in the Punjab Canal Colonies directly under the Government of India. Indian-bred horses produced in these circles are purchased by Government if found suitable for army requirements.

DEATH OF SIE THOMAS RYAN.

THE HONOURABLE THE PRESIDENT: Honourable Members, it is with a considerable amount of grief and sorrow that I have to announce the death of one of our former colleagues, Sir Thomas Ryan, which occurred this morning when he was found dead in his bed. He was a distinguished member of the Public Works Department and after holding many minor appointments with much ability he became Joint Secretary in the Department of Industries and Labour and subsequently he rose to the high office of Director General of Posts and Telegraphs. He was about to retire within a few weeks when this untimely and unfortunate event has taken place. Many of you must have known him personally and I had the privilege of his friendship for many years. I always found him to be a most genial friend and a good companion: He had a particular aptitude for making friends both among Indians and Englishmen

[Mr. President.]

and for sticking to them once the friendship was formed. We are all very grieved at his untimely death when within the next few weeks he was about to vacate his office and to enjoy his well-earned rest in his own country. However, we are all helpless against such untoward events and I know you would all like me to refer to this sad event today in this Council, particularly as he was an old colleague of ours, and I also feel confident that you would like me to convey the deep sympathy and condolence of this House to his unfortunate widow and family.

RESOLUTION *RE* SURVEY OF THE POSITION OF INDIAN INDUSTRIES.

THE HONOURABLE RAI BAHADUR LALA JAGDISH PRASAD (United Provinces Northern : Non-Muhammadan): Sir, I beg to move the following Resolution :

“ That this Council recommends to the Governor General in Council (1) to undertake a thorough survey of the position of Indian industries including cottage industries and to collect statistics of existing industries, in order to find out the exact position as regards the industries pursued, the quantities and values of products manufactured, raw materials utilized, number of persons employed, wages paid, motive power used and other particulars usually collected in advanced countries ; (2) to place the results at the disposal of the public and to take other necessary steps to secure a rapid expansion of industries in the country.”

Sir, the tendency of all civilized nations today is for each to make itself as economically self-sufficient as circumstances permit. No country which aspires to be reasonably self-sufficient can do without agriculture. Agriculture supplies certain indispensable primary requisites of human existence,—food for the population, raw materials for industries and surplus products for export. But no nation in modern times has grown rich through agriculture alone. With the growth of civilization and the multiplication of human wants, the occupations associated with industries and manufactures have grown in importance and are found to be more remunerative than those of agriculture ; and industrialism has come to be regarded more or less as synonymous with civilization. The recent practice in progressive countries has been to provide more work for their labour force in industries and subsidiary occupations and to limit the numbers employed in agriculture, it being recognized that employment of more than a limited number of persons in agriculture tends to reduce the average income of the individual and the aggregate income of the nation as a whole. This healthy practice has not yet obtained recognition in India. She is probably the only large-sized civilized country in the world where such a high proportion of its population depends almost exclusively on agriculture for its living. Naturally when the prices of primary products have so heavily fallen, people have suffered and there is very little money in the hands of the rural population. There is enormous unemployment in the country and it is imperatively necessary that the widespread misery caused thereby should be alleviated. The eyes of every Indian publicist and economist of eminence are at the present day turned to the necessity and desirability of finding means to check the growing unemployment in the country. The Right Honourable Sir Tej Bahadur Sapru in his Convocation address at the Allahabad University in December last, the Honourable Sir Shadi Lal, Chief Justice of the Lahore High Court, in the address he delivered at the Convocation of the Punjab University about the same time, and Sir P. S. Sivaswamy Aiyer in his address at the Lucknow University, all with almost one voice dwelt on the growing

menace of unemployment among the graduates and observed that the Indian Universities should try to divert the youthful energies of the increasing number of graduates into more useful channels by giving them vocational education and a practical outlook, and one of them advised the State to give serious consideration to the economic development of the country and to measures leading to the establishment of new industries which might provide employment for our graduates. The theme of Sir M. Visvesvaraya's speech delivered in July last under the auspices of the Mysore Chamber of Commerce at Bangalore was the need for an industrial survey of India on lines identical with those I have indicated in the terms of this Resolution, as a cure for unemployment. Then, Sir, no less a person than the Viceroy himself, in his speech at the opening ceremony of the Third Conference of the Inter-Universities Board on the other day in this very city of Delhi spoke feelingly of the tragedy of unemployment among educated youths and referred to the fact as to how far technical, vocational and technological education could afford a solution to this distressing problem and how far it could be possible for Universities to create developments in industry and commerce. And following in the wake of His Excellency's speech the Conference of the Inter-Universities Board passed resolutions emphasizing the importance of Universities equipping students more and more with technological and industrial training. All this goes to show that this question is engaging all round attention at the present day. The problem of unemployment can be to an appreciable extent solved if flourishing industries for meeting the daily requirements of the people are established in the country itself and the drain to foreign countries is minimized. Countries like Britain and Japan have grown industrially great. The record of France, Germany and the United States in this direction is well known. Russia, as we all know, drew up a five-year economic programme. And now Turkey has drawn up a five-year industrialization plan for attaining self-sufficiency in a short period of time. Its aim is that the essential needs of the population during peace and war should be produced in the country itself. It is stated that the present practice, whereby raw materials are exported from Turkey for manufacture abroad and the articles made from them are imported, is to end. Cotton goods are to be the first manufacture to be fully put in hand. By 1937 there will be four State factories. When this industry is established, Turkey will not need cotton goods imported by Britain, Japan and Italy. The iron industry is also to be developed. Paper and cellulose, ropes and sacking, porcelain, bottles and glass, a large electricity generating station for Anatolia at Zounguldak are reported to be down in the plan, together with other manufactures and exploitations to which the resources of the country immediately lend themselves. As regards Britain, she realized the importance of scientific research to industry during the last war. Soon after its conclusion was founded the Department of Scientific and Industrial Research with a capital of £1 million. This fund was exhausted during last year. Its eighteenth report, which conveys a valuable lesson to every industrially backward country, states that :

" Science is destined to play an increasing part in industrial production, and those who fail to learn that lesson will inevitably find themselves relegated to the position of 'navy nations'—hewers of wood and drawers of water for more enlightened nations".

The report gives eloquent figures which show that the large amount spent by the department has been repaid manifold. A few years ago the Electrical Research Association through researches costing at that date £80,000 saved the industry £1 million a year, a sum which must have been materially increased since that year. The Cast Iron Research Association made investigations which, if fully adopted, would result in a saving of fuel and other economies.

[Rai Bahadur Lala Jagdish Prasad.]

amounting to £200,000 a year, besides producing a range of heat-resisting iron-alloys of great importance. The Iron and Steel Industrial Research Council has completed research work which, on the basis of production in 1930, would save about £392,000 worth of coke in the production of pig-iron and a saving in coal of £1,341,000 in the production of finished steel. The work of these Research Associations in Britain is centralized by the Department of Scientific Research where necessary. The State contributes £65,000 a year to the support of the associations, and industry £170,000. Altogether £2,750,000 has been spent on research.

India has been long among, to borrow the phraseology of the above-mentioned report, "hewers of wood and drawers of water" so far as industrial development is concerned and for which she has been aspiring. This aspiration will only be very partially realized unless the Government help the manufacturing industries by organizing industrial research as has been done in Britain. For, if India is still one of the most industrially backward and therefore one of the poorest countries in the world, not a little of the responsibility for the same rests on the shoulders of Government which has no active policy of making the country industrially self-sufficing, in spite of the fact that it produces practically all the raw materials needed for modern manufactures, unlike countries like Britain and Japan which although industrially great have to depend on other countries for the raw materials required by many of their manufacturing industries. The result of past neglect of industries in India has been deplorable. There are too many people dependant on agriculture and too few on industries. The balance between agriculture and industries is dislocated. Our income per head of the population is the lowest among countries which have an ordered Government. The average *per capita* income from industries is insignificant, being as low as about one-fortieth of that in Great Britain or one-eightieth of what it is in the United States of America.

Comparing the industrial position of India with some other countries, what do we find? The number of industrial establishments in India for which statistics are maintained was 8,148 in the year 1930. The total capital invested in them is not separately shown in the published statistical statements. Including the capital invested by companies which though registered in the United Kingdom are working in India, the total capital of organized large scale industries is estimated by experts at about Rs. 700 crores, but the share of the Indian people in it is probably not more than Rs. 300 crores. In the United Kingdom, with a population only 13 per cent. of that of India, the number of industrial and commercial establishments at work in 1928 was 107,500. The capital outlay of industrial companies alone in 1932 was Rs. 7,067 crores, or about twenty-three times the Indian capital. The United States of America, with a population 35 per cent. of that of India, had 210,959 industrial establishments in 1929 with an invested capital of about Rs. 23,000 crores, or more than seventy-five times the Indian share in the industries of India. Canada has a population of a little over ten millions, or three per cent. of that of India, and in 1929 she had 23,597 industrial establishments with an invested capital of Rs. 1,525 crores, or about five times our figure. Japan in 1928, with a population 19 per cent. of that of India, had 13,711 industrial corporations with an authorized capital of Rs. 1,009 crores, or more than three times that of India. It is reported that the value of manufactured products in Japan increased seven-fold between the year 1914 and 1926. Sweden is another country which, in 1870, had only one-eighth of its population dependent for a livelihood on industries and commerce; today quite half of its population is maintained by these occupations. No such good fortune has

fallen to the lot of India. The number of persons engaged in organized industries in India was about 1·5 millions in 1930, or roughly one per cent. of the total working population. The proportion of the working population engaged in all classes of industries in India in the same year was ten per cent., while in the United Kingdom it was about 45 per cent., in the United States of America 29 per cent., in Canada 27 per cent., in Germany 38 per cent., and in France 31 per cent. The proportion of the total working population of India employed in agriculture is 66·4 per cent., while, according to the latest figures available, the same is 14 per cent. in the United Kingdom, 22 per cent. in the United States, 35 per cent. in Canada, 30·5 per cent. in Germany and 38·3 per cent. in France. There are twice as many people here dependent on agriculture as there are in any progressive country in the world, and one of the problems with which this country is now confronted is how to reduce this number to reasonable proportions and attain the balance that ought to exist between agriculture and industries. The income per head of population derived from industries and agriculture, respectively, in India as well as in five of the most progressive countries of the world compares approximately as follows :

Country.	Income <i>per capita</i> .	
	Industries.	Agriculture.
	Rs.	Rs.
United States of America	963	175
Canada	545	344
Great Britain	465	62
Sweden	384	129
Japan	185	85
India	12	48

These figures are rough estimates, but they are near enough to represent the relative position of income between agriculture and industries. In none of the countries referred to above is the *per capita* income from industries less than that from agriculture, while in one case, namely, that of Great Britain, it is more than seven times. The corresponding proportion in India is only about one-fourth. These facts and figures will leave no doubt in the mind of any unprejudiced observer that while Western nations and Japan have been concentrating on industries and trade, India has been growing more and more overwhelmingly rural. While the income from industries in those countries is their chief source of wealth, the same in India per head of population appears too insignificant by comparison. The result is that those countries which are industrially advanced are rolling in wealth and can afford to spend large sums on beneficent objects. Whereas countries which are mainly agricultural, like India and China, are steeped in poverty and ignorance and find it hard to provide funds for mass education, for the relief of the unemployed and for other social services.

Sir, to obtain a clear idea of the true position of industries in this country an industrial survey is a necessary preliminary and the first step towards it is to collect statistics of existing industries in the way I have ventured to suggest in my Resolution, as are usually collected in advanced countries. Except in the case of organized industries, regular statistics of existing industrial establishments of all classes are not at present available. The organized industries take into account only establishments employing 20 persons or more each, and the total number employed in them in British India in any year has been less than 1,700,000 of persons. There is a large number of minor or cottage

[Rai Bahadur Lala Jagdish Prasad.]

industries employing less than 20 persons of which no account is taken in the figures recorded by Government. The total number of persons supported by industries of all kinds according to the Census of 1921 was 33,167,018 or 10·49 per cent. of the entire population. The corresponding figure for 1931 was 9·95 per cent. The number actually working in such industries, mostly minor, is stated to amount to 15,361,933 in 1931 or about 4·4 per cent. These figures show that the country is receding in industrial activity. In India work and labour are not organized as in other industrially advanced countries. Regular hours are not observed. In many parts of India, minor industries continue to operate along traditional lines without guidance or help from science or technical skill, and as a result they drop out one by one as they become unremunerative in competition with modern mechanized industries. There has been no attempt at a systematic survey of the natural resources of the country, such as has been carried out under the policy of "Conservation of Resources" by the Government of the United States of America and Canada. The natural resources there have been very carefully surveyed and mapped. The surveys embrace resources under agriculture, irrigation, water power, forests, fisheries, mining areas, and they will serve as a model to us if similar systematic surveys are undertaken in India. Correct information is needed as regards the supply of raw materials, coal, water power, labour and other facilities available in each province and State for helping existing industries or starting new ones.

Sir, I acknowledge with very great gratification that in order to collect some statistical material on economic matters the Government of India have invited to this country two economic and statistical experts, Professor Bowley of London University and Mr. D. H. Robertson of the University of Cambridge, who have been conducting inquiries in India for some time and whose labours, I understand, are coming to an end and who are now preparing their report for submission to the Government of India within the current month. But this inquiry is I think of a preliminary nature and may pave the way to further enquiries and possibly to the undertaking of a comprehensive census of production on the lines which have been carried out in England and the United States, judging from the speech of His Excellency Lord Willingdon delivered at the opening of the annual meeting of the Associated Chambers of Commerce, Calcutta, as recently as January 8, 1934. What I therefore urge on the attention of the Government is that if the enquiries already conducted by these distinguished experts might not be of the nature indicated in my Resolution, then the supplementary investigations that are yet to be undertaken should partake of the nature of a thorough survey of the position of Indian industries and collection of statistics of existing industries on the lines detailed in my Resolution, and the results of such enquiries should be placed at the disposal of the public. And, lastly, I recommend that such other steps should be taken by the Government as may be considered necessary to secure a rapid expansion of industries in the country, because, Sir, I consider that our only hope of advance in the immediate future lies in the rapid industrialization of the country, which is a *sine qua non* of economic prosperity and happiness in these days of materialism.

I only hope, Sir, that modest as this demand is, the Government should have no difficulty in accepting my Resolution, because so far as the subject-matter of the Resolution goes I am only asking them to do for the people in this country what other national Governments are doing for theirs.

Sir, I move.

THE HONOURABLE SARDAR BUTA SINGH (Punjab : Sikh) : Sir, I wish to accord my whole-hearted support to the Resolution, and I feel that the case has been so ably stated by the Honourable the Mover that I need not take the time of the House in dwelling on details. I wish, however, to emphasise that as the countries of the world are at present engaged in economic planning with the aim of meeting all the requirements of the country within the country itself, we, in India, cannot stand aside and watch the process without making our country economically equipped to take its share in the new world. The Government of India so far have made no attempt to tackle the problems as a whole and it is not in a position to do so unless it can accept the suggestions made in the Resolution and reorganize its Cabinet. If the Government of India is really anxious to do something, it must immediately create a new portfolio of Development, so that the Development Member may take such immediate action as seems desirable. The Government of India can do so without violating the constitution, as the Development Member need not be a Member of the Executive Council for ordinary business, except for development questions. The cost to Government will not be great, while the advantages to the country will be tremendous. The Government of India will then have a centre of development, which would prove a vitalising centre to the provinces. If this Ministry is created, it can immediately take in hand five-year plans of economic development and thus give a lead to the provinces in this most urgent matter.

THE HONOURABLE KUMAR NRIPENDRA NARAYAN SINHA (West Bengal : Non-Muhammadan) : Sir, I cannot but whole-heartedly support the Resolution so ably moved by my Honourable friend Rai Bahadur Lala Jagdish Prasad. What my Honourable friend wants by his Resolution is nothing unreasonable or extraordinary. He wants a statistical survey of our existing industries. When we are living under the aegis of a civilized Government, it is nothing but proper that we should have accurate statistics of all our indigenous industries. Then only shall we be able to judge where we really stand so far as our present industrial development in this country is concerned. We shall then also be able to compare our industrial achievements along with those in other countries.

Sir, I shall not for a moment think that the proposal of my Honourable friend is unpractical. Really it will not be a difficult task on the part of our Government to collect all the necessary data within a short time. Nor need the fear of a heavy outlay daunt them by the way. The Department of the Director of Industries, under the Ministers, functioning in the different provinces will be able to get together all the details in that direction if called upon as that department is already in close touch everywhere with the indigenous industries.

Sir, it is really very sad to think that side by side with the enquiry into our agriculture there was no investigation into our existing industries. In fact one was as necessary as the other. My Honourable friend in bringing forward this Resolution is trying to fill up that lacuna but rather late. In the true interests of the nation and for the better organization of the provinces, with the coming in of the constitutional changes, such a survey of the industrial situation of the country will be quite helpful to the autonomous provinces in particular. The Central Government will thus be in a better position to know what industries to tap profitably for the sake of an excise revenue.

THE HONOURABLE MR. D. G. MITCHELL (Industries and Labour Secretary): Mr. President, I am not equipped to follow the Honourable Member in his flights into the higher realms of economics and I have no comment to make on his wide and interesting survey of comparative economics and economic plans. My remarks will be very brief and will only be intended to convince the Honourable Member that Government is just as anxious as he is that the objects expressed in his Resolution should be secured as early as possible. His Resolution falls into two parts, the first part relating to his proposal for the undertaking of an economic survey. This question of an economic survey and the collection of statistics on the industrial side first became important in the post-war years when there was a considerable expansion in the industries of India, and it became more important with the adoption about 1923 of the Government policy of discriminating protection. The need was felt very strongly by Government that more accurate and more broadly based statistics were necessary for the proper formulation of the different schemes of protection. In 1925 the Indian Economic Inquiry Committee sat and it produced certain specific proposals which unfortunately could not be followed up. A great deal of discussion and correspondence and hard thinking was done on the subject of these proposals, and they were also considered by the Indian Agricultural Commission; but the general conclusion was that the scheme proposed by the Indian Economic Inquiry Committee was so elaborate that it would cost an overwhelming sum of money, and Government was forced to look for simpler methods,—methods more gradual, methods requiring the co-operation of the provincial institutions and of private organizations. However, the position became more and more acute as time went on. The crisis came with the negotiation and passage of the Ottawa Trade Agreement. The negotiators of that agreement in Canada felt that they were very badly handicapped by the lack of full statistics, and during the passage of the Bill complaints were made from all sides of both Houses that the critics of the Bill also were unable to criticize it properly for lack of fuller information. The Government therefore took the subject up specifically in the Economic Conference of 1933, and shortly after that Conference sat a letter was issued, in the month of August last, by the Finance Department which was an invitation to the provinces to co-operate in this matter and to make such suggestions as they could make to enable statistics to be gathered on a broader basis and as cheaply as possible and in such ways as might be practicable under present conditions in India. The letter was accompanied by a memorandum prepared in the Commerce Department which contains a passage of remarkable similarity to the Resolution which has just been moved. I understand my Honourable friend gave notice of this Resolution in August last, and he must have drafted his Resolution about the same time as the writers of this Memorandum drafted the Memorandum. The passage runs :

“The monthly figures of production referred to above which are being received from certain establishments in a few ‘large scale’ industries cover the volume of output only, whereas the information required in a census of industrial production would include many other details such as —”

then follow some words which are a close paraphrase of the present Resolution :

“quantity and value of materials used, number of working days, number of working hours, number of employees, salaries and wages, cost of raw materials, quantity and cost of power used, etc.”

I think that quotation is sufficient to convince the Honourable Member that Government and he are thinking along almost identical lines. It is perhaps a remarkable case of great minds thinking alike.

After the receipt of letters from Local Governments on this Memorandum, the Government of India decided to take a very definite step and issued the following Resolution to which my Honourable friend has referred :

“ The Government of India have engaged the services of Mr. D. H. Robertson, Lecturer in Economics at the University of Cambridge, and Professor A. L. Bowley of the London School of Economics to advise them on the question of obtaining more accurate and detailed statistics than are at present available in India. There will be associated with these gentlemen in their enquiries the following three Indian economists—Professor P. J. Thomas, Professor of Economics, Madras University, Mr. D. Ghosh, Lecturer in Economics, Bombay University, and Mr. C. Fazal, Assistant Secretary of the Punjab Board of Economic Enquiry ”.

Then follow the terms of reference which briefly are to the effect that these economists are to find out and to propose to the Government of India the most practicable methods of obtaining statistics. And that is the crux of the whole problem. The method of obtaining statistics which has to be determined before the statistics themselves can be obtained on a proper basis, —a simple proposition which I hope my Honourable friend will admit. I may assure him that as soon as the report of the economists is submitted—which will be in a few weeks now—the Government of India has every intention of pushing ahead as fast as it can. This report will, of course, be public and the results of any further inquiries that may be made as a result of it will also be public.

Now, Sir, to come to the second part of the Resolution—

“ to take other necessary steps to secure a rapid expansion of industries in the country ”

—I find difficulty as the securing of a rapid expansion of industries in the country is a provincial subject and is not within the competence, strictly speaking, of the Governor General in Council. Such being the case, Government is unable to accept the Resolution, but I am to assure the Honourable Member and the Members of this House that Government feels as strongly on this subject as he does, and has every intention of taking all practicable steps to secure the objects in view. With this assurance I trust the Honourable Member will kindly withdraw his Resolution.

I have only one more remark to make, as regards the speech of Sardar Buta Singh, who urged the formation of a Development Ministry. I think I may say that a few days ago in another place the Honourable the Finance Member mentioned that Government had under consideration the question of the formation of a Ministry of Transport. That being the case, on the existing distribution of the two portfolios concerned, if a Ministry of Transport were to be formed the other Ministry would necessarily be one of Development.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS (Punjab : Non-Muhammadan) : Sir, I rise to support the Resolution which has been so ably moved by my Honourable friend, Rai Bahadur Lala Jagdish Prasad. Sir, although superficially the reply from the Honourable Mr. Mitchell seems very attractive and reassuring, if we look more deeply into it we find that it simply brushes aside the proposal. The Government of India generally appoints committees to inquire and report on important matters. But whenever it does not suit the Government to accept the recommendation for a certain committee they brush it aside and in the present case the Honourable Mr. Mitchell says that as the expenditure involved in the report of the Economic Committee was rather high the Government did not see its way to adopt the recommendations.

[Rai Bahadur Lala Ram Saran Das.]

Sir, similar has been the case of many other committees. Many committees reported and their reports never saw the light of day and were not made public. In other cases the report was lying in the offices as it did not call for any action on the part of the Government. Sir, it is very necessary that the present difficult problems of unemployment should be solved, and if we inquire how far the industries are now really being patronized by the Government, we find that most of the industries are being run at a loss and the Government has been very, very slow in giving them the protection asked for and even when the protection was given it proved in most cases to be very inadequate. While making observations on the Budget the other day I said that the Department of Industries and Labour in the Centre is only an anomaly. The responsibility for the industrial development lies with the provinces while the power lies with the Central Government and it is very difficult for the provinces to develop and assist industries as long as responsibility is divorced from power. Sir, if this Resolution is accepted—I am glad to find from the speech of the Honourable Mr. Mitchell that the Government of India are sympathetic towards the idea underlying the Resolution and they want to go into this matter partially but not wholly and wholeheartedly—I must say that in industrial matters very early action should be taken. In foreign countries, whenever any industry is in trouble, the Government takes action promptly and that action gives immediate relief to the industry concerned. Here, in India, it takes them a very long time to take action and the industries are sometimes ruined in the meantime. Sir, we wish that either the power to assist industries should be transferred to the provinces or that provinces should not have industrial development in their hands and the Central Government should have the industrial development of the various provinces in their hands in the same way that they have the income-tax administration. Then we can hope for better industrial development. Sir, railway freights, tariffs, exchange, currency, excise, credit banking facilities and similar matters are all in the hands of the Government of India. As far as the textile industry in India is concerned, the Government has been rather unmindful of the grievances of the textile manufacturers. The import duty on cotton continues, the surcharge on coal and mill stores continue, and so on—the result is that the excise duty on textile goods which was taken away by the Government some time ago has been re-introduced indirectly in another shape.

I wish, Sir, that Government accepts this Resolution in full. It is after all only a recommendation. As statistics are of vital importance to the industries, as much statistics should be made available to the public as is possible. To grudge the expenditure on industrial development is a mistake, because in industrializing the country lie the salvation of the country and the solution of the question of unemployment to a great extent.

With these words, Sir, I give my warmest support to the Resolution.

THE HONOURABLE RAI BAHADUR LALA JAGDISH PRASAD: Sir, I am very thankful to my Honourable friends in the House who have supported my Resolution. I am glad to find that the attitude of the Government also is sympathetic. The Honourable Mr. Mitchell has in his speech observed that the Government are just as anxious as myself so far as the substance of my Resolution is concerned. He has given some information to show what the Government of India have done from time to time by appointing committees for economic enquiries, and has told us that Government and I are thinking on the same lines in this matter. I am very glad that on this point the Government and I see eye to eye with each other. As

the Honourable Mr. Mitchell has assured us that as soon as the report of the Economists whom the Government of India have appointed to make a survey is received by the Government, the Government would push forward the industrial development of the country and as he has in view of this assurance advised me to withdraw this Resolution at this stage, I have no objection in following his advice. But, Sir, I only hope that the investigation which the Government of India are now conducting through economic experts will be on the lines as detailed in my Resolution. If after the report by these economic experts I find that the report is not up to the mark or that the Government are not doing what they should to see the country make rapid progress towards industrialization, then I will, if necessary, again bring forward a similar Resolution in the House. But, Sir, for the present I am satisfied with the assurance given by the Honourable Mr. Mitchell and in view of that assurance I beg leave of the House to withdraw my Resolution.

The Resolution* was, by leave of the Council, withdrawn.

RESOLUTION RE REFERENCE OF IMPORTANT BILLS TO JOINT SELECT COMMITTEES.

THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA (United Provinces Central: Non-Muhammadan): Sir, I beg to move :

“That this Council recommends to the Governor General in Council to direct the Government Members in charge of important Bills to move for reference of their Bills to Joint Select Committees of the two Chambers.”

Sir, the Resolution, as worded, is very simple and requires little elucidation from me. I have particularly added the words
 12 Noon. “important Bills” in order to leave the choice to the Government so that they will not be in an embarrassing position to refer all Bills to Joint Select Committees. Sir, we all know to what disadvantage this House is put when important Bills have no representatives from this House on the Select Committee. Sometimes, in the Select Committee, we find that compromises are made. We do not know the occasion for those compromises. Some important clauses as a result of a compromise in the Select Committee are modified or deleted and we do not know why it has been done and why the Bill is changed in important aspects. We have to rely wholly and solely on the statement made by the Government in such a situation. If some of the Honourable Members of this House are represented on the Committees, and important changes are made, they will be able to explain to their colleagues here how those changes have been arrived at. On the other hand, the Assembly will not lose anything if some Members of this House are on the Select Committee. I admit that this House has got more of a nominated element than the other House, but it contains representatives from all classes and their advice may be helpful in coming to important conclusions in Joint Select Committees. Then, the Bill goes again to the Assembly and if the recommendations of the Joint Select Committee are not acceptable to the other House, which is more representative, they can make changes wherever they like. Sir, this demand of ours is not a new one. After the introduction of the Montagu-Chelmsford Reforms, important Bills used to be referred to Joint Select Committees for a few years. In 1921 as many as five Bills were

* *Vide* page 428 *ante*.

[Rai Bahadur Lala Mathura Prasad Mehrotra.]

referred to Joint Select Committees, so much so that the Finance Bill was also referred to a Joint Select Committee in that year. In 1922, six Bills were referred to Joint Select Committees. It was only with the advent of the Swaraj Party in the Assembly that the Government felt nervous and began to treat the Upper House in a step-motherly fashion. Up to 1926, however, some Bills were referred to Joint Select Committees but in that year a Motion for reference to a Joint Select Committee was withdrawn for the first time. The Motion was not defeated, it was withdrawn by Government simply to please the Members of the other House. In 1927 two Bills, the Gold Standard and the Reserve Bank Bills, were referred to a Joint Select Committee. An Honourable Member of that House, Mr. Jamnadas Mehta, objected, but no other Member supported him and the Motion for the Joint Select Committee was carried without any division. But after 1927 Government gave up the practice of referring important Bills to a Joint Select Committee, and from 1927 till 1932, that is for five years, no Bill was referred to a Joint Committee. It was only in 1933 that the Reserve Bank Bill and the Imperial Bank of India Bill were referred to a Joint Select Committee because it was done in 1927 as well. When the objection was made in 1927 for reference of the Gold Standard and Reserve Bank Bill to the Joint Select Committee, the Honourable the Finance Member, Sir Basil Blackett, made an important pronouncement in his speech, which I shall quote for the benefit of the Members of this House, in which he has asserted the privilege of the House, but with all that, Sir, no Bills after that, as I have said, were referred to a Joint Select Committee. He said :

“ This House in no way infringes its own rights or gives away any of its own rights in regard to the examination of this Bill when it returns from the Joint Committee, if it agrees to a Joint Committee. On the other hand, owing to the rule that a Select Committee cannot be appointed by one House if there has already been a Select Committee on that Bill in another House, a Motion for a Select Committee in this House deprives the other Chamber of any power of examining this Bill in a Committee. The constitution intentionally gave a special representation in the other place to representatives of commerce and industrial interests and it is most desirable that when an opportunity arises of taking advantage of those who have special knowledge it should be used. Government are unable to accept the suggestion of Mr. Jamnadas Mehta that they should withdraw this Motion and they very much trust that the House will see that in its own interests and in the interests of the country it is desirable that it should be referred to a Committee representative of every one in the matter ”.

That is what Sir Basil Blackett said when an objection was made in 1927.

Then, Sir, a similar Resolution was moved by my friend Mr. Hossain Imam on the 6th March, 1933, when my Honourable friend Sir Fazl-i-Husain, the Leader of the House, opposed the Resolution in a half-hearted way and put in some lame excuses. I will, with your permission, Sir, quote two of his sentences in reply to the Resolution of my Honourable friend. He said :

“ I think it is obvious that Government would like to have public business done in the best way possible and surely the co-operation of this House in Select Committees cannot in any way be prejudicial to the best way of disposing of legislative business so far as the Government is concerned”—mark the words ‘ so far as the Government is concerned ’—“and yet Government has got to do its duty and do it without giving cause for offence to other people and without creating situations in which bitterness is engendered ”.

By this, Sir, the Leader of the House wanted to hint that if the Bills are referred to Joint Committee the other House may be displeased. There was no other reason he could give for not referring the Bills to a Joint Committee.

THE HONOURABLE THE PRESIDENT : That is not the correct interpretation of the sentence which you have just read.

THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA : Sir, it is my interpretation. Anybody has a right to interpret in any way he likes. Later on, he said :

“ Therefore I trust the Honourable Member will be satisfied with the assurance that I have given him that it is but right that the Government should try and have a Joint Select Committee as far as it sees it can usefully be done and not press it if there is controversy about it ”.

But, Sir, on many important Bills on which it was possible for the Government to obtain representation of this House and it was but proper that it should have been represented, it was not represented. I may say that this House was not represented in the Select Committees of such important Bills like the Ottawa and Tariff Bills, and, even after the statement of the Leader of the House in reply to my friend's Resolution, on the Medical Council Bill and Indian States Protection Bill. Even though no representation was given to us on other minor Bills, yet those I have quoted above were some of the most important legislative measures brought forward during the last few years. It is the practice of not only this country but England. Joint Select Committees of both Houses—the House of Lords and the House of Commons—are appointed on important Bills in England and we know that a Joint Select Committee was appointed on the last Reform Bill,—the Montagu-Chelmsford Bill, and one is also sitting on the future Reform Bill. Sir, section 42 of the Indian Legislative Rules definitely provides for such Joint Select Committees ; so there ought not to be any hitch on the part of Government. Section 42 of the Indian Legislative Rules reads as follows :

“ If a Resolution is passed in the originating Chamber recommending that a Bill should be committed to a Joint Committee of both Chambers, a message shall be sent to the other Chamber to inform it of the Resolution and to desire its concurrence in the Resolution ”,

and so on. So, Sir, that particular section provides for Joint Select Committees. On the other hand, section 29 of the Indian Legislative Rules debars us from making references to Joint Select Committees in this House when the Bill has already been referred to a Select Committee in the other House. Section 29 reads as follows :

“ Any member may (if the Bill has not already been referred to a Select Committee of the Originating Chamber or to a Joint Committee of both Chambers, but not otherwise) move as an amendment that the Bill be referred to a Select Committee, and, if such Motion is carried, the Bill shall be referred to a Select Committee, and the standing orders regarding Select Committees on Bills originating in the Chamber shall then apply ”.

So, Sir, section 29 clearly debars this House from making Motions for reference of Bills to Select Committees of this House, as all Bills that come from the Assembly do come after the report of the Select Committee. If this section exists, I think it is in the fitness of things that Government should take advantage of the other section, I mean section 42, and refer the Bills to Joint Select Committees if the Government have any respect for this House, because we as Members cannot make any Motions for reference of Bills to Select Committees. Sir, I find from the speech of the Honourable the Leader of the House—I have quoted two sentences—that he was nervous of alienating the sympathies of the other House when he opposed this Resolution.

THE HONOURABLE THE PRESIDENT: I do not think you are correct in drawing such inferences.

THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA: Sir, I have moved this Resolution just to strengthen his hands, to show that if any objection is raised in the other House he and his colleagues can quote the Resolution passed in this House that the Upper House is desirous that their representation should be made at least on important Committees; and by this they will be dividing the responsibility by making such statement in the other House on the opposition of the Members of the Assembly. Sir, in the end I appeal to all the non-official Members, whether nominated or elected, that they should assert their right and pass this Resolution in this House to strengthen the hands of the Government as I have said.

With these words, I move.

THE HONOURABLE KHAN BAHADUR MIAN SIR FAZL-I-HUSAIN (Leader of the House): Sir, we had a debate on this subject very nearly a year ago. Certain observations I had made during the course of that debate have been quoted. The Resolution in that debate was moved by the Deputy Leader of the Party to which the mover of the present Resolution belongs. He was supported by some members of his own party and by some other Members of the Council. I had then placed before the House various aspects of the problem in the hope that it will be realized that there is no issue between the Members of this House and the Government on this subject; and having established that, Honourable Members will realize that there is nothing to be gained by reiterating a proposition the validity of which Government already accept. But unfortunately there is not as much clear thinking about this problem as it deserves and therefore Honourable Members feel that by repeating these arguments and by reiterating this proposition there is something to be gained either by the House or by Government. The latest argument advanced by the Honourable mover is this. Government is already converted to the view that what he wants the Government to do is the right thing to do. There is the other House which is obstructive and he thinks that as soon as this Resolution is passed here, I will, armed with this Resolution, proceed to the other House and tell them, "Here is the Resolution of the Council of State" and they will give way and everything will be all right. As Leader of this House nothing would please me better than to have such power in the Resolution of this House, which would enable me as a conquering hero to go to the other House; but constitutionally when one of my colleagues proceeds to move a reference to a Joint Select Committee and finds that the Assembly is not favourably disposed towards his proposal, will the fact that he can refer to this Resolution of this House make much difference, and for the matter of that, any difference? There is but one thing that can be done and it is by way of influences other than those which the Honourable mover of the Resolution contemplates. It is by constant association between the Members of the two Houses when they are in session in Delhi or in Simla that it is possible for them to so adjust matters that such opposition as may be offered to such a proposal can be overcome. After all, there is no sense in urging that Government refers Bills to Select Committee. The Government does nothing of the kind. Government only moves that a Bill be referred to a Joint Committee. The actual making of the reference to Select Committee lies in the hands of the Assembly and not of the Government. Therefore, when you say Government does not do that, are not you really misrepresenting the

position or at all events not comprehending the real position? What I tried to impress upon the Honourable Members last year was that Government has everything to gain and nothing to lose by any of its measures being referred to a Joint Select Committee. No one can put the claim of this House on a higher level than that. It is not to please you, it is not to give you something to do because you are unemployed, it is because Government believes, and I think rightly, that from its own point of view a Joint Select Committee is a much better proposition than a Select Committee of the other House only. Why? Because you claim,—and I am prepared to concede that claim,—that the amount of responsibility of this House is greater than that of the other House. In certain matters the vested interests of this House in various problems are greater than those of the other House. Again the knowledge of this House in certain matters is greater than the knowledge of the other House. Therefore, Government is perfectly justified in thinking that a Joint Select Committee in important measures, be they financial, be they legal, be they technical, is from its own point of view a much better proposition than a Select Committee of the other House only.

Surely, Sir, it is not contended that when Government feels that it is a good thing for Government to have a Joint Committee, it is so foolish that it will not have it? What for? To spite you? Surely not. Then what is it? There must be some reason for it. Knowing that a thing is good for it, if Government is not having it, why is it? Obviously because there must be some other thing which it loses, some counterbalancing thing, and it feels that it is not right for this gain to suffer another loss. No one wants to be in a relationship to the Legislature, whether Upper or Lower, which is not pleasing and which is not cordial. Would the Honourable Members sitting opposite advise Government to be at loggerheads with the Assembly on this question? Would they conscientiously do it? I am sure they would not. Therefore, when I say that whenever it is possible for my colleagues to persuade the leaders of various parties in the Assembly to agree to a Joint Select Committee, they have in the past done their best to obtain a Joint Select Committee and they are prepared to try for it now and in the future, it is up to the Honourable Members sitting opposite to do the rest.

Now, as last year, I can only try to impress on their minds that giving expression to bitterness of feeling does no good and may have reactions. Is it wise to do that? I distinctly hold it is unwise.

What has Government done for this House? Well, permit me to point out, Sir, that this House when it claims that it should have a Joint Select Committee on every important Bill, if it urges that the Assembly is bound to give that Joint Select Committee, it is reading into the constitution something which is not there. It is admitted that this House is really a higher House than the other which is the lower. Are they co-equals? Is this the Upper Chamber or not? Is this the Revising Chamber or not? Where is the justification of the title "the Honourable" and why has it been taken away from the Members of the Assembly? These things are not meaningless. (*An Honourable Member*: "It is a great satisfaction. Consolation rather.") It is not a matter of satisfaction. Is there any reason why the Members did not stand for election to the Assembly and stood for election to this House? Surely, you cannot take the good things of the world and refuse to take the unpleasant ones or the ones that you do not think pleasant, which are part and parcel of the good. If you are an Honourable Member of the Upper House, the Revising Chamber, the Honourable Mr. so and so, you have in certain matters privileges and rights and dignities which are not possessed by the other House. But with these there are also certain limitations.

[Khan Bahadur Mian Sir Fazl-i-Husain.]

But, Sir, apart from these advantages and limitations that I have hinted at, permit me to invite the attention of the Honourable Members to one thing that Government should have done and has done. In every session, Sir, Government provides the same number of days for non-official business as are provided for the Assembly. Has any one prevented the Honourable Members of this House from proceeding with private legislation if they were so inclined? This House has exactly the same number of days for non-official business as the Assembly. You want to be put on the Joint Select Committee on important Bills. Well may Members of the Assembly ask where is the table of private important Bills of the Council? Who is going to prepare them for you? There are the days waiting for you throughout the session. Well, this is not the fault of Government in any way. Whether you want private Resolutions, private Bills, questions, there you have absolutely equal facilities with the Assembly.

I trust, Sir, I have made it absolutely clear that what some of the Honourable Members of this House do not like in the matter of the Joint Select Committee are certain limitations which are part and parcel of their superior position, the position of the House, its dignity or privileges, whatever it may be called; that if there were no difference, then there would be two Houses of equal status and this is not the position nor was it ever contemplated; that there is a provision in the constitution for bringing the two Houses together, provided they were desirous of coming together; that it is the duty of Government Members to take steps to bring them together as far as possible. That, I assure the House, is invariably attempted. Even during the course of the last week, an Honourable colleague of mine occupied himself in ascertaining the chances of securing a Joint Select Committee. He has no power to force the hands of the Assembly. But, as I told you before, it is obvious that if the Government could get a Joint Select Committee, it would. Therefore, there is no need for me to dwell at any length on that point.

I trust, Sir, that having done my best to place the case in a fair and simple manner before the House I cannot do better than leave the matter in the hands of the House with a view to deciding, firstly, whether anything is to be gained by passing a Resolution or recommendation to Government knowing perfectly well what the view of the Government on the subject is and what it has been actually practising; secondly, whether anything is to be gained by repeating this controversy which is not really between the House and the Government; and, thirdly, if my humble advice is not acceptable, not to discuss the matter year after year but to cultivate such relationship with their fellow legislators of the other House as would help Government to secure Joint Select Committees to a larger extent than they have been able to secure in the past.

With these words, Sir, I trust the Members will excuse me if I have this year been more definite in placing the case of both sides before them than I was last year.

THE HONOURABLE SAIYED MAHOMED PADSHAH SAHIB BAHADUR (Madras: Muhammadan): Sir, much as I am in sympathy with the object of the Honourable mover, I am afraid I shall have to oppose him in view of what has just been said by the Honourable the Leader of the House. Sir, I perfectly agree with the Honourable mover in thinking that this House should not be neglected and that the rights and privileges of this Council should never be lost sight of. Sir, I perfectly agree with him in thinking that the participation of this House in the Select Committee stage of important Bills is bound

to prove of great help and value in the work of those Committees. But, Sir, I cannot agree that our right to participate should be pressed on each and every occasion that any important Bill is brought up in that House and that we should press this right without any regard to the chances for the smooth passage of the Bill. Sir, if I had the least doubt that the failure of the Government to satisfy this House in their desire to participate in Select Committees was due to the fact that the Government were oblivious of the importance of this House or that they felt that the co-operation of this House in Select Committees would tend to have an undesirable effect on legislation,—if I had these doubts, Sir, I would certainly have been the first to accord my whole-hearted support to this Resolution. But, Sir, experience shows that this is certainly not the case. Experience shows that on occasions, whenever it was felt that the participation of this House in Select Committees would facilitate work and would bring a more useful influence to be exercised on the moulding of the measure, this House has always been given an opportunity to co-operate in the Select Committee stage. Sir, only last year this House was given an opportunity to collaborate with the Members of the other House in formulating proposals for the starting of a Reserve Bank in this country. As has been said by the Honourable the Leader of the House, on occasions when important matters come to be discussed for legislation, when questions of high finances, questions in which the Honourable Members of this House are expected to have more experience and more intimate knowledge, are dealt with, this House has always been made to participate in Select Committees.

Sir, the unwillingness of the Honourable the Leader of the House to give offence to the other House does not in my opinion indicate any nervousness but on the other hand it shows the good sense and moral courage in realizing facts. Sir, it shows really moral courage for one to admit that notwithstanding the fact that this House has got its extraordinary privileges and dignities as a Second Chamber, it has also got its limitations. Sir, it does credit to the moral courage and the good sense of the Leader of the House to point out that it would not redound to the credit of this House that Motions should be made in the other House for including Members of this House on Joint Select Committees with no chance of their being carried, that it would not redound to the credit of this House to be refused to be allowed to participate with them on Select Committees even in spite of the fact that this House has unanimously passed a Resolution and expressed a desire in that respect and the Government have accepted the Resolution to the effect that there should be these Joint Select Committees. Sir, in view of the fact that it is not advisable nor creditable on our part to try and foster a feeling of bitterness between ourselves and the other House, I would request the Honourable the mover of this Resolution to withdraw it. In view of what has been said by the Honourable the Leader of the House it is evident that he realizes the importance of this House, that he is in perfect sympathy with the object of this Resolution but owing to practical difficulties he is not in a position to accept it in the way it is worded. I therefore request my Honourable friend Rai Bahadur Lala Mathura Prasad Mehrotra to withdraw this Resolution in view of the assurance given by the Government.

THE HONOURABLE SIR PHIROZE SETHNA (Bombay : Non-Muhammadan) : Mr. President, the Honourable the mover of this Resolution has thought fit to bring it forward immediately after the requisite period of a year has expired after an identically similar Resolution was moved in this House on 6th March, 1933. He must have good reasons for the same and I suppose there are others who hold the same opinion as himself. As Members of this House, we are naturally anxious that its interests should always be maintained,

[Sir Phiroze Sethna.]

and we look to seniors like our esteemed Leader, as also yourself, Sir, for guidance in this matter. If I may be allowed, Sir, to refer to you personally, during your long connection with the Council of State you have invariably endeavoured to advance its best interests. (Applause.) And now that you have been elevated to the Presidential Chair you are trying to do yet more, to judge from a speech which you made only last Tuesday not in this House but at a social function outside. If I may be permitted to quote from your speech —

THE HONOURABLE THE PRESIDENT : May I remind the Honourable Member that it is not the usual Parliamentary practice to refer to speakers' utterances outside the Chamber.

THE HONOURABLE SIR PHIROZE SETHNA : If you so desire it, Sir, all I will say is that we are thankful to you for what you did say on the occasion. I will not refer to it any further. I am thankful to the Honourable the Leader of the House also for referring to the Council in the manner he did today. But, Sir, he advised us that it would be preferable in the interests of the two Houses if this Resolution was withdrawn. I was not present when the Resolution was moved on the 6th March, 1933, but I will quote from the speech of the Honourable the Leader of the House on that occasion the following sentence :

"I trust the Honourable Member will be satisfied with the assurance that I have given him that it is but right that the Government should try and have a Joint Select Committee as far as it sees it can possibly be done and not press it if there is controversy about it, etc."

I have quoted this sentence to show that, as the Honourable Sir Fazl-i-Husain has told us this morning, Government themselves are anxious to place such matters as they want to and as they can before a Joint Select Committee. May we then ask the Honourable the Leader, that is, if the facts as placed before the House by the mover of the Resolution are correct, that, whilst up to 1927 there were several instances of references made to Joint Select Committees why is it that since 1927 this procedure was altogether dropped until last year when the Reserve Bank Bill was referred to a Joint Committee of the two Houses? Surely there must have been some reason. Was it because of any opposition from the Lower House? If there was opposition from the Lower House, what is the cause of such opposition? The Honourable the Leader states that this Resolution would serve to embitter the feelings of the two Houses. Have we done anything to bring about any disagreement between the two Houses? I understood the Honourable Member to say we ought to resort to other influences, namely, constant association, to adjust matters between the two Houses. I submit to the Honourable Sir Fazl-i-Husain that the appointment of Joint Select Committees is the very remedy which he himself has suggested, namely, constant association. If Members of the two Houses work jointly in Select Committees they will be able to understand each other better, and, as the Leader himself has pointed out, it will save the time of Government afterwards, because the views the Members of this House on the Select Committee will express will be such as will be accepted, I hope, *in toto* by the rest of the House, when the Joint Select Committee's report comes before it—

THE HONOURABLE KHAN BAHADUR MIAN SIR FAZL-I-HUSAIN : Surely the Honourable Member cannot misunderstand me? There is such a thing as courtship preceding marriage.

THE HONOURABLE SIR PHIROZE SETHNA : There is no necessity for courtship in this case. A marriage has been established for the last 12 years and the marriage has been a happy one. We want to know why they do not want to work with us and it is for the Honourable Leader to tell us that. Therefore, Sir, I put it to the House that this "constant association" which he suggests does exist and it is for Government to foster it and to foster it by appointing Joint Select Committees. If they do that I am sure there will be a better understanding in the future which my Honourable friend Sir Fazl-i-Husain thinks does not exist at the present moment.

The Honourable the Leader said that if we pass this Resolution it will be tantamount to issuing orders to the Legislative Assembly. Nothing of the kind. It is only a recommendation to the Governor General in Council and that too in respect only of important Bills. Now, Sir, take the Bill that is moved today in the other place but I do not know if that House is sitting today. This Bill is known as the Indian Tariff Protection Amendment Bill. Can this House conceive that this Bill is not important? The Honourable the Leader himself admits that the responsibility of this House and the knowledge of Members of this House is perhaps greater than that of the other House. Then, Sir, may I ask him whether the presence of Members of this House on the Select Committee of that Bill, if it is referred to a Select Committee, would not be a very great advantage to the Legislature and a great saving of time to Government themselves?

THE HONOURABLE KHAN BAHADUR MIAN SIR FAZL-I-HUSAIN : And advantage to Government.

THE HONOURABLE SIR PHIROZE SETHNA : Exactly. Therefore, if the Honourable the Leader assures us here today, that although that Bill will not be sponsored by him in the Assembly, he will try to prevail upon his colleague the Member in charge in the other House to recommend that this Bill should be referred to a Joint Select Committee, I would certainly ask my friend behind to withdraw his Resolution. It does not matter if the Assembly will agree or not. We want to be sure of the intention of Government to refer Bills of this sort and of this importance preferably to Joint Select Committees of the two Houses.

***THE HONOURABLE SIR KURMA VENKATA REDDI (Madras : Nominated Non-Official) :** Sir, there seems to be some unfortunate misunderstanding between the two sections of the House. To my mind it appears that there is not much difference between the two views. The Honourable the Leader of the House did not dispute the facts stated by my friend Mr. Mehrotra. On the other hand, if I understood him aright, he was in entire sympathy with the object of the Resolution, the difference lying only in regard to the method by which the object is to be achieved. But, at the same time, we will have to take the consequences of anything like a definite Resolution like this. That the Resolution is well meant and is well supported and that the Members of this House would be glad to sit in Joint Committee with the Members of the other House, nobody will deny; but where a desire is expressed on the part of the other House not to accept any such suggestion what will be the consequences except a deadlock? Suppose the Government accept this Resolution and they go to the other House and ask them to have a Joint Committee for any particular Bill. If the other House agrees, well and good. But if the other House does not agree, what will be the consequence? The Bill

* Speech not corrected by the Honourable Member.

[Sir Kurma Venkata Reddi.]

will have to be dropped. (*An Honourable Member* : "No.") It has got to be. The House cannot get on with it if they refuse the reference to a Joint Select Committee. The only consequence will be, if Government want to pass the Bill, they will have to get it certified and take it to the other House and have it passed as a recommended Bill. They will in fact have to import the other remedies laid down under the Act. Is it wise and is it right to press that, especially when the Honourable the Leader of the House is perfectly willing and ready to help us as far as lies in his power? That is the only point to be taken into account. If the very object of the Resolution were opposed by the Honourable the Leader of the House, then there would be reason for complaint on our side. But I think we are both agreed that in all cases where it is necessary to have a Joint Committee Government will try their best to induce the other House, or we will ourselves approach the Members of the other House and try to see—(*An Honourable Member* : "Canvass them?") By all means. There is nothing wrong about it. We have all done it, at least the elected Members have done it, and that is the meaning of the word "lobbying." We always do that.

What I would respectfully submit to this House is this. This is a matter which has got to be settled by co-operation and goodwill between the two Houses and no purpose would be served by pressing this Resolution to a division. In the first place, it is possible that it may not succeed. In the second place, even assuming that it succeeds, Government are not bound to accept it, because, after all, our Resolutions have not the force of law; they are not binding on the Government.

THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA : Why then has Government opposed this Resolution?

THE HONOURABLE SIR KURMA VENKATA REDDI : I do not believe Government have actually opposed it. They are trying to conciliate us; they are trying to bring about a conciliation between this House and the other House. You will have seen that from the very first sentence of the Honourable the Leader of the House. If I am not mistaken he said, "There is no issue between us". I think I am right in saying that the Honourable Member clearly stated that there is no issue at all in this matter. So the best thing will be for us, if I may say so with great respect to both sides, that we should manage this matter in a very conciliatory and friendly spirit.

*THE HONOURABLE MR. HOSSAIN IMAM (Bihar and Orissa : Muhammadan) : Sir, I do not think it is necessary to elaborate the reasons for bringing forward this Resolution at the moment. All I intend to say now is that we had a period of one year in which to see how far the promises of the Government have been carried out in effect and how far there was simply lip sympathy. During that period important pieces of legislation were placed on the Statute-book, but the only Bill which was referred to a Joint Committee was the Reserve Bank Bill, and this too was done because the former 1927 Bill had been referred to a Joint Select Committee and it was thought advisable that the same procedure should be adopted this year. But other measures of equal importance were introduced in the other House without any reference being made to our House. A colleague of mine, the Honourable Mr. Miller, during the discussion of that Resolution last year, made a very good and constructive suggestion. That suggestion was that more Bills should be

* Speech not corrected by the Honourable Member.

referred to this House. I hope, Sir, that the Government will at least follow that advice. If we were the originating Chamber of important Bills, then it would be in the interests of the Assembly itself to see that Joint Select Committees are formed on all Bills; but it is a one-sided game. All the important Bills—for the matter of that practically all Bills—originate in the other Chamber and we are shown the cold shoulder. Sir, it is rather strange that the Honourable the Finance Member in 1927 should have shown more solicitude for the rights and privileges of this House than is shown by some of the Members at least. We are told that Government is not the authority which forms Select Committees. It is the Assembly which forms them; the Government simply makes a Motion. Constitutionally that is a correct reading of the affair, but we know the realities; we know how the land lies and how far the mere fact that the Government wishes to force a thing through the Assembly carries weight there. Time was, Sir, when there was a great deal of difference between this House and the other place, but at the present moment times are changing and I may say that the rivalry now is not in who is ready to oppose the Government, but who is more ready to swallow bitter pills; and perhaps the Government find that they do not require the support of this House, because they have got clear ground even there and therefore they do not feel called upon to refer Bills to Joint Select Committees. I must point out two of the last measures which were referred to Joint Select Committees. In the year 1927 the members of the Joint Select Committee showed great appreciation of this House by electing a distinguished member of my party as the Chairman of the Joint Select Committee. That shows that we are not taboo to the Assembly, and in the last Joint Select Committee I pointed out that out of the nine gentlemen who had given their unqualified support to the measure five were Members of the other House and only four were Members of this House. Government say that people have objected to references to Joint Select Committees. Are we to take it as a definite rule that Government will withdraw all those motions as soon as objection is taken in the Assembly? That would be a very good day, Sir, if the Government were to be so reasonable as not to wait for a majority but to withdraw the measure simply on account of the fact that an objection has been taken. Then, we, Sir, will be the first persons to ask that no Bill should be referred to a Joint Select Committee. But has the Government acted up to that? Do we not remember what happened in the case of the Ordnance Acts and the Ottawa Pact? Were there not Opposition Leaders? Did that have any effect on the Government? They forced the measure through. The Government do not wish to be at loggerheads with the Assembly. That shows the amount of respect they have for the other place and that exactly shows the amount of respect which they have for this House. They can be at loggerheads with this House, but they cannot afford to be at loggerheads with the other House, and this has been done simply because of the unreasoned support which sometimes some of us have given to the measures which the Government has brought forward. We did this because some of us readily believed that by this they will be enhancing the prestige of this House, but it seems that man proposes but it is God who disposes. Sir, we do not wish to make it a sort quibble between the two Houses, but what we do insist on, Sir, is this. Place us on an equal position at least. Make reference of important Bills to this House too, and then we can stand on equal terms; then we can settle up. It is all a one-sided affair, and no where in the world can one-sided pulling end, except in the defeat of the one who has got nothing to hold on to.

Now, as regards the definite proposal before us, as I said last year, we have left the words "important Bills" indefinite. It is elastic. On every occasion

[Mr. Hossain Imam.]

the Government has the discretion to say that this Bill was not thought to be of sufficient importance to be referred to a Joint Select Committee. We have purposely left this loophole for the Government, so that it may not be compulsory on the part of Government to move each and every Bill to a Joint Select Committee; we are not anxious for that, but as my Honourable colleague, Sir Phiroze Sethna, has pointed out, there are measures in which it would have been advantageous if this House had been associated. There is another thing which I wish also to emphasise. The reason why Joint Select Committees are not very much approved by the other place is that in selecting the personnel Government try to swamp these committees by their own selection.

THE HONOURABLE SIR KURMA VENKATA REDDI: Does it rest with the Government? Is it not the duty of the Assembly to select Members for Select Committees?

THE HONOURABLE MR. HOSSAIN IMAM: The standing majority which the Government enjoys in this House makes it, though possible, a proposition which is not practicable—to force any measure against the Government and we never had a chance. Sir, the names are read out by the mover of the Resolution and if a majority is found to oppose that and to ask for inclusion of other persons in substitution of the m, then and then only can we be held responsible for the personnel of the Joint Select Committee. At the moment, Sir, we lose in two ways. There is a saying, Sir, about giving a dog a bad name and hanging him. We have been given a bad name in the beginning and now when it comes to concrete examples the Government still persist in their old ways and do not move with the times. And if we had in the Joint Select Committee a more independent element, I am sure that, as Sir Phiroze Sethna has suggested, our relations by constant coming into touch with the Members of the other place would be better and there would be good feeling between the two Houses.

Sir, with these few words, I support the Resolution.

THE HONOURABLE KHAN BAHADUR SYED ABDUL HAFEEZ (East Bengal: Muhammadan): Sir, I rise to oppose the Resolution moved by the Honourable Mr. Mehrotra and associate myself with what has been said by the Honourable the Leader of the House and the Honourable Mr. Padshah in opposition to the Resolution.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS (Punjab: Non-Muhammadan): Sir, my Honourable friends Sir Phiroze Sethna and Mr. Hossain Imam and the Honourable mover of the Resolution have dealt with the subject-matter in a very exhaustive manner. I will not take up much time of the Council but I want only to narrate a fact to this Council with reference to the remarks of the Honourable the Leader of the House, that the Government will try to get the appointment of a Joint Select Committee carried in the other House. Sir, it is a fact, which even Government cannot deny, that whenever Government is determined to carry a measure in the other House, it does carry it with a very heavy majority and even when the leaders of the various parties and their followers oppose it tooth and nail. That is a fact which cannot be denied, particularly in the case of the present

Assembly. Therefore, Sir, I can assert that if the Government moved and made an effort in the other House to get this proposal through, it could get it through without much difficulty. Where there is a will there is a way.

THE HONOURABLE MR. BIJAY KUMAR BASU (Bengal: Nominated Non-Official): Sir, I do not want to detain the House for more than a few minutes. I find that there has been, if I may say so, an attempt to cloud the issue. Really the issue is not between the Government and this House but the real issue is between the other House and this House. (*An Honourable Member*: "How?") I will just try to explain if you will allow me the time to do it. As a matter of fact, you remember, on the day when the Reserve Bank Bill and the Imperial Bank of India Bill were referred to the Joint Select Committee, I said—I am just quoting from the speech that I made then—I said:

"It seems to me that we should be grateful for the gracious goodwill of the other House—(*mark the words*)—that we are at all able to discuss this proposal for the Joint Committee. I purposely refer to this matter as I heard only the other day in the lobby of the other House, and it looked at one time as if the Members there did not consider it worth their while to have representatives from this House on the Committee. Some of them suspected—(*and I challenge them to say that it was otherwise because up to now there has been no contradiction of this statement*)—that the addition of Members from this House on the Committee would render the Committee subservient to the wishes of the Executive Government—(*that is what they suspected*)—while others thought that the members of this House were hardly competent to deal with the Bill".

I strongly and emphatically protested then, as I protest now, that there is nothing in this statement. At the same time, it is an index to show with what eye the other House looks on us. I do not want to go imploring them to take us into the Joint Select Committee because I consider it humiliating for this House to do so, and I would strongly advise my friends not to take up a position which can possibly be felt as humiliating.

THE HONOURABLE MR. HOSSAIN IMAM: Is it special pleading?

THE HONOURABLE MR. BIJAY KUMAR BASU: If I may say through you, Sir, to the Deputy President of the Progressive Party, it is not a case for special pleading. That is how I feel. After all, what is the use? My friend the Deputy Leader of the Progressive Party as well as myself and twelve other Honourable Members of this House had the opportunity of sitting on a Joint Select Committee. They must have observed how the parties there, if I may say so, the team of the other House, fought us not on principle but fought against us simply for the purpose of fighting against us. We have found that even when our proposals in certain matters did meet with their approbation, even then there was very tardy support. There were wordy warfares which, I think, we ought not to refer to at the present moment, and which were anything but complimentary to either House.

There is another point. The Honourable the mover of the Resolution said that it would be advantageous for the Members of this House if some of us were on Select Committees on Bills because the Members sitting on the Select Committee would have a chance of explaining the position to the other Members when the Bill emerges from Select Committee. But may I remind my Honourable friends that proceedings of the Select Committee are always considered confidential and are not to be repeated outside. People who do that infringe the convention which has been established not only here but in the Mother of Parliaments. It is therefore the attitude of the other House towards this House that we have to fight.

THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA: How can we fight with the other House ?

THE HONOURABLE MR. BIJAY KUMAR BASU: If we cannot fight, then we have to go to the wall. If we can, then we can get what we want. We ought to make it up with the Assembly if we can. If we can fight with them and win their loyalty that is the proper way of doing it and not by approaching them in any humiliating way. Anyway, Sir, this is not a question that is really between us and the Government. The Honourable the Leader of the House put it rather high when he said the Government has everything to gain and nothing to lose by having this House associated with the other House in Joint Select Committees. I personally do not appreciate his point, but it makes the meaning perfectly clear to us, and that is perhaps the attitude of Members of the Government towards this House and that explains the attitude of the Assembly towards us. As I said, they do consider and perhaps believe that the Members here are subservient to the Executive Government.

THE HONOURABLE MR. G. S. KHAPARDE (Berar Representative): Sir, I wish to put in a word because I have some experience of this matter myself. What is the ground on which this fight is being fought ? Is it covered by any rule or regulation or law ? At present the attitude seems to be to throw the responsibility on somebody else except yourself. This House say that the Government are concerned ; the other House say that we are subservient and that they are not concerned, and Government say it has got nothing to do with it. All that I am willing to admit for the sake of argument. Where is the fight then ? On what ground is the fight going on ? I have been trying to see what is the particular position which is unoccupied at present and which we can take and hold. It must be the position which is not covered by the rules of this House and the position which is not covered by the rules of the other House and also by the rules and regulations on the subject. What is that position ? Who is master of that ? It is in ordinary language called no man's land. Both sides are throwing bombs and shells at each other and the land lying in between them has to be fought for. They think that we ought to make the move, and we think that they ought to make the move, and whoever goes in here takes the risk of dying. Each thinks that the other should take the risk. That is how the position stands. I realized this position a long time ago. When the Criminal Procedure Code was being amended—I am not sure that many of my Honourable friends were here then—that Code was being revised as there were various objections. I was one of the people who raised objections. Then an assurance was given on behalf of the Government that a Joint Committee was going to be appointed and that all these objections would be considered. That led to my expectation that I would be put on the Joint Committee. As a matter of fact everybody else was put in, but I was omitted. I was going into this lobby and that lobby and the lobby of the Committee and looking at things. One of the Members thought that I was a member of the Committee. He came out and asked, " Khaparde, what do you think about this ? " I said, " My friend, don't you make a mistake. Yours is a confidential body. I am outside it ". On that day I considered the whole matter and came to the conclusion that this matter cannot be settled until one of my friends were able to bring in a small Bill and send it to Government for being considered, trying to meet all these three positions and framing rules, specifying the subjects on which a Joint Committee ought to be appointed

and giving discretion in other respects to Government to call a Joint Committee when necessary. This is my suggestion, Sir. We need not throw stones at them nor need they throw stones at us here.

THE HONOURABLE MR. BIJAY KUMAR BASU : They throw mud.

THE HONOURABLE MR. G. S. KHAPARDE : Well, mud does not stick. The proper remedy is to frame a small Bill if anybody will do it and then to discuss it. Until then, all this is mere talking for a long time.

THE HONOURABLE KHAN BAHADUR DR. SIR NASARVANJI CHOKSY (Bombay : Nominated Non-Official) : Sir, may I offer a suggestion ? It is that the Leaders of Parties in both Houses should combine into a small conference to get over the present impasse.

THE HONOURABLE THE PRESIDENT : At present we have got this Resolution before us.

THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA : Sir, I regret that this Resolution has been opposed by two or three non-officials, whether elected or nominated, which I never expected. The Government sticks to what they said last year. A definite question has been put to me by the Leader of the House as to why this Resolution has been repeated just after a year of the previous Resolution. I would submit that it is because we find that throughout the year Government have not acted in the spirit of the Resolution and the reply the mover of the Resolution received on the last occasion. I would remind the House that more than two or three dozen Bills have been placed on the Statute-book during the year and out of these, there were two or three very important Bills on which it was necessary to have a Joint Committee, but they were not so referred. For instance, the Medical Council Bill was a very contentious Bill and no representation of this House was made on the Select Committee. Then, the Indian States Protection Bill, which will be coming before this House, had no Joint Select Committee. Were these Bills unimportant ? Was it not required that on such Bills this House ought to have been represented ? Then, Sir, on the Tariff Bill, no Motion for Joint Select Committee was made. My Honourable friend Sir Phiroze Sethna said that this was rather an important Bill and no representation of this House was given. I do not talk of the other dozens of Bills that came from the other House. But when important Bills come up and we have had no representation, we have no other remedy but to repeat what we said in 1933. That is the reason why I have moved this Resolution just after a year.

Then, Sir, the Resolution which was moved last year and was opposed and negatived, was defeated by 20 to 17 votes. If the Resolution had been carried there would have been no necessity for us to bring it up again. But when it was defeated by a narrow majority, then we thought that Honourable Members, after considering that the treatment of the Government has been practically the same as in previous years, would accord their whole-hearted support if the Resolution was brought forward again. Sir, the Honourable the Leader of the House has said that an equal number of non-official days are given to this House and the other House, and he has asked why Members are not bringing forward private Bills. Situated as we are, we know that there is absolutely no chance of getting through any measure in this House and it is only to kill time that we put up a little fight. Government have got, I may say, a statutory majority and we know to what fate our Resolutions and Bills

[Rai Bahadur Lala Mathura Prasad Mehrotra.]

will meet. Therefore we have not thought it proper to spend much time and labour on those Bills. My question was only about Government Bills. If the Members have not taken advantage of moving private Bills, why should not Government call a Joint Committee on their important Bills? That is our grievance.

Then, Sir, it has been said that it is better to go to the lobby of the other House, and canvass for Joint Select Committees. My Honourable friend Mr. Bijay Kumar Basu when he rose to speak said it is very humiliating to do such canvassing, but at the close of his speech, he said that it was better to make up with the other House. I could not understand the logic of the two statements that he made during the course of his speech. I agree with his former statement that it is certainly humiliating to go and canvass the other House to have representation of this House.

THE HONOURABLE MR. BIJAY KUMAR BASU : May I explain ?

THE HONOURABLE THE PRESIDENT : It is a personal explanation ?

THE HONOURABLE MR. BIJAY KUMAR BASU : Yes, Sir. I have been accused of making a contradictory statement. My personal explanation is this that you can stand on your dignity and you can make the Assembly carry out your wishes instead of going and canvassing them humiliatingly.

THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA : Sir, may I ask from the Government what were the occasions on which the Government wanted to refer important Bills to a Joint Select Committee and the Assembly stood in their way ? As far as we know and as far as the records show, it was only once in 1927 that the Motion was opposed when Mr. Jamnadas Mehta objected, and even then, Sir, as the Government wanted to refer the Bill to a Joint Select Committee they carried the Motion without a division. So, as the Leader of the Opposition has said, wherever there is a will there is a way. Whenever the Government would like to have this House represented in Select Committee they will certainly carry it in the other House, even against the opposition of Members. Therefore, Sir, as no definite assurance has been given, I am not in a position to withdraw the Resolution.

THE HONOURABLE KHAN BAHADUR MIAN SIR FAZL-I-HUSAIN : Just a few words, Sir. I have been asked what proof is there that Government has tried to obtain a Joint Select Committee and has failed ? That is the question. What the Honourable Member really asks is, not whether there is any proof but whether there is any *recorded* proof in the minutes of the Assembly. My position has not been that Government moves for a Joint Select Committee, has the Motion negatived and then proceeds to business. My position has been that Government tries to find its way to get a Joint Select Committee before it makes up its mind to place a Motion to that effect before the House, and when it finds that it cannot then it does not persist with it just in order to have an issue raised in the Assembly and have it either carried or negatived. I do not think this is such a difficult matter to understand that I need dwell on it at any length.

The second point to which I might refer is that one of the Honourable Members who supported the Motion said Government is not anxious to have joint Select Committees because it feels that the Members of this House on the

whole are more likely to oppose Government's measures than the Members of the Assembly. That was what the Honourable the Deputy Leader of the Opposition said; and he proceeded to say that in the past the position was the reverse of this. The mover of the Resolution proceeded to complain against the very constitution of this House and said that it is not suitably constituted wherein what he considers the right legislation can be passed. I really do not know how to reconcile these two positions, whether this House has become so advanced and so extremist as to make Government change its opinion and consider it undesirable to recruit half a Select Committee from this House to consider its legislative measures, or whether to believe the mover of the Resolution when he says that this House is so defective in its constitution that there is no chance for any measure of reform or any other measure which he thinks for the good of the country being passed here. Personally, I think both these statements are wrong, that both the statements are undignified and that no statement which reflects in such a vague and undesirable way either on this House or on the other House should not be lightly made. In fact, they should not be made at all. We should be very careful in throwing stones at others because they can also return some of the courtesies to us. The Members of the other House may well say that the Opposition in the Council of State, living as they do in very delicate glass houses, are not justified in throwing big stones at them. However, it is for the Opposition to consider in future whether they should exchange such courtesies with the Members of the other House or not. My advice as Leader of the House is that it is not right to do so.

I still feel, Sir, that it will serve no useful purpose to pass a Resolution like this. Government cannot do more than what I have indicated today and indicated last year. Government is doing and will continue to do all it can in exploring the possibilities of securing a reference to a Joint Select Committee without creating friction. That is the best thing I can do. We should be satisfied with the constitution we have got, hope for the best possible constitution after the Reforms and give up the idea of getting more than the constitution actually yields; and try to do the best we can under the existing constitution. Within that limit the House may rest assured that its interests are safe, not only in your hands, Sir, but I will also be ever ready to do my best to protect them, nay, to advance them.

THE HONOURABLE THE PRESIDENT: Resolution moved :

"This Council recommends to the Governor General in Council to direct the Government Members in charge of important Bills to move for reference of their Bills to Joint Select Committees of the two Chambers."

The Question is :

"That that Resolution be adopted."

The Council divided :

AYES—10.

Banerjee, The Honourable Mr. Jagadish Chandra.
Dutt, The Honourable Rai Bahadur Promode Chandra.
Hossain Imam, The Honourable Mr. Jagdish Prasad, The Honourable Rai Bahadur Lala.
Kalikar, The Honourable Mr. Vinayak Vithal.

Mehrotra, The Honourable Rai Bahadur Lala Mathura Prasad.
Naidu, The Honourable Mr. Y. Ranganayakalu.
Ram Saran Das, The Honourable Rai Bahadur Lala.
Sothna, The Honourable Sir Phiroze.
Sinha, The Honourable Kumar Nripendra Narayan.

NOES—30.

Basu, The Honourable Mr. Bijay Kumar.	Mitchell, The Honourable Mr. D. G.
Charanjit Singh, The Honourable Baja.	Mitha, The Honourable Sir Suleman Cassim Haji.
Choksy, The Honourable Khan Bahadur Dr. Sir Nasarvanji.	Noon, The Honourable Nawab Malik Mohammad Hayat Khan.
Commander-in-Chief, His Excellency The.	Padshah Sahib Bahadur, The Honourable Saiyed Mohamed.
Devadoss, The Honourable Sir David.	Pandit, The Honourable Sardar Shri Jagannath Maharaj.
Fazl-i-Husain, The Honourable Khan Bahadur Mian Sir.	Parsons, The Honourable Sir Alan.
Ghosal, The Honourable Mr. Jyotsanath.	Ray, The Honourable Maharaja Jagadish Nath, of Dinajpur.
Ghosh Maulik, The Honourable Mr. Satyendra Chandra.	Reddi, The Honourable Sir Kurma Venkata.
Habibullah, The Honourable Nawab Khwaja.	Russell, The Honourable Sir Guthrie.
Hafeez, The Honourable Khan Bahadur Syed Abdul.	Souter, The Honourable Mr. C. A.
Hallett, The Honourable Mr. M. G.	Spence, The Honourable Mr. G. H.
Jalan, The Honourable Rai Bahadur Radha Krishna.	Sprawson, The Honourable Major-General C. A.
Johnson, The Honourable Mr. J. N. G.	Stewart, The Honourable Mr. T. A.
Khaparde, The Honourable Mr. G. S.	Ugra, The Honourable Rai Sahib Pandit Gokaran Nath.
Mehr Shah, The Honourable Nawab Sahibzada Sir Sayad Mohamad.	Varma, The Honourable Mr. S. P.

The Motion was negatived.

RESOLUTION *RE* ECONOMY ON STATE-MANAGED RAILWAYS.

THE HONOURABLE THE PRESIDENT: I would ask the Honourable Mr. Hossain Imam to read his Resolution, so that he may not lose his priority, but he will address the House on the next non-official day.

THE HONOURABLE MR. HOSSAIN IMAM (Bihar and Orissa : Muhammadan): Sir, I beg to move:

“ This Council recommends to the Governor General in Council to form a Committee of Experts and Members of the Central Legislature for each of the State-managed Railways separately to investigate into and report on measures of economy.”

THE HONOURABLE THE PRESIDENT: I was about to announce that the election of two Members to serve on the Court of the Delhi University would be held this afternoon immediately after the Council meeting, but in view of the opinions that I have ascertained from some Honourable Members, I will postpone this election till the 14th instant.

The Council will now adjourn.

The Council then adjourned till Eleven of the Clock on Wednesday, the 14th March, 1934.