

16 October 1936

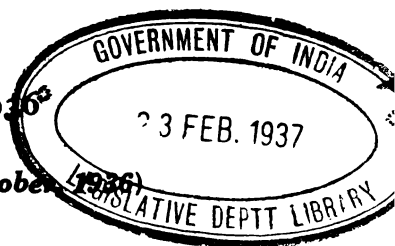
THE

LEGISLATIVE ASSEMBLY DEBATES

(Official Report)

Volume IX, 1936³

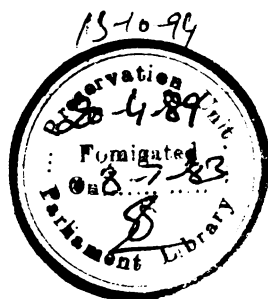
(9th October to 16th October 1936)



FOURTH SESSION

OF THE

FIFTH LEGISLATIVE ASSEMBLY, 1936



NEW DELHI
GOVERNMENT OF INDIA PRESS
1937

Legislative Assembly.

President :

THE HONOURABLE SIB ABDUR RAHIM, K.C.S.I., KT.

Deputy President :

MR. AKHIL CHANDRA DUTTA, M.L.A.

Panel of Chairmen :

MR. S. SATYAMURTI, M.L.A.

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

MR. ABDUL MATIN CHAUDHURY, M.L.A.

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

Secretary :

MIAN MUHAMMAD RAFI, BAR.-AT-LAW.

Assistant of the Secretary :

RAI BAHADUR D. DUTT.

Marshal :

CAPTAIN HAJI SARDAR NUR AHMAD KHAN, M.C., I.O.M., I.A.

Committee on Petitions :

MR. AKHIL CHANDRA DUTTA, M.L.A., *Chairman.*

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

PANDIT NILAKANTHA DAS, M.L.A.

MAULVI SYED MURTUZA SAHIB BAHADUR, M.L.A.

MR. N. M. JOSHI, M.L.A.

CONTENTS.

VOLUME IX.—9th October to 16th October, 1936.

	PAGES.		PAGES.
FRIDAY, 9TH OCTOBER, 1936—		TUESDAY, 13TH OCTOBER, 1936—	
Questions and Answers	2721—73	Questions and Answers	3049—74
Motion for Adjournment re Failure of the Govern- ment of India to secure secrecy of ballot in the Punjab as re- commended by the Assembly—Disallowed	2773	Statement laid on the Table	3074
The Arya Marriage Vali- dation Bill—Discussion on the consideration of clauses not concluded	2774—2813	The Code of Civil Pro- cedure (Amendment) Bill—(Amendment of section 51, etc.)—Pass- ed as amended	3074—99
SATURDAY, 10TH OCTOBER, 1936—		The Trade Disputes (Amendment) Bill— Circulated	3099—3123
Questions and Answers	2815—84	Statement of Business	3123—24
The Indian Tea Cess (Amendment) Bill— Passed as amended	2884—2936		
MONDAY, 12TH OCTOBER, 1936—		THURSDAY, 15TH OCTOBER, 1936—	
Questions and Answers	2937—93	Members Sworn	3125
The Manœuvres Field Firing and Artillery Practice Bill—Intro- duced	2993	Questions and Answers	3125—3203
The Geneva Convention Implementing Bill— Passed as amended	2994—3005	Motion for Adjournment re Suspension of some Patwaris of the Ali- garh District for alleged attending an Election Meeting	3203—06
The Indian Rubber Control Bill—Passed	3005—18	Statement re Progress of Rural Development Schemes	3206—42
The Bangalore Marriages Validating Bill—Pass- ed	3018—21	Message from the Council of State	3242—44
The Indian Tea Control (Amendment) Bill— Passed as amended	3021—29	The Child Marriage Restraint (Amendment) Bill—Petitions laid on the Table	3244
The Red Cross Society (Allocation of Property) Bill—Passed	3030—34	The Indian Companies (Amendment) Bill— Amendments made by the Council of State agreed to	3245—53
The General Clauses (Amendment) Bill— Passed	3035—37	Demands for Excess Grants for 1934-35	3253—64
The Chittagong Port (Amendment) Bill— Passed as amended	3038—46	Demand for Supplement- ary Grant in respect of Railways	3264—65
Statement of Business	3047—48		

THURSDAY, 15TH OCTOBER, 1936— <i>contd.</i>	PAGES.	FRIDAY, 16TH OCTOBER, 1936—	PAGES.
Reports of the Public Accounts Committee	3265	Questions and Answers	3293—333
The Manœuvres Field Firing and Artillery Practice Bill—Circu- lated	3265—83	Unstarred Questions and Answers	3332—87
The Hindu Women's Rights to Property Bill—Referred to Select Committee	3284—85	Statements laid on the Table	3387
The Durgah Khawaja Saheb Bill—Discussion on the motion to con- sider not concluded	3285—92	Motion for Adjournment <i>re</i> Suspension of some Patwaris of the Aligarh District for alleged attending and Election Meeting—Ruled out of order	3388—89
		Message from the Council of State	3389
		The Durgah Khawaja Saheb Bill—Passed as amended	3389—3407

LEGISLATIVE ASSEMBLY.

Friday, 16th October, 1936.

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

Sir Muhammad Yakub : Sir, may I make a request that considering the fact that we have now arrived at a unanimity about the Durgah Bill, and it is expected that we will finish it in a short time, and also taking into account the fact that today being Friday, the House will adjourn at 12-45 P.M., may I request you, if there is no opposition—and I hope there will be no opposition now—to drop out the questions, so that we may finish this Durgah Bill earlier. Everybody is anxious to leave Simla this afternoon.

Pandit Lakshmi Kanta Maitra : Sir, may I suggest that at least the answers to the questions set down on the list for today may be printed in today's proceedings ?

Dr. Ziauddin Ahmad : The questions may be taken as having been put and answered.

Mr. President (The Honourable Sir Abdur Rahim) : There is no objection to printing all the questions and answers thereto in today's proceedings.

QUESTIONS AND ANSWERS.

ALLEGATIONS AGAINST MR. K. M. HASSAN, DEPUTY DIRECTOR, ESTABLISHMENT, RAILWAY BOARD.

1352. ***Dr. N. B. Khare** : Is it a fact that under Rule 17 of the Government Servants Conduct Rules, a Government Servant is prohibited from communicating official document or information ? If so, will the Honourable Member for Commerce and Railways please state :

- (a) whether the Government of India, generally or specially, empowered Mr. K. M. Hassan, Deputy Director, Establishment, Railway Board, to communicate directly, the documents and information which has come into his possession in the course of his public duties, to his friends, both officials and non-officials ;
- (b) whether Mr. K. M. Hassan received the notices of questions tabled in the Legislative Assembly, asking for information regarding his conduct as a public servant in the course of his public duties ;

(c) whether Mr. K. M. Hassan communicated those questions to his friends both in Simla and in Calcutta ; and

(d) whether the Honourable Member proposes to investigate the facts and communicate to this House the result of his inquiry ?

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

(b) In the ordinary course of his official duties Mr. Hassan receives copies of the Notice Lists of questions for the Legislative Assembly.

(c) Government have no information.

(d) No.

CANDIDATES FOR PROVINCIAL ELECTIONS WITH PREVIOUS CONVICTION.

1353. ***Mr. T. S. Avinashilingam Chettiar :** Will Government state :

(a) whether they are aware that many of the likely candidates in the coming provincial elections may be those who had suffered imprisonments for more than one year ; and

(b) if so, what is the attitude of Government with regard to granting them exemption and allowing them to contest the election ?

The Honourable Sir Henry Craik : (a) Government have no information.

(b) The Honourable Member is referred to sub-section (e) of section 69 (1) of the Government of India Act, 1935. He will see that the authority empowered to remove the disqualification is not the Government of India.

HOUSE RENT PAID BY FOREMEN AND ASSISTANT FOREMEN ON THE ROHILKUND AND KUMAON RAILWAY.

1354. ***Mr. Mohan Lal Saksena :** Is it a fact that Foremen and Assistant Foremen on the Rohilkund and Kumaon Railway have to pay house rent, although they are supposed to be on 24 hours duty, like the station masters ? If so, what are the reasons therefor ?

The Honourable Sir Muhammad Zafrullah Khan : Government have no information. The staff of the Rohilkund and Kumaon Railway are not Government servants. The matter is within the competence of the Agent, Rohilkund and Kumaon Railway, to whom a copy of the question is being sent for information and such action as he may consider necessary.

NUMBER OF DETENUS.

1355. ***Mr. Mohan Lal Saksena :** Will Government be pleased to state the total number of detenus on the 1st July, 1934, 1st July, 1935 and 1st July, 1936, respectively ?

The Honourable Sir Henry Craik : The number of detenus in jails and detention camps was as follows :

July, 1934	..	..	..	..	1,377
July, 1935	..	..	..	..	1,471
July, 1936	..	..	..	..	1,231

REPRESENTATIONS RECEIVED FROM THE DETENUS REGARDING TREATMENT METED OUT TO THEM.

1356. ***Mr. Mohan Lal Saksena :** Will Government be pleased to state the total number of representations received by them from the detenus in the centrally administered areas regarding the treatment meted out to them ?

The Honourable Sir Henry Craik : The Honourable Member does not state the period for which he requires the information. No representations were received by the Government of India during the last year.

GRIEVANCES OF THE DETENUS.

1357. ***Mr. Mohan Lal Saksena :** (a) Will Government be pleased to state what is the machinery provided by them to go into the grievances of the detenus detained in the centrally administered areas and their dependents ?

(b) Are Government prepared to appoint a non-official committee of the Legislative Assembly to enquire into the aforesaid grievances ?

The Honourable Sir Henry Craik : (a) Detenus can represent any grievances they may have to the Superintendent of the Deoli Camp Jail, the Chief Commissioner, Ajmer-Merwara, and the Government of India and also to non-official visitors appointed by the Chief Commissioner. Representations received from dependents of detenus are referred to the Local Governments concerned for enquiry.

(b) No.

WANT OF FACILITIES OF STUDY FOR DETENUS.

1358. ***Mr. Mohan Lal Saksena :** Is it a fact that no facilities are granted for study to such of the detenus in the centrally administered areas as do not prepare for any university examination ?

The Honourable Sir Henry Craik : It is not a fact. Detenus who are not studying for an examination can themselves arrange to obtain any books they require for study.

TRAVELLING EXPENSES TO THE RELATION OF DETENUS CONFINED IN THE DEOLI DETENTION CAMP.

1359. ***Mr. Mohan Lal Saksena :** Do Government give any travelling expenses to the relations of such detenus as are confined in Deoli Camp and cannot afford to bear the expenses themselves ? If not, do Government propose to consider the advisability of granting it in future or removing the detenus to detention camps in the neighbourhood of their home district ?

The Honourable Sir Henry Craik : With your permission, Sir, I propose to give one reply to questions Nos. 1359 and 1360. These are matters which are the concern of the Government of Bengal, and the Government of India have no information on the subject.

ALLOWANCE TO DETENUS FOR REPLACING UTENSILS, BEDDINGS AND WARM CLOTHINGS, ETC.

†1360. ***Mr. Mohan Lal Saksena :** Do Government give any recurring allowance to detenus in the centrally administered areas for replacing utensils, beddings, warm clothings, etc., bought out of initial allowance? If not, are Government prepared to consider the advisability of granting such recurring allowance at least triennially?

DISCHARGE OF PROVINCIAL FOREST SERVICE OFFICERS BY THE PUNJAB GOVERNMENT ON COMPENSATION PENSION.

1361. ***Sardar Sant Singh :** (a) With reference to starred question No. 1187, dated the 15th November, 1932, will Government please now give a reply to the latter portion of part (d) of the same question as the reply laid on the table of the House does not contain any information on the point?

(b) Will Government please state the authority under which they accorded sanction to an act of the Punjab Government after the *actual discharge* of the officers?

(c) Is it a fact that the Madras Government also acted in the same way and retired a few officers of the Provincial Forest officers? If so, how many officers were so retired?

(d) Is it a fact that on being memorialised, the Government of India directed the Madras Government to compensate one Mr. Devadasan, E.A.C., Forests, for his premature retirement *without the previous sanction* of the Governor General in Council?

(e) If the answer to the above part be in the affirmative, are Government prepared to direct the Punjab Government to compensate analogous cases without any further harassment to the officers concerned? If not, why not?

(f) How many officers in all the provinces are thus entitled to compensation for their premature retirement and what are their names?

(g) Who is the officer of the Punjab Government who is responsible for such retirements?

Mr. M. W. Yeatts : (a) and (b). It is not suggested that previous sanction can be granted retrospectively. The intimation that the reduction might be deemed to have been made with the previous sanction of the Governor General in Council embodied merely a decision which would have been taken had an application for previous sanction actually been made.

(c) In pursuance of their Retrenchment Committee's recommendation that two posts in the Madras Forest Service should be held in

†For answer to this question, see answer to question No. 1359.

abeyance as a measure of retrenchment, the Government of Madras ordered the retirement of two officers of the Provincial Forest Service without obtaining the previous sanction of the Governor General in Council.

(d) Yes.

(e) and (f). So far as Government are aware, there are no analogous cases but enquiries are being made.

(g) The orders in question were those of the Government of the Punjab.

**RESTRICTIONS ON THE MOVEMENT OF MR. SAILENDRA NATH GHOSE, A
POLITICAL EXILE IN THE UNITED STATES.**

1362. ***Mr. Akhil Chandra Datta** : Will Government be pleased to state :

- (i) if they propose to discontinue the restrictions on the movements of Mr. Sailendra Nath Ghose, who has been a political exile in the United States for the last 20 years ;
- (ii) if they propose to permit him to return to India now and to be in India without any restrictions ; and
- (iii) if they have communicated their views in this matter to Mr. Ghose ?

The Honourable Sir Henry Craik : I would invite the Honourable Member's attention to the reply given by me to Mr. Mohan Lal Saksena's question No. 630 on the 25th September last. No restrictions will be placed on Mr. Sailendra Nath Ghose in India so long as he conducts himself in a lawful manner. Steps have been taken to inform Mr. Ghose accordingly through His Majesty's Ambassador in Washington and I presume he is now aware of Government's decision.

**SYSTEM OF ENROLLING THE ELECTORATE FOR THE FORTHCOMING ELECTIONS
IN THE PROVINCES.**

1363. ***Seth Govind Das** : Will Government be pleased to state :

- (a) whether or not it is a fact that the system of enrolling the electorate for the forthcoming provincial reform elections differ in the different provinces of the country ;
- (b) whether or not the system of enrolling the electorate under the literacy qualifications differs in the different provinces ;
- (c) the policy behind the fixation of the discriminating systems of suffrage for this particular electorate in different provinces ;
- (d) the qualifications fixed for the literacy suffrage in the different provinces ;
- (e) the reason for fixing such a varying system in provinces within one country ; and
- (f) whether they propose issuing instructions to provinces fixing a minimum uniform qualification for this electorate for all provinces in the country ?

The Honourable Sir Nripendra Sircar : (a) and (b). Yes.

(c) to (e). Under the Sixth Schedule to the Government of India Act, 1935, literacy, that is, ability to read and write in some language or dialect in common use in India selected by the person concerned, is prescribed as a qualification for both men and women in the case of Madras. In other provinces, it is so prescribed only in the case of women. In Bombay and the Punjab literacy is also a special qualification in the case of Scheduled Castes. This varying system is based on the conditions prevailing in the different provinces.

(f) No. The matter is already decided by the provisions contained in the Sixth Schedule to the Act.

SUFFRAGE OF THE UNIVERSITY ELECTORATE IN THE CENTRAL PROVINCES.

1364. ***Seth Govind Das :** Will Government be pleased to state :

- (a) whether or not it is a fact that in the Central Provinces the suffrage of the university electorate is different from that of other provinces ;
- (b) whether or not it is a fact that in the Central Provinces the suffrage of university electorate is confined only to Nagpur University registered graduates of seven years standing ;
- (c) whether or not it is a fact that graduates in the Central Provinces from other universities and graduates of the Nagpur University of less than seven years have been precluded from the suffrage of the university constituency ;
- (d) the policy behind this system of fixing the suffrage for this constituency ;
- (e) whether or not it is a fact that under the Montagu-Chelmsford Scheme of Reforms, all registered graduates of any university residing within the province of the Central Provinces and Berar were qualified to vote for this constituency ; and
- (f) whether they propose to issue instructions to the Central Provinces Government to include all graduates of Nagpur University of more than one year as well as all other graduates residing within the province of other universities in the list of voters ; if not, why not ?

The Honourable Sir Nripendra Sircar : (a) No. I invite the Honourable Member's attention to the provisions contained in the Provincial Legislative Assemblies Order in Council a copy of which is in the Library of this House.

(b) and (c). Yes.

(d) The franchise for University constituencies in the provinces is generally uniform, namely members of the Senate or Court (or corresponding body) and all graduates of not less than seven years standing registered as such in the register of the University to which the seat is assigned.

(e) The qualification under the existing constitution is under the terms of the Central Provinces Electoral Rules confined to persons enrolled in the register of registered graduates of the Nagpur University.

(f) No. The matter has already been settled by paragraph 20 (2) of Part VIII of the Provincial Legislative Assemblies Order in Council.

NEGOTIATIONS FOR A FRESH INDO-JAPANESE TRADE AGREEMENT.

1365. *Mr. S. Satyamurti : Will the Honourable the Commerce Member be pleased to state :

- (a) whether there is a stalemate in the Indo-Japanese negotiations;
- (b) what the nature of the stalemate is ;
- (c) how long it is expected to last ;
- (d) what the actual stage is at which the negotiations now stand ;
- (e) when the Honourable the Commerce Member expects the negotiations to be completed ; and
- (f) what are the causes for the delay in the conclusion of the negotiations, and whether Government propose to take every step to expedite the negotiations as much as possible, and if not, why not ?

The Honourable Sir Muhammad Zafrullah Khan : I am unable to add to the information I have given in the course of the current Session concerning this matter.

EMPLOYMENT OF THE "DUFFERIN" CADETS AS OFFICERS.

1366. *Mr. N. V. Gadgil : Will Government be pleased to state :

- (a) whether in reply to Mr. M. Asaf Ali's starred question No. 456, asked on the 14th February, 1936, regarding the employment of the "Dufferin" cadets as officers, the Honourable the Commerce Member stated that the question of attaching conditions regarding the training and employment of Indians as apprentices and officers in connection with subsidies given to the carriage of mails will be considered when the contracts expire ;
- (b) whether in reply to interpellation No. 5 of the Honourable Mr. P. N. Saprú in the Council of State on the 17th February, 1936, the Honourable Mr. T. A. Stewart, the Commerce Secretary stated that the question of imposing an obligation of the nature referred to by the Honourable Member on the Shipping Companies under contract for the carriage of mails will be considered when the existing contracts expire ;

(c) whether it is not a fact that these contracts are about to expire in March, 1937 ;

(d) if so, whether they propose to implement the undertakings referred to above and use their bargaining power to secure employment for Indian cadets in Shipping Companies carrying mails and getting Government patronage and subsidy before fresh contracts are given ?

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

(c) The mail contracts with the British India Steam Navigation Company, and the British India Steam Navigation Company and the Bengal Burma Steam Navigation Companies jointly are due to expire on the 1st April, 1937.

(d) Attention is invited to the replies given to the supplementaries asked by Mr. Satyamurti in connection with his starred question No. 666 on the 28th September, 1936. The matter is still under the consideration of Government.

BOY PEONS, OFFICE AND DELIVERY PEONS OF THE POSTS AND TELEGRAPHS DEPARTMENT.

1367. ***Mr. Muhammad Azhar Ali :** (a) Will Government be pleased to state whether boy peons, office and delivery peons of the Posts and Telegraphs Department, are members of the menial staff, or are they inferior servants, as specified in Special Circular No. 2, dated New Delhi, the 16th April, 1931, issued by the Director-General of Posts and Telegraphs ?

(b) Is a boy peon required, necessarily, to pass the inferior service test prior to being appointed, either to the grade of an office or delivery peon ?

(c) What are the posts for which a 'Qualified boy peon' is eligible, prescribed in the Director General's circular aforementioned ? Does it include also the cadre of office and delivery peons ?

(d) How are examinations conducted from time to time to regulate promotions amongst boy peons for admission into the inferior service open to them ? What is the position of a lad who qualifies when a vacancy occurs, provided he is senior to the others in the service ?

(e) How does seniority weigh when other considerations are equal ?

(f) Is it a fact that in most circles the regulation of these appointments is left entirely in the hands of circle clerks ?

(g) Do Government desire to remedy the injustice amongst this class of servants by regulating their promotion on the basis of seniority primarily, where other qualifications are equal ? If not, how do they propose to remove the hardships and injustice done to the senior boy peons ?

The Honourable Sir Frank Noyce : (a) to (e). The Honourable Member's attention is invited to the circular mentioned by him, a copy of which has been placed in the Library of the House.

(f) and (g). Government have no reason to believe that the facts are as stated by the Honourable Member. It is open to officials who have any grievance to represent it in the usual manner to the proper authority.

PENSIONARY BENEFITS FOR MECHANICS AND MISTRIES IN THE POSTS AND TELEGRAPHS DEPARTMENT.

1368. *Mr. Muhammad Azhar Ali : (a) Will Government be pleased to state whether it is a fact, that under notification No. S.-173/73/33, in the Department of Industries and Labour, dated Simla, the 6th July, 1936, the Government of India have, on the specific recommendation of the Director General of Posts and Telegraphs, absorbed telephone operators and cable supervisors on a pensionable basis from dates of their respective appointments in the service ?

(b) Is it true that mechanics and mistries in the service of the Posts and Telegraphs Department, who, hitherto, had been consistently assured, along with telephone operators and cable supervisors, whenever they had memorialised the Government, that their cases would be favourably considered when the financial position improved, are denied the benefits under the aforementioned notification ? If so, why are they being treated differently ?

(c) What led the Director General of Posts and Telegraphs to recommend, distinctively, the cases of telephone operators and cable supervisors ? How is the preferential treatment justified ?

(d) Is it a fact that a large number of mechanics and mistries in the Posts and Telegraphs Department are due to retire in the near future ?

(e) Are Government now prepared to grant pensionary benefits with retrospective effect as from date of appointment to mechanics and mistries ? If not, how do they deny the consideration ?

The Honourable Sir Frank Noyce : (a) Yes.

(b) and (c). The case of mechanics, mistries and the other non-pensionable personnel of the Department is under consideration separately. It could not be considered with the case of telephone operators and cable supervisors as certain information which was necessary had to be collected.

(d) Government have no information.

(e) As stated in my reply to parts (b) and (c), the question of granting pensionable status to the classes of officials referred to is already under consideration ; and it is expected that a decision will be reached shortly.

ANONYMOUS MEMORANDA MAKING FALSE CHARGES AGAINST HINDU AND SIKH RAILWAY OFFICERS.

1369. *Mr. Amarendra Nath Chattopadhyaya : (a) Will Government be pleased to state if they are aware of the fact that anonymous printed memoranda shown as printed by the Educational Printing Works, Lahore, making all sorts of false charges against Hindu and Sikh officers, are being sent to high officials of the Railway Board and the North Western Railway ? If so, have Government taken any steps to put a stop to these attacks ?

(b) If no steps have been taken, are Government prepared to institute investigations to get hold of the originators of such memoranda ?

The Honourable Sir Muhammad Zafrullah Khan : I would invite the Honourable Member's attention to my reply to Sardar Sant Singh's starred question No. 1345 asked in the House on the 15th October, 1936.

MEAT VENDORS ON THE NORTH WESTERN RAILWAY.

1370. ***Mr. Amarendra Nath Chattopadhyaya :** (a) Will Government be pleased to state if it is a fact that on the North Western Railway Muhammadan bread vendors are allowed to sell *halal* meat while the Hindu bread vendors are not allowed to sell *jhatka* meat ?

(b) If so, what are the reasons for this distinction, and are Government aware that it is also a hardship to the non-*halal* eating section of the travelling public, inasmuch as it cannot easily obtain meat, particularly at stations where there are bread vendors but no Hindu refreshment rooms ?

(c) Is it a fact that this subject was brought up at one of the meetings of the North Western Railway, Lahore, Advisory Committee, but it was brushed aside on the ground that the Muhammadan community would not like the sale of *Jhatka* by the Hindu bread vendors ? If so, will Government be pleased to state how they justify the sale of *halal* meat, while prohibiting the sale of *jhatka* meat ?

(d) If the answer to the first part be in the affirmative, do Government propose to place both the sections of the travelling public on an equal footing in this matter of provision of facilities and respect of feelings ?

The Honourable Sir Muhammad Zafrullah Khan : (a), (b) and (d). I would refer the Honourable Member to the reply I gave to Sardar Sant Singh's question No. 1344 on the 15th instant.

(c) I understand from the Agent, N. W. Railway, that the subject has not been discussed by the Advisory Committee.

STUDENTS PASSING FROM THE 'A' CLASS OF THE MACLAGAN ENGINEERING COLLEGE, LAHORE.

1371. ***Raizada Hans Raj :** (a) How many students have passed from the 'A' Class of the Maclagan Engineering College, Lahore, so far since its inception ?

(b) Of these, how many got training in the railway shops ?

(c) How many vacancies occurred in the supervisory posts during the last nine years ?

(d) How many vacancies were filled by the 'A' Class students ?

(e) Is it a fact that the College Advisory Committee includes heads of Railway Mechanical and Electrical Departments, who have control over the training of students of the said College, both in the shops and college, and will Government please state whether any preference was given to the students of the said institution ? If so, how far ? If not, why not ?

(f) Is it a fact that the railway employed non-Maclagan College students in supervisory posts while suitable Maclagan College students were available ?

(g) Is it a fact that the diploma and the degree of that college are both recognized by the Public Service Commission for superior engineering services of the Government of India and that huge expenses are incurred both by Government and the students on their education? If so, will Government please state if it is a fact that the railway gives the same start to both 'A' and 'B' Class students at the time of employment?

(h) If so, do Government propose to give any preference to qualified students of 'A' Class on account of their higher merit over qualified students of 'B' Class? If so, how far? If not why not?

(i) Is it laid down by the Railway Board that recruitment of officers to the lower gazetted ranks and superior revenue establishment of Mechanical, Transportation Departments will also be made by promotion of suitable subordinates whose names may be borne on the approved list, and if so, will Government please state how many subordinates are on the approved list?

(j) What are their academical and technical qualifications?

(k) How many vacancies occurred in the lower gazetted service during the last five years and out of these how many were given to subordinates?

(l) Is it a fact that subordinates with no academical and technical qualifications were promoted, whereas the claims of qualified men were ignored? If so, do Government propose to redress the grievances of those so affected? If so, when? If not, why not?

(m) Is it a fact that the 'A' class course of the Maclagan College is in accordance with the special requirements of the railway, and, if so, was any preference given to them in filling up the above mentioned vacancies? If so, how far? If not, why not?

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

SPECIAL CLASS APPRENTICES OF SUPERIOR RAILWAY SERVICE.

1372. ***Raizada Hans Raj :** Will Government please state, with regard to the special class apprentices of superior railway services :

(a) what is the total number of special class apprentices who have successfully completed their course so far ;

(b) what has been the total expenditure incurred by Government per head on their training from beginning to end, including stipends, travelling facilities, training both in India and Overseas, and also passages ; and

(c) are Government prepared to consider the alternative proposal of employing qualified men from outside sources and giving them short period special training to suit the railway's requirements for superior revenue establishments ?

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

(b) The approximate expenditure in connection with the training of a special class apprentice in the Mechanical Engineering and Transportation (Power) Department is Rs. 22,490 and in the Electrical Engineering Department Rs. 23,490.

(c) The matter is under consideration.

CIVIL LIBERTIES ASSOCIATION STARTED BY PANDIT JAWAHARLAL NEHRU.

1373. ***Mr. Mohan Lal Saksena** : Will Government be pleased to state what is their policy in regard to the Civil Liberties Association started by Pandit Jawaharlal Nehru ?

The Honourable Sir Henry Craik : The attitude of Government towards the Civil Liberties Union or any other organisation must necessarily depend upon its future activities.

POPULARISING OF CASHEW NUTS IN EUROPE AND PARTICULARLY IN ENGLAND.

1374. ***Mr. Mohan Lal Saksena** : (a) Has the attention of Government been drawn to the letter of "Indian Importer" published in the *Times of India*, recently, regarding popularising of cashew nuts in Europe and particularly in England ?

(b) If so, what steps, if any, have been taken to popularise them ?

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

(b) The Government of India have the matter under consideration in consultation with the High Commissioner for India in London.

INDIANISATION OF THE ARMY.

1375. ***Mr. Mohan Lal Saksena** : Are Government aware that Indianisation as is being carried out in the Army is not popular with the Indians ? Is it a fact that :

- (i) no European is placed under an Indian officer ; if so, why ;
- (ii) in India more seats in the military academy are given to 'Y' than civil cadets who pass a competitive examination while in England the number of 'Y' cadets is very small ;
- (iii) the Dehra Dun officer has an ambiguous position in relation to the British troops inasmuch as he has command only over them but no power of punishment ;
- (iv) a European who enters Royal Military College, Sandhurst, on the same date as an Indian who enters the Academy at Dehra Dun comes out, as a commissioned officer a year earlier than the Indian by which the latter loses seniority and pay ; and
- (v) the Sandhurst product gets Rs. 150 per mensem more than Dehra Dun one as overseas allowance, which enables him to make a better show ?

Mr. G. B. F. Tottenham : The reply to the first sentence is in the negative. The replies to the other parts are as follows :

- (i) I would refer the Honourable Member to the answers I gave to Mr. S. Satyamurti's starred question No. 198 on the 8th September, 1936.
- (ii) No.
- (iii) The position may be as stated by the Honourable Member but Government do not see any ambiguity in it.
- (iv) Cadets from the Indian Military Academy have their commissions ante-dated by one year to meet the point mentioned by the Honourable Member.
- (v) The pay of Indian Commissioned Officer is based on the principle that he is serving in his own country, whereas those from Sandhurst are not.

PROMOTIONS TO THE RANK OF A JAMADAR OR SUBEDAR IN INDIANISED UNITS.

1376. ***Mr. Mohan Lal Saksena :** (a) Is it a fact that the chances of recruits in Indianised units for promotion to the rank of a Jamadar or Subedar are practically non-existent ?

(b) If so, have Government considered whether, and if so, how it will affect the quality of recruits and the efficiency of the Indianised units ?

Mr. G. B. F. Tottenham : (a) No. Indian other ranks of Indianised units are eligible for promotion to the rank of Jamadar and Subedar in non-Indianised units of the same group or regiment on the basis of equality of opportunity with Indian other ranks of the latter units. They are also eligible for promotion to Indian warrant officer, classes I and II, in their own units and a limited number are of course eligible for promotion to commissioned rank through the Indian Military Academy.

(b) Does not arise.

INDIANS SENT AWAY FROM THE ARMY UNDER WAR BLOCK SCHEME.

1377. ***Mr. Mohan Lal Saksena :** (a) Is it a fact that nearly one thousand officers were axed in 1923 and were paid large sums, varying from 20 to 30 thousand rupees by way of gratuity ?

(b) Is it also a fact that the aforesaid order was modified inasmuch as it affected the Indians, on the ground that all Indian officers should be retained to help the Indianisation Scheme ?

(c) Is it a fact that these Indian officers who were not allowed to leave the Army under the surplus officers' scheme in 1923 are now being sent away under the War Block Scheme ?

(d) If so, will Government state their total number ?

Mr. G. B. F. Tottenham : (a) The facts are more or less as stated by the Honourable Member.

(b) Not so far as the Government of India are aware.

(c) and (d). Twelve King's Commissioned Indian officers whose dates of commission fall between the 4th August, 1914, and the 31st December, 1920, have been or are being placed on the Special Unemployed List.

INDIAN COMMISSIONED OFFICERS IN THE ARMY PASSING PROMOTION
EXAMINATION AND REPORTED FIT FOR PROMOTION.

1378. *Mr. Mohan Lal Saksena : (a) How many Indian commissioned officers in the Indian Army have passed promotion examinations and were reported fit for promotion during the last two years ?

(b) How many of these have already been placed on the special list and how many are warned and earmarked to be sent away under the War Block Scheme ?

(c) Of the former, how many have been placed on their volunteering to go under the scheme and how many have been selected by the department ?

(d) How many of the latter have been pronounced fit for promotions ?

Mr. G. R. F. Tottenham : (a) Information is being collected and will be laid on the table of the House in due course.

(b) and (c). Eight King's Commissioned Indian officers have been compulsorily placed on the Special Unemployed list, three have been warned that they will be and one has volunteered.

(d) None.

WAR BLOCK SCHEME.

1379. *Mr. Mohan Lal Saksena : (a) Why has the War Block Scheme been introduced ?

(b) What are its financial advantages ?

Mr. G. R. F. Tottenham : (a) and (b). I would refer the Honourable Member to His Excellency the Commander-in-Chief's speech in the Council of State on the 18th September, 1935.

ADVISABILITY OF NOT SENDING AWAY ANY INDIAN OFFICER UNDER THE WAR
BLOCK SCHEME.

1380. *Mr. Mohan Lal Saksena : In the interests of Indianisation scheme, do Government propose to consider the advisability of not sending any Indian officer under the War Block Scheme, as was done in 1923 under the gratuity scheme ?

Mr. G. R. F. Tottenham : It would not be in the interests of Indianisation to impose a lower standard of efficiency on Indian officers than on British nor can I agree that there is any precedent for such a course in the 1923 scheme.

INDIANS SENT OVERSEAS DURING THE LAST EUROPEAN WAR.

1381. *Mr. Mohan Lal Saksena : (a) What was the total number of Indians, combatants and others, sent overseas during the last European War ?

(b) How many of those sent in the war were disabled ?

(c) How much money was paid to them as compensation or pension during the last 20 years ?

(d) How many of these are still alive and how are they employed ?

Mr. G. R. F. Tottenham : I would refer the Honourable Member to the answer I gave to his question No. 850 on the 7th October, 1936, and to the publication entitled "India's contribution to the Great War", which contains the required information and which is in the Library.

NUMBER OF PERSONS RECRUITED DURING THE LAST WAR.

1382. ***Mr. Mohan Lal Saksena :** Will Government be pleased to state districtwise, the number of persons recruited during the last war ?

Mr. G. R. F. Tottenham : The information required by the Honourable Member is given by *provinces* on page 277 of the publication mentioned in my reply to his previous question. It would entail too much time and labour to collect the same information by *districts*.

MONEY FROM THE INDIAN EXCHEQUER SPENT OVER THE LAST EUROPEAN WAR.

1383. ***Mr. Mohan Lal Saksena :** What was the total amount of money spent from the Indian Exchequer over the last European war ?

Mr. G. R. F. Tottenham : I would refer the Honourable Member to the reply I gave to his starred question No. 850 on the 7th October, 1936.

MONEY RAISED BY VOLUNTARY CONTRIBUTIONS FOR THE GREAT WAR.

1384 ***Mr. Mohan Lal Saksena :** Will Government also state how much money was raised by voluntary contributions for the Great War ?

Mr. G. R. F. Tottenham : The Honourable Member will find such information as is available in the book to which I have previously referred him called "India's contribution to the Great War".

GREAT BRITAIN'S CONSULTATION WITH INDIA BEFORE JOINING THE LAST WAR.

1385. ***Mr. Mohan Lal Saksena :** Was the Government of India consulted before Great Britain joined the last war ?

Sir Aubrey Metcalfe : No, Sir.

FEELINGS IN INDIA REGARDING INDIANS NOT HELPING GREAT BRITAIN IN FUTURE WARS.

1386. ***Mr. Mohan Lal Saksena :** (a) Are Government aware of the feelings of the people of India regarding Indians not helping Great Britain in future wars ?

(b) If not, do Government propose to take necessary steps to ascertain them before committing India to any war responsibility in the future ?

The Honourable Sir Henry Craik : (a) If by "the people of India" the Honourable Member refers to certain Congress leaders, Government are aware of the views expressed by them. They do not believe that these views are generally held by the people of India.

(b) Does not arise.

PROCEDURE FOR SELECTION OF CANDIDATES FOR PUBLIC SERVICE COMMISSION EXAMINATIONS.

1387. ***Mr. Mohan Lal Saksena :** (a) Is it a fact that the Public Service Commission are empowered to restrict the number of candidates for admission to various examinations and to select the requisite number out of the applicants? If so, will Government be pleased to state the rules under which they have been empowered, as well as the procedure by which selections are made?

(b) What particular qualifications, if any, are taken into consideration while making such selections?

(c) Are the candidates interviewed for purposes of such selection?

(d) Are recommendations taken into consideration?

(e) Are Government aware of the great amount of dissatisfaction caused amongst the applicants by this method of selection? If so, are Government prepared to frame such rules as to minimise the aforesaid dissatisfaction and to leave no room for special favouritism?

The Honourable Sir Henry Craik : (a) I would refer the Honourable Member to the answer given by me on the 15th October, 1936, to part (c) of his question No. 1318.

(b) The Commission take into account all considerations which appear to them to be relevant.

(c) Not usually.

(d) I would refer the Honourable Member to the reply given to part (b). If by 'recommendations' he means canvassing, the answer is in the negative.

(e) Dissatisfaction is inevitable, the reduction is a disagreeable necessity. The Public Service Commission was set up in order to attain the object which the Honourable Member appears to have in mind.

SELECTION OF CANDIDATES BY THE PUBLIC SERVICE COMMISSION FOR THE INDIAN AUDIT AND ACCOUNTS SERVICE EXAMINATION.

1388. ***Mr. Mohan Lal Saksena :** (a) Is it a fact that for admission to the forthcoming competitive examination for the Indian Audit and Accounts and other services, a number of applicants who had better academic qualifications than those selected have been rejected?

(b) Is it not a fact that third class B.A.'s have been given preference over second class B.A.'s, M.A.'s and M.Sc.'s?

(c) If so, will Government explain the policy followed by the Public Service Commission in the matter of selection?

Mr. W. W. Nind : With your permission, Sir, I propose to reply questions Nos. 1388 and 1425 together. The information is being obtained and will be laid on the table in due course.

SELECTION OF CANDIDATES BY THE PUBLIC SERVICE COMMISSION FOR
CERTAIN EXAMINATIONS.

1389. ***Mr. Mohan Lal Saksena :** (a) While making selection, do the Public Service Commission take into consideration the age of the candidates ?

(b) If so, do they give such candidates preference as are likely to become over age over others ? If not, why not ?

The Honourable Sir Henry Craik : (a) and (b). I would refer the Honourable Member to the reply just given to part (b) of his question No. 1387.

SELECTION OF CANDIDATES BY THE PUBLIC SERVICE COMMISSION FOR
CERTAIN EXAMINATIONS.

1390. ***Mr. Mohan Lal Saksena :** Will Government state whether, while making selection, the Public Service Commission give any preference to such candidates as have been refused admission at the previous examinations ? If not, why not ?

The Honourable Sir Henry Craik : I would refer the Honourable Member to the reply given to part (b) of his question No. 1387.

RULES REGARDING THE SELECTION OF APPLICANTS FOR ADMISSION TO PUBLIC
SERVICE COMMISSION EXAMINATIONS.

1391. ***Mr. Mohan Lal Saksena :** Do Government propose to publish the rules regarding the selection of applicants for admission, for the information of the prospective candidates ?

The Honourable Sir Henry Craik : I would refer the Honourable Member to the reply given on the 15th October, 1936, to part (c) of his question No. 1318. The rules for the various examinations are published.

REFUND OF FEES OF APPLICANTS NOT ADMITTED TO COMPETITIVE
EXAMINATIONS OF THE PUBLIC SERVICE COMMISSION.

1392. ***Mr. Mohan Lal Saksena :** Do Government propose to make it a rule that the fees of such applicants as are not admitted to the competitive examination, shall be refunded ?

The Honourable Sir Henry Craik : No examination fees are charged in such cases. Government see no reason to refund the application fees in view of the trouble and expense involved in dealing with the applications and in making a preliminary selection among the applicants.

BOOKS CONFISCATED UNDER THE SEA CUSTOMS ACT.

1393. ***Mr. Mohan Lal Saksena :** Will Government lay on the table a list of books confiscated under the Sea Customs Act ?

The Honourable Sir Henry Craik : If the Honourable Member will let me know the period for which the information is required, I will see whether it is possible to obtain it.

ABOLITION OF CLASSIFICATION OF POLITICAL PRISONERS.

1394. ***Mr. Mohan Lal Saksena :** (a) Are Government aware of the large number of meetings held all over the country on the 13th September, at which resolutions were passed urging for the abolition of classification of political prisoners and the creation of one class for all ?

(b) If so, what action, if any, have Government taken to ameliorate the condition of Political Prisoners ?

The Honourable Sir Henry Craik : (a) I have seen newspaper reports.

(b) I would refer the Honourable Member to the replies which I gave to parts (c) and (g) of Mr. Satyamurti's question No. 678, dated the 28th September, 1936, and to the supplementary questions asked thereon.

FILLING UP OF VACANCIES OF COOLIES AND WIREMEN IN THE ELECTRIC DEPARTMENT OF THE NORTH WESTERN RAILWAY, DELHI.

1395. ***Maulvi Badi-uz-Zaman :** (a) Is it a fact :

- (i) that about twenty vacancies of coolies and wiremen were filled up in the Electric Department of the North Western Railway, Delhi, under the construction head ;
- (ii) that not a single Muslim, except one or two, coolie has been recruited against these vacancies ; and
- (iii) that these vacancies were not advertised ?

(b) If the replies to the parts above be in the affirmative, will Government please state what action they propose to take against the officer responsible for the infringement of rules of recruitment ?

The Honourable Sir Muhammad Zafrullah Khan : With your permission, Sir, I propose to reply to questions Nos. 1395 and 1396 together. Government have no information. These are matters of detailed administration within the competence of the Agent, North Western Railway, to whom copies of the questions have been sent for information and such action as he may consider necessary.

RECRUITMENT OF STAFF FOR ELECTRIC STATIONS TO BE OPENED AT MEERUT CITY, MUZAFFARNAGAR AND SAHARANPUR.

†1396. ***Maulvi Badi-uz-Zaman :** (a) Is it a fact :

- (i) that stations of Electric Department are going to be opened at Meerut City, Muzaffarnagar and Saharanpur, etc., in near future ; and
- (ii) that the recruitment for these stations will be made by Mr. Wadhawan, senior charge-man ?

(b) If the answer to the preceding parts be in the affirmative, will Government please state what steps they propose to take to safeguard the interests of Muslims at the time of recruitment ?

CONFIRMATION OF SPECIAL TICKET EXAMINERS ON THE NORTH WESTERN RAILWAY.

1397. *Mr. Lalchand Navalrai : With reference to the answer to part (c) of my started question No. 220 asked on the 10th February last, will Government be pleased to state :

- (a) whether the confirmation of the Special Ticket Examiners on the North Western Railway has since been ordered ; and
- (b) if the reply to part (a) be in the negative, whether, in view of the fact that they were informed by the North Western Railway in last February, that the question of confirmation of the Special Ticket Examiners was in hand and that the orders would be issued shortly, they propose to direct the confirmation of Special Ticket Examiners at an early date, if not, why not ?

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

PASS RULES ON THE NORTH WESTERN RAILWAY.

1398. *Mr. Lalchand Navalrai : (a) Are Government aware that under exception (ii) to Rule 36 of the Pass Rules issued by the North Western Railway Administration, lady typists, lady booking clerks, lady telephone clerks, lady teachers and lady nurses in hospitals, could be given second class passes irrespective of what salaries they may be drawing ? If so, why has such a rule been made ?

(b) Is it a fact that on revision of the Pass Rules under the Railway Board's letter No. 2740-T.A. of 21st September, 1935, only lady teachers in railway schools, lady typists, lady telephone clerks and railway hospital nurses are eligible for second class passes irrespective of what salaries they may be drawing ?

(c) Why have lady booking clerks and ticket collectors been denied the privilege of second class passes, irrespective of their pay ?

(d) Is it a fact that lately on the recommendations of the Advisory Committees, or public demand, a minimum quota of Indians is being recruited to the posts of lady ticket collectors and booking clerks and the privilege of second class passes is denied to them ?

(e) Do Government propose to direct that this discrimination in regard to lady ticket collectors and booking clerks be done away with ? If not, why not ?

The Honourable Sir Muhammad Zafrullah Khan : (a) Yes ; the rule was intended to give certain classes of lady employees greater conveniences when travelling by train than they would ordinarily be entitled to on the basis of the salaries drawn by them, as at the time the

rule was framed many years ago, they were being generally recruited from a better educated class than that from which the majority of similar employees were being recruited.

(b) Yes.

(c) and (d). Lady booking clerks and ticket collectors were deleted from the list of lady employees entitled to second class passes irrespective of their pay in accordance with the recommendations of the Indian Railway Conference Association. Government have not prescribed, nor are they aware that any Railway Administration has fixed a minimum quota in regard to the number of Indians that may be recruited.

(e) I am having the matter examined.

TENDER FOR THE SUPPLY OF INDIGENOUS RED OXIDE PAINT.

1399. *Raizada Hans Raj : (a) Is it a fact that the Indian Stores Department invited the supplementary tender No. M.-7344 in November, 1935, and gave contracts for the supply of Indigenous Red Oxide Paint Readymixed with the European firms Messrs. Jenson and Nicholson and Shalimar Paint Works at Re. 1-10-0 per gallon for painting of the State Railway Wagons ?

(b) Is it a fact that the change in painting the wagon bodies and under-frames of the State Railways from Black to Red actually took effect from 1st September, 1936, instead of 1st March, 1936, the beginning of the financial year ? If so, will Government be pleased to state the reasons for not painting the wagons Red from 1st March, 1936, with Red Oxide paint at Re. 1-10-0 a gallon ?

(c) Is it a fact that Indian Stores Department has also placed contract for Artificial Red Oxide Paint Readymixed for Great Indian Peninsula Railway, at Re. 1-14-0 per gallon from the same European firm who is given the contract for the Indigenous Red Oxide Paint at Re. 1-10-0 a gallon ? If so, will Government be pleased to state the reasons for payment Re. 0-4-0 per gallon extra for the Artificial Red Oxide Paint from the same European firm for the use of Great Indian Peninsula Railway only ?

(d) Do Government propose to inquire into the reasons why the purchase at Re. 1-14-0 a gallon was made when a contract for the supply of Indigenous Red Oxide Paint was in force with the same firm at Re. 1-10-0 a gallon ? If not, why not ?

(e) Is it a fact that the Great Indian Peninsula Railway required a Red Oxide Paint to B S Shade 73 which is a natural Gulf Oxide Shade ?

(f) Are Government aware of the fact that Murarka's offer for Gulf Oxide in original tender No. M.-6430 was the lowest ?

(g) Are Government aware that this undermines the policy of the Government for the development of the Indian Paint Industry and do Government propose to enquire into the matter ? If not, why not ?

The Honourable Sir Frank Noyce : (a) Contracts for the supply of readymixed red oxide paints were awarded to both the firms mentioned. Two varieties of the paint, both of Indian manufacture, were purchased from the Shalimar Paint Works, one at Rs. 1-14-0 per gallon,

and one at Rs. 1-10-0 per gallon. One variety of the paint, also of Indian manufacture, was purchased from Messrs. Jenson and Nicholson at Rs. 1-10-0 per gallon.

(b) Yes. The reasons for giving effect to the change in painting wagons from 1st September 1936 were, firstly, because State Railways had stocks of black paint which had to be consumed, and secondly, because experiments had to be conducted to arrive at a satisfactory formula for the mixing and application of the red oxide paint.

(c) No, the red oxide paint purchased for the Great Indian Peninsula Railway is Katni Red Oxide paint and the contract was placed with Shalimar Paint Works. The second part does not therefore arise.

(d) Does not arise.

(e) The Great Indian Peninsula Railway requires a certain quantity of red oxide paint of the shade mentioned for painting coaches, but for painting wagons that shade is not essential.

(f) Presumably the Honourable Member refers to tender No. M.-6470. The Murarka Paint and Varnish Works, Limited, did not submit the lowest offer for the different varieties of gulf oxide.

(g) This does not arise.

INITIATION OF A NEW GRADE OF CLERKS FOR SUPERVISORY DUTIES IN TELEGRAPH OFFICES.

1400. *Mr. Muhammad Azhar Ali : (a) Will Government be pleased to state whether it is a fact, that the Posts and Telegraphs Department have, recently, initiated a new grade of clerks for supervisory duties in Telegraph Offices ?

(b) What is the pay and prospects of these officials ?

(c) What are their duties and functions ?

(d) Who performed these duties previously ?

(e) How are the aforementioned appointments made ? Is it by regular examination ? If not, why not ?

(f) Is it not the case that outsiders are being subsidized to instal plant and apparatus on the Engineering side, and that the cadre of divisional engineers are being increased ?

(g) Did Government consider whether educated men could be induced into this special cadre from amongst graduates at least, and others suited to the nature of supervisory duties involved ?

(h) Do Government propose to restrict these offices exclusively to suitable telegraph element, or, in the alternative, appoint only graduates in these posts ? If not, why not ?

The Honourable Sir Frank Noyce : (a) No.

(b) to (e). Do not arise.

(f) The reply to both parts of the question is in the negative.

(g) Government have no reason to believe that there is any need to recruit graduates for this particular purpose as suitable men with experience are available among the existing staff.

(h) The reply to the first part is in the negative. As regards the latter part, the Honourable Member's attention is invited to the reply given to part (g) of the question.

RAILWAY COLLISION BETWEEN TINSUKIA AND LUMDING DISTRICT ON THE ASSAM BENGAL RAILWAY.

1401. *Mr. Kuladhar Chaliha : (a) Will Government be pleased to state how many railway collisions happened or were averted on the Assam Bengal Railway between September, 1933 and April, 1935, between Tinsukia and Lumding districts ?

(b) Was a collision averted at Mariani on 9th December, 1935, between 303-Up Mixed Train and 30-Down Assam Mail ?

(c) Was an Assistant Station Master dismissed on this account ?

(d) Who signed the Train Warning Approach Book ?

(e) Was there an averted collision between 29-Up Assam Mail and Down Goods Special on 18th May, 1934, at Furkating Railway Station of the Assam Bengal Railway ?

(f) Was there an averted collision between 301-Up Mixed and 32-Down Mixed Train at Lumding of the Assam Bengal Railway line on 1st March, 1935 ?

(g) Will Government please state whether wholtime Yard Assistant Station Master works at that junction, who is directly responsible for attending to the points ?

(h) Did a collision occur at Sapekhati Railway station of the Assam Bengal Railway on 13th July, 1936, between 32 Down Mixed Train and 349-Up Goods Train, when cow-catchers were broken and passengers badly shaken ?

(i) Will Government please state whether in this station only the Station Master is responsible for points and no other officers are kept to help him ?

(j) Will Government be pleased to state whether Train Warning Approach Books are kept at junction stations ?

(k) Who keeps them ? Who are primarily responsible for points at such junctions ?

(l) What are the working hours of an Assistant Station Master in Railway Companies ?

(m) How many hours a day an Assistant Station Master at Lumding, Tinsukia, and Mariani stations of the Assam Bengal Railway works, and whether he works more hours a week than the Act allows ?

The Honourable Sir Muhammad Zafrullah Khan : I am obtaining the information asked for by the Honourable Member and will lay a reply on the table when it is received.

APPOINTMENT OF ASSAMESE IN THE SUPERIOR SERVICE OF THE ASSAM BENGAL RAILWAY.

1402. *Mr. Kuladhar Chaliha : (a) Will Government please state whether any officer has ever been appointed in the superior service of

the Assam Bengal Railway from the people of Assam, through which area this railway passes and from which revenue is received ? If not, why not ?

(b) Do Government propose to move the Agent and the Home Board of the Railway that claims of such candidates should be given first preference in future in filling up the vacancies ?

The Honourable Sir Muhammad Zafrullah Khan : (a) As regards the first part of the question, Government have no information. The latter part does not arise.

(b) Government have not accepted the principle of making recruiting on territorial basis but they are informed by the Agent, Assam Bengal Railway, that the claims of Assamese candidates have been given and will continue to be given full consideration in fresh recruitment, provided candidates possessing the necessary qualifications were available.

APPOINTMENT OF MR. HOMAN AS DIVISIONAL SUPERINTENDENT, KARACHI.

1403. ***Sardar Sant Singh :** (a) Is it a fact that Mr. Homan, Divisional Superintendent, Karachi was condemned on the East Indian Railway as unfit to hold charge of a Division ?

(b) Is it a fact that this new officer has again been given a chance on the North Western Railway, and that Indian officers against whom there is nothing and who have never been tried and condemned, are not being given a chance at all ?

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

(b) Does not arise.

WORKING HOURS OF DRIVERS WORKING BETWEEN ROHRI AND SIBI ON THE NORTH WESTERN RAILWAY.

1404. ***Mr. Lalchand Navalrai :** (a) Will Government be pleased to state if drivers on the North Western Railway working between Rohri and Sibi, are made to work without sufficient rest being given to them ?

(b) Is it a fact that 279-Up Fruit Train starts from Rohri at 10 A.M. and reaches Sibi at 17-35 and 54-Down Passengers leaves Sibi at 1-7 A.M. and arrives at Rohri at 23 hours ?

(c) Is it a fact that the driver and firemen, who run with 279 Fruit Train, return in charge of 54-Down Passenger and get only about 4½ hours rest ?

(d) Has this fact of their under-rest making the happening of some accident likely, come to the notice of the authority ? If so, what steps have they taken to provide for sufficient rest for this running staff ?

(e) Do Government propose in the interest of the safety of the travelling public to issue orders for regulating their duties with sufficient intervals for rest ?

The Honourable Sir Muhammad Zafrullah Khan : Government have no information. The matters referred to are of detailed administration within the competence of the Agent, North Western Railway, to whom a copy of the question has been sent for information and such action as he may consider necessary.

**RACIAL DISCRIMINATION IN THE MATTER OF PROMOTION OF OFFICE
SUPERINTENDENTS ON THE NORTH WESTERN RAILWAY.**

1405. ***Mr. Lalchand Navalrai** : (a) With reference to Government answer to part (h) of my starred question No. 1659, asked on the 16th April last, will Government be pleased to state whether it is a fact that out of 16 Office Superintendents, five are Europeans and Anglo-Indians, while eleven are Indians ?

(b) Is it a fact that out of five Anglo-Indians and Europeans, four had officiated in gazetted posts in 1934-35 and 1935-36, thus giving 80 per cent. of them promotion to officiate in gazetted posts, while only four out of the eleven Indians had been allowed to officiate, a little over 36 per cent. ? If so, what is the reason for such low percentage for Indians ?

(c) How do Government justify higher percentage of appointments being given to Anglo-Indians and Europeans ?

(d) Will Government be pleased to state the reasons for overlooking the claims of senior Indians ? Why have they not been selected for promotion to gazetted posts ?

The Honourable Sir Muhammad Zafrullah Khan : With your permission, Sir, I propose to reply questions Nos. 1405 and 1406 together.

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

**PROMOTION OF OFFICE SUPERINTENDENTS ON THE NORTH WESTERN
RAILWAY.**

†1406. ***Mr. Lalchand Navalrai** : (a) With reference to the statement laid on the table of the House in reply to part (h) of my starred question No. 1659, asked in April, 1936, regarding promotion of office Superintendents on the North Western Railway to gazetted posts, will Government be pleased to state the period each office Superintendent referred to in part (h) of the reply above, had officiated during 1934-35, 1935-36, and 1936-37 (up to date) ?

(b) What are the rules regarding promotion of office Superintendents to officiate in gazetted ranks ? In case two persons are fit for promotion to officiate in higher gazetted posts, is the senior man given chance first ? If not, why not ?

(c) If the reply to part (b) above be in the affirmative, has this practice been followed by the North Western Railway Agency in making officiating promotions of office Superintendents ? If not, why not ?

(d) What is the maximum period for which preference is given to the local man, or a person readily available, irrespective of seniority to officiate in gazetted posts ? If no such limit is prescribed, will Government be pleased to state why no definite rules are laid down on the subject ?

(e) If the permanent promotions to gazetted posts are made by the Railway Board, what action does the Board take to see that in the matter of officiating promotions some well defined policy is followed ? If so, what is the general policy laid down by the Railway Board for the guidance of the Agencies ?

†For answer to this question, see answer to question No. 1405.

(f) Is it a fact that in making permanent promotions the Board takes into consideration the officiating service put in by each employee in gazetted ranks? If so, what steps does the Railway Board take to see that each employee has a fair chance to put in officiating service when chances offer?

(g) If officiating service is no criterion for making permanent promotion of subordinates to gazetted posts, what other considerations weigh with the Railway Board in making such promotions?

PROMOTIONS FROM SUBORDINATE SERVICE TO GAZETTED POSTS MADE ON THE NORTH WESTERN RAILWAY.

1407. *Mr. Lalchand Navalrai : (a) Will Government be pleased to state the percentage of promotions made on the North Western Railway from subordinate service to gazetted posts, permanent and officiating separately during 1934-35, 1935-36 and 1936-37 (up to date)?

(b) What is the percentage of posts reserved for promotion from subordinate ranks to gazetted service, permanent as well as officiating separately?

(c) Has this percentage been increased in actual practice? If so, why?

The Honourable Sir Muhammad Zafrullah Khan : (a) The information is not readily available and its collection will involve an amount of labour and expense not likely to be justified by results.

(b) Twenty per cent. of permanent vacancies for Indian recruitment to the superior services are reserved for promotion from the Lower Gazetted Services and subordinate ranks.

(c) No percentage has been fixed for officiating promotions.

REDUCTION OF ONE SET OF CERTAIN SECTIONS OF THE RAILWAY MAIL SERVICE.

1408. *Seth Haji Abdoola Haroon : (a) Is it a fact that one set has been reduced of the F, J and W Sections of Railway Mail Service?

(b) Is it a fact that the staff affected have protested against the reduction of sets alleging "no justification" therefor?

(c) Is it a fact that due to the reduction in sets extra cost on double duty allowance paid to Railway Mail Service Sorters and other staff have abnormally increased and in some cases exceeds the expenditure on the staff of the sets reduced?

(d) Are Government prepared to order an enquiry into the matters referred to in parts (a) to (c) above and state the result?

The Honourable Sir Frank Noyce : (a) I am unable to supply the information required by the Honourable Member as he has not specified the sections in the F, J and W Divisions of the Railway Mail Service in regard to which he desires information. There are no sections known as F, J and W Sections.

(b) to (d). In view of my reply to part (a), I am unable to reply to these parts of the question, but I may inform the Honourable Member that it is open to the staff concerned to represent any grievances they may have to the proper authority who will examine the matter and take suitable action.

APPROVED CANDIDATES OF EACH COMMUNITY EXAMINED AND DECLARED SUCCESSFUL IN THE PUNJAB AND NORTH-WEST FRONTIER POSTAL CIRCLE.

1409. ***Mr. Muhammad Anwar-ul-Azim** : (a) Is it a fact that the Director General of Posts and Telegraphs issued certain orders in August, 1935, requiring all departmental and outsider approved candidates and those who had even permanently been appointed from 1st April, 1935 to undergo a fresh examination according to some revised syllabus ?

(b) If the reply to part (a) above be in the affirmative, will Government kindly intimate (i) the number of approved candidates of each community examined and declared successful under these orders in the Punjab and North-West Frontier Circle and (ii) the number of permanent hands who appeared in the said examination and were declared successful, communitywise ?

The Honourable Sir Frank Noyce : (a) Yes.

(b) Government regret that the information asked for by the Honourable Member is not readily available and that as an undue expenditure of time and labour would be involved in collecting it they do not propose to do so.

COMMUNAL COMPOSITION OF THE STAFF IN THE SIMLA HEAD POST OFFICE.

1410. ***Mr. Muhammad Anwar-ul-Azim** : (a) Will Government kindly place on the table a statement showing the number of candidates permanently appointed in various cadres, viz., clerks, postmen, packers and other inferior servants in the Simla Head Office since September, 1926 up to date ?

(b) How many vacancies were filled by Muslims under Government's orders regarding the third vacancy rule for redressing of communal inequalities ?

(c) Are Government aware of the fact that the Director General of Posts and Telegraphs has also issued clear instructions that Muslims, being by far the important minority community, should get the greater portion of the reservation ?

(d) If the reply to part (c) above be in the affirmative, are Government aware of the fact that both the Government's and the Director-General's orders have been totally disregarded so far as the recruitment of Muslims in the Simla Head Office is concerned ?

(e) If the reply to part (d) above be in the affirmative, what action do Government propose to take against the officer or officers concerned for disobedience of orders and how do they propose to redress the wrong done to the Muslim community ?

The Honourable Sir Frank Noyce : (a) and (b). Government regret that they are unable to furnish the information as its collection would involve an undue expenditure of time and labour.

(c) Yes.

(d) Government have no information nor do they propose to call for it. It is the duty of the head of the circle who receives annually a communal statement relating to recruitment from all recruiting officers to take suitable action if Government's orders have not been observed

(e) Does not arise.

TASK MESSENGERS EMPLOYED IN THE LAHORE TELEGRAPH OFFICE.

1411. ***Mr. Muhammad Anwar-ul-Azim :** With reference to the reply given by the Honourable Sir Frank Noyce, to starred question No. 1684 in the last Delhi Session of the Assembly, will Government kindly state how many of the present task work messengers employed in the Lahore Government Telegraph Office have been recruited directly and how many by promotion ?

The Honourable Sir Frank Noyce : Twenty-nine and seven, respectively.

COMMUNAL COMPOSITION OF CANDIDATES DECLARED SUCCESSFUL IN THE EXAMINATION FOR RECRUITMENT OF WIRELESS OPERATORS.

1412 ***Mr. Muhammad Anwar-ul-Azim :** (a) Will Government kindly state the number of candidates who were declared successful in the last examination held for the recruitment of wireless operators after the issue of the Government of India, Home Department's Resolution of 4th July, 1934, regarding communal representation in services ?

(b) How many Muslims were appointed on merit and how many by reservation as wireless operators ?

(c) If Muslims were given no appointment on merit or reservation, what are the reasons therefor ?

(d) What action do Government propose to take in order to remedy the harm done to the Muslim community and for disregard of clear instructions regarding reservation of Muslim representation ?

(e) Are not Government prepared to have this examination which is of All-India nature conducted by the Public Service Commission ?

The Honourable Sir Frank Noyce : (a) Forty-nine.

(b) None.

(c) No Muslim was selected because the only Muslim who qualified by obtaining the prescribed minimum marks was taken as an Engineering Supervisor which is a better paid post. The reservations are subject to the attainment of the minimum standard.

(d) Does not arise.

(e) As the Wireless Operators' service is a subordinate service, recruitment to it does not come within the scope of the functions of the Public Service Commission.

ENQUIRY REGARDING WORKING OF THE INCOME-TAX DEPARTMENT.

1413. *Babu Baijnath Bajoria : Will Government be pleased to state :

- (a) whether the experts who came from England to conduct an enquiry about the working of the Income-tax Department and for revising the Income-tax rules have finished their enquiry ;
- (b) whether they have signed their report ; if so, on what date ;
- (c) whether their report will be published in the newspapers ; if not, why not ;
- (d) whether their report will be placed before this House for discussion ; if not, why not ; and
- (e) why an Indian commercial representative was not nominated to serve on this enquiry ?

Mr. W. W. Nind : (a) Yes.

(b), (c) and (d). I would refer the Honourable Member to the reply given to question No. 878 on the 8th October, 1936.

(e) I would refer the Honourable Member to the remarks of the Honourable the Finance Member on this subject in the report of the proceedings of the Assembly for the 4th of April, 1935—pages 3650-51 and 3667.

REDUCTION OF TELEPHONE TRUNK CALL CHARGES.

1414. *Babu Baijnath Bajoria : (a) Are Government aware that the Trunk Telephone lines, specially between Calcutta and Delhi, Calcutta and Bombay, and Bombay and Delhi, are most important from a commercial point of view and that they are making large profits on these lines ?

(b) Is it not a fact that Government are making large profits from the Telephone Department every year ?

(c) Will Government be pleased to state the amounts and percentage of profits made by the Telephone Department during each of the last three years ?

(d) Do Government contemplate reducing the telephone charges, specially for trunk calls, in the near future ? If not, why not ?

The Honourable Sir Frank Noyce : (a) Since the lines link up important commercial centres they may be regarded as important trunk lines. As separate profit and loss accounts for the different trunk circuits are not maintained, it is not possible to give a definite reply to the query in the second part of the question.

(b) Since the year 1925-26 when the accounts of the Department were placed on a commercial basis, the Telephone Branch has been working at a profit, excepting during the years 1925-26, 1927-28 and 1930-31.

(c) Profits for the years 1933-34 to 1935-36 were Rs. 2,73,000, Rs. 23,67,000 and Rs. 13,44,000 respectively. The emergency deduction in pay of staff contributed to some extent to the profits of 1933-34 and

1934-35. The large profit during 1934-35 was due to the fact that contribution to the Depreciation Fund in that year was limited to the actual expenditure on renewals and replacements. The figure for 1935-36 is provisional, as the final accounts for the year have not yet been made up. The percentage of profits based on the capital outlay of the telephone branch works out to 1.34, 10.89 and 5.73 during the three years 1933-34, 1934-35 and 1935-36 respectively.

(d) Government do not contemplate any reduction in the telephone charges at present. The rates for subscribers on Government telephone systems were reduced in 1934, and as regards trunk call charges a maximum charge of Rs. 10 for a three minutes' conversation was fixed between any two points in India. The Department as a whole is still not working at an appreciable profit and Government are not therefore in a position to sacrifice revenue from the telephone branch by reducing rates.

REMOVAL OF DISQUALIFICATION OF CANDIDATES CONVICTED OF POLITICAL OFFENCES DESIRING TO CONTEST THE ENSUING ELECTIONS.

1415. *Mr. S. Satyamurti : Will Government be pleased to state :

- (a) whether the removal of the disqualification under sub-section I (e) of section 69 of the Government of India Act, 1935, of persons desiring to stand as candidates to a Provincial Legislature is being treated as an all-India question ;
- (b) whether Local Governments have referred this matter to the Government of India for their opinion ;
- (c) whether any rules have been framed for the exercise of discretion by the Governor before Part III of the Act comes into force on the 1st April next, as is expected ;
- (d) whether they are considering the question of giving any instructions to Local Governments in respect of the matter ; and
- (e) whether they have laid down or proposed to lay down a rule to the effect that all persons, convicted of political offences not involving violence to person or property, will have their disqualifications removed, and if not, why not ?

The Honourable Sir Henry Craik : As I stated in my reply to question No. 1353 by Mr. Avinashilingam Chettiar, the authority empowered to remove disqualifications is the Governor-in-Council and not the Government of India. The Government of India do not propose to issue any instructions in the matter.

ALLEGED MONETARY AGREEMENT BETWEEN ENGLAND, FRANCE AND AMERICA.

1416. *Mr. T. S. Avinashilingam Chettiar : Will Government state :

- (a) whether they are aware of the reported news on page 1 of the *Hindustan Times*, dated the 27th September, 1936, regarding the monetary agreement between England, France and America ;
- (b) what are the terms of the agreement ; and

(c) whether they have considered how it will affect the foreign trade of this country ?

Mr. W. W. Nind : I have nothing to add to what the Finance Member said on this subject in the course of the debate on the adjournment motion on the 8th October.

**ARREST AND DETENTION OF CERTAIN PERSONS OF THE MOHMAND TRIBE,
RESIDENTS OF PESHAWAR DISTRICT.**

1417. ***Dr. Khan Sahib :** Will Government be pleased to state :

- (a) if it is a fact that certain persons of the Mohmand Tribe, residents of Peshawar District, have been arrested and detained in what is generally called the political *hawalat* (political lock-up) ; and
- (b) if the answer to part (a) be in the affirmative, the reasons and period of their detention, and how long Government intend to detain them ?

Sir Aubrey Metcalfe : (a) A number of Mohmands belonging to a particular section were arrested under section 21 of the Frontier Crimes Regulation and are still in custody under the provisions of that section.

(b) The reason for their detention is that the faction to which they belong has been acting in a hostile manner towards the Government. They will remain in confinement until a settlement has been effected with Government.

**EXAMINATION FOR APPOINTMENT OF CLERKS IN THE ALLAHABAD GENERAL
POST OFFICE.**

1418. ***Seth Haji Abdoola Haroon :** (a) Will Government be pleased to state whether an examination was held in the month of September, 1934 for appointment of clerks in the Allahabad General Post Office ?

(b) Is it a fact that about four hundred youngmen sat at the examination held for this purpose ? If not, how many did ?

(c) Is it a fact that out of those men that sat for the examination mentioned in part (a) above, some were selected in the month of June, 1935 and were appointed as lower division clerks after furnishing security of rupees three hundred each ?

(d) Are Government aware that some of the men selected for appointment as lower division clerks, were studying for higher degree, but had to leave the same owing to the question of unemployment, and desired to settle in life earlier ? If not, will Government please enquire how many men were obliged to leave their studies to get these appointments ?

(e) Will Government please state why the men concerned are going to be re-examined and why they are not confirmed in the newly constituted second grade ? If not, why not ?

(f) Will Government please state the minimum qualification required for appointment as second grade clerks ?

(g) Is it a fact that the men already selected have passed the B.A., F.A., High School or Matriculation examinations? Are Government prepared to enquire into this matter and stop any further examination? If not, why not?

(h) Is it a fact that some of the men working since their selection have become over age?

The Honourable Sir Frank Noyce : (a) to (e), (g) and (h). Government have no information and do not propose to call for it. If any individual has a grievance he can represent it to the proper authority in the usual manner.

(f) The minimum educational qualification required for appointment as clerk in the post office is a pass in the matriculation or equivalent examination.

DIFFERENCE BETWEEN THE OLD LOWER DIVISION AND NEW SECOND GRADE CLERICAL CADRES IN THE POSTS AND TELEGRAPHS DEPARTMENT.

1419. ***Seth Haji Abdoola Haroon :** (a) Will Government be pleased to state the difference between the old lower division and newly constituted second grade clerical cadre in the Posts and Telegraphs Department?

(b) Is it a fact that the nature of work to be performed by either of the above two classes of clerks is the same?

(c) If the reply to part (b) above be in the negative, will Government please state the circumstances under which the old lower division has been amalgamated with the newly constituted second grade clerks?

(d) If the reply to part (b) above be in the affirmative, will Government be pleased to state the necessity of treating the results of the previous examinations for selection of candidates for appointment as lower division clerks as null and void, and holding fresh examinations for the purpose?

(e) Is it a fact that the approved candidates, who had been confirmed as lower division clerks, are working satisfactorily as second grade clerks (old lower division clerks) since last four or five years?

(f) Is it a fact that not a single Postmaster General or any other head of an office under the Postmasters General, has complained of the inefficiency of the newly appointed men?

(g) If the reply to parts (e) and (f) above be in the negative, are Government prepared to cancel the further examination of the candidates, who have once qualified and been declared fit by the Head of the offices? If not, why not?

(h) If the reply to parts (e) and (f) above be in the affirmative, do Government propose to issue instructions to examine only those men, who have been declared as inefficient?

The Honourable Sir Frank Noyce : (a) Clerks in the old lower division were required to perform routine duties involving responsibility of a minor degree. The newly constituted second grade clerks are required to perform all the duties of a clerk and the duties between first grade and second grade clerks are interchangeable.

(b) No.

(c) The fact is not as stated by the Honourable Member. Recruitment to the old lower division has been discontinued.

(d) Does not arise.

(e) and (f). Government have no information.

(g) and (h). Do not arise.

SEASONAL ASSISTANT MISTRIES IN THE POSTS AND TELEGRAPHS DEPARTMENT.

1420. *Seth Haji Abdoola Haroon : (a) Is it a fact that Government have sanctioned a scale of Rs. 20—1—40 for the cadre of seasonal assistant mistries ?

(b) If the reply to part (a) be in the affirmative, will Government please state how the increment is to be counted, when the seasonal mistries are appointed for eight months only in the year ?

(c) Will Government please state if there is any other cadre which in spite of being seasonal, has got time scale of pay ?

(d) Is it a fact that the pay of the seasonal assistant mistries who are called wiremen also, was fixed as 30 rupees per month ?

(e) Is it a fact that the present seasonal assistant mistries are working for the last four years every season for eight months in the year ?

(f) Will Government please state if they have ever received any increment during this period ? If not, why have they been brought on time-scale of pay ?

(g) If Government are not prepared to grant annual increment to the seasonal assistant mistries or wiremen, are Government prepared to consider their case and bring them on the old scale of pay, which is an average of Rs. 20 to 40, viz., Rs. 30 per month ? If not, what step do Government propose to take to grant them annual increments, and how will the same be calculated ?

The Honourable Sir Frank Noyce : Information is being collected and a reply will be placed on the table of the House in due course.

NON-ELIGIBILITY OF TEMPORARY GOVERNMENT SERVANTS TO BECOME MEMBERS OF RECOGNISED UNIONS AND ASSOCIATIONS.

1421. *Seth Haji Abdoola Haroon : (a) Is it a fact that the approved candidates and the men in temporary services of Government are not entitled to become members of the recognised unions and associations ?

(b) If the reply to part (a) be in the affirmative, will Government please state what other source these employees of Government can adopt in case their grievances are not redressed by the head of their offices ?

(c) Have Government received complaints of great injustice in regard to the appointment of mistries in the United Provinces Circle of the Posts and Telegraphs Department, and in the post of mail guard and porter under the Superintendent, R. M. S. "A" Division, Allahabad ? Do Government propose to investigate this matter ?

(d) What step do Government propose to take to ensure justice to the men, who have got genuine grievances, but which have not been redressed ?

(e) Do Government propose to allow such men also to be members of the recognised unions and associations, so that they can have their grievances placed before Government through these bodies ? If not, why not ?

The Honourable Sir Frank Noyce : (a) Approved candidates are not allowed to become members of recognised service unions or associations as they are not Government servants, but men in temporary service of Government are entitled to become members of the recognised service unions or associations for so long as they remain in service.

(b) Does not arise.

(c) and (d) Government have no information nor do they propose to obtain it as it is open to the persons concerned to represent to the proper authorities in the usual manner.

(e) Government cannot allow non-Government servants to become members of recognised service unions or associations of Government servants.

LEGISLATION TO REGULATE BANKING BUSINESS.

1422. ***Mr. Mathuradas Vissanji :** (a) Are Government aware of the strong recommendations of the Central Banking Enquiry Committee's Report for a comprehensive separate legislation to regulate Banking business in this country ?

(b) Have Government received any representations from commercial bodies regarding such legislation and, if so, will Government be pleased to state what reply they have made to those representations ? How long ago were these representations received and have any of them since been repeated ?

Mr. W. W. Nind : (a) Yes.

(b) The representations received were considered while drafting the Indian Companies (Amendment) Bill and were also placed before the Select Committee of the House which considered that Bill.

CONTRIBUTION TO THE DURAND TOURNAMENT COMMITTEE FROM THE CENTRAL FINANCES.

1423. ***Mr. D. K. Lahiri Chaudhury :** (a) Will Government be pleased to state whether there is any contribution to the Durand Tournament Committee from the Central Finances, either from the army estimates or from the grants-in-aid contribution from the civil estimates ?

(b) Will Government be pleased to state whether soldiers are placed at the disposal of the Durand Committee during the matches for keeping order in the field ?

(c) If so, are Government aware of the fact that the soldiers who were present in the field on the evening of the 30th September, 1936, at Annandale were asked by the Durand Committee officials to disperse the crowd ?

(d) Will Government be pleased to state whether the Durand Committee had any authority to order the soldiers to disperse the crowd ?

(e) If the Durand Committee Secretary or the members thereof had no authority, will Government be pleased to state under whose orders the soldiers belonging to the Royal Scots and other regiments roughly handled the Indian spectators at the Annandale ground on the evening of the 30th September when the Indian public went to lodge their protest against the partiality of the European referee against the Indian players ?

(f) Are Government aware of the fact that the incidents which took place at the Annandale football ground on the evening of the 30th September, have caused great alarm and panic amongst the public ?

(g) If not, do Government propose to make a searching enquiry about the conduct of the European soldiers present in the ground specially including the Royal Scots Regiment ? If not, why not ?

(h) Is it a fact that the assault resulted in serious injuries to several spectators ? If so, will Government be pleased to state the nature of injuries and the present condition of the injured persons ?

The Honourable Sir Henry Craik : (a), (b), (c), (d) and (f). No.

(e) There is no proof that soldiers roughly handled the spectators.

(g) Government do not consider any enquiry necessary, beyond the usual police investigation.

(h) No. Only three persons received injuries, two very slightly and one boy received a cut on the head. As the injuries were not of a serious nature, all the three persons are now believed to have recovered.

EXTRA DEPARTMENTAL POST OFFICES.

1424. ***Dr. Ziauddin Ahmad :** (a) Will Government be pleased to state what is meant by Extra Departmental Post Offices ?

(b) Are Government responsible for the efficiency of these Extra Departmental Post Offices ?

(c) How many (i) permanent and (ii) temporary Extra Departmental Post Offices exist in India ; and how many of these are branch sub-post offices ?

(d) Is it a fact that the staff of these Extra Departmental Post Offices are not supposed to be Government servants ?

(e) Is it a fact that this work is done by contract system ?

(f) Is it not a fact that regular Post Offices, even in towns having a population exceeding ten thousand, have been converted into Extra Departmental Post Offices ? If so, why ?

The Honourable Sir Frank Noyce : (a) Extra Departmental post offices are post offices in charge of persons who are not whole-time and permanent servants of Government and such persons are paid an allowance instead of salary.

(b) Yes.

(c) The information is being called for and will be laid on the table of the House in due course.

(d) The fact is not as stated by the Honourable Member. Extra-departmental agents are Government servants but they are not whole-time Government servants.

(e) No.

(f) There may be such cases. If so, the reason for the conversion has been the desire to secure economy.

SELECTION OF CANDIDATES BY THE PUBLIC SERVICE COMMISSION FOR THE INDIAN AUDIT AND ACCOUNTS SERVICE EXAMINATION.

†1425. ***Bhai Parma Nand** : (a) What is the number of candidates who applied for admission to the Accounts and Audit examination to be held by the Public Service Commission ?

(b) How many of them were selected to sit for the examination ?

(c) Are there any rules which govern the selection ?

(d) How many of the selected candidates were Hindus and how many were Muslims ?

(e) Is it a fact that second-class M. A. Hindus, some of whom had got admission to the I. C. S., were rejected while third class Muslim graduates have been selected ?

(f) Is it a fact that the intimation of the rejection is given to the candidates only two months previous to the date of the examination ?

(g) Do Government propose to permit the rejected candidates to sit for the examination this year and frame definite rules for admission for the future ?

SCHEME TO RETIRE GOVERNMENT SERVANTS AT THE AGE OF 50.

1426. ***Bhai Parma Nand** : (a) Is there any scheme under consideration of the Government of India to retire Government servants at the age of 50, as a measure to remedy widespread unemployment ?

(b) If so, when is it going to come to maturity ?

Mr. W. W. Nind : (a) No.

(b) Does not arise.

ARREST AND DETENTION OF SARDAR GURUCHARAN SINGH.

1427. ***Sardar Sant Singh** : (a) With reference to the answer given to my unstarred question No. 588, on the 7th April, 1936, regarding the arrest and detention of Sardar Gurucharan Singh, will Government be pleased to state if the report on the last half-yearly review of his case indicates any disloyal activity on his part ?

(b) With reference to Government's answers to parts (d) and (e) of the question referred to above, is Sardar Gurucharan Singh still carrying on any disloyal activity ?

†For answer to this question, see answer to question No. 1388.

(c) With reference to the answer given to part (f) of the question referred to above, does the expression "private debts" include any amount raised on the security of his immovable property? If not, has such immovable property been restored to him, in view of the deduction of Rs. 2,000 a month from his allowance now being made by the Nabha Durbar, as against the payment by the Durbar of the balance due on the secured debt?

(d) Have Government received a letter from Sardar Gurucharan Singh, sent through his counsel, in February last, and addressed to the late Viceroy, the Earl of Willingdon, in which he denies any disloyal activity and declares his continued loyalty to the Crown? If so, have Government any ground still to persist in the charge of disloyalty against him?

Sir Aubrey Metcalfe : (a) The report is a confidential document and Government are not prepared to disclose its contents.

(b) Government consider that it is not in the public interest to make any statement.

(c) The answer to the first part is in the negative; the second part does not arise.

(d) No such letter has been received by Government through the correct channel; no action is taken on communications received otherwise than through such channel.

MAINTENANCE ALLOWANCE FOR THE INHERITANTS OF THE PROPERTY UNDER THE COURT OF WARDS MANAGEMENT IN DELHI.

1428. ***Mr. Muhammad Azhar Ali :** (a) Will Government kindly explain whether the Local Government sanctioned any maintenance allowance for the inheritants of the property taken over for management by the Court of Wards, Delhi? If not, why not?

(b) Will Government kindly state what improvements the Court of Ward* has made so far in the state in question? If not, why not?

Sir Aubrey Metcalfe : With your permission, Sir, I will answer questions Nos. 1428—1431 together. The information required is being collected and will be laid on the table in due course.

CLAIMS OF SHAHZADA SALEEM MUHAMMAD SHAH'S DEBTORS.

†1429. ***Mr. Muhammad Azhar Ali :** Will Government kindly state if the Court of Wards is entitled to accept the claim of Shahzada Saleem Muhammad Shah's debtors, without the proper adjudication of the Civil Court as mentioned in Deputy Commissioner's letter No. 436/M., dated 4th July, 1928?

COSTS OF LITIGATION FOR EXECUTION OF DECREES ON THE SIDE OF THE COURT OF WARDS.

†1430. ***Mr. Muhammad Azhar Ali :** (a) Will Government be pleased to state who is being debited with the costs of litigation in the matter of execution of the decree on the side of the Court of Wards?

†For answer to this question, see answer to question No. 1425.

(b) What were the costs of litigation of the suit and how much expense have the estate of the deceased Prince Mirza Saleem Shah been burdened with regard to the defence of the execution ?

APPOINTMENT OF A *Girdawar Qanungo* AS MANAGER OF THE COURT OF WARDS.

†1431. *Mr. Muhammad Azhar Ali : (a) Is it a fact that a *girdawar qanungo* was appointed as Manager of the Court of Wards over 12 years ago, and the same person continues to hold charge of the post ?

(b) Is it a fact that Mirza Fayyazuddin, husband of Shahzadi Badshah Jahan Begum (father of Mirza Khairuddin) was got expelled by her from Rang Mahal, by the help of the Police ?

(c) Are Government aware that the Manager of the Court of Wards has acquired access to the Shahzadi Badshah Jahan Begum in addition to his official duties, and that he is not from among the members of the *ex-Royal* house ?

(d) Are Government aware that the Manager of the Court of Wards is trying to give his eldest daughter in marriage to Shahzada Khairuddin to devour the estate, and the betrothal has been settled between Shahzadi Badshah Jahan Begum and the Government servant, the Manager of the Estate, please ?

(e) Have these facts ever come to the notice of the Government ? If so, what steps has Government taken in the matter ?

(f) Have Government awarded permission to the Manager of the Court of Wards to take up, besides Management of the Court, management of the private affairs of the Begums of the Rang Mahal ?

(g) Has not the Manager of the Court been an obstruction in the way of the inheritants of the property, and has he not entailed litigation by his collusion with one branch of the house, as has been remarked by the Judge of the Civil Courts in their judgments in suit No. 235|127 of 1922 adjudicated, dated 10th May, 1925, and No. 81|139 of 1928|1934 decided on 30th October, 1935 ?

(h) Have not Government seen the following remarks made by the Civil Judge :

“ The Government did express its desire to endeavour to obtain from a civil court a decision as to Saleem Muhamad Shah's share in the property as expeditiously as possible. The Chief Commissioner also wrote that if Saleem Muhammad Shah applies to the Court, the Court of Wards will give all possible aid to the civil Court in order to arrive at an early decision, with the least possible cost to the litigants. But this was not to be. The Court of Wards severely contested the case, as if it were its own.”

(i) What action did Government take against the Manager of the Court after these remarks of the Civil Judge ? If not, why not ?

ARRANGEMENTS FOR EDUCATION IN RURAL SCIENCE IN THE RURAL AREAS OF THE DELHI PROVINCE.

1432. *Mr. Muhammad Azhar Ali : (a) Will Government please state what arrangements they have made for imparting education in Rural Science in the rural area of the Delhi Province ?

(b) Is it a fact that the Delhi Province, Education Department, has no arrangements for conducting vernacular middle school examination and that the same is being conducted by the Punjab Government and from there the students get their *sanads* ?

(c) Is it a fact that the Delhi Government, Education Department, have no syllabus of their own, but it is the Punjab Education Department that enforce in Delhi their own syllabus like that in their own province ?

(d) Is it a fact that some years ago the Punjab Government had announced that Rural Science will be treated a compulsory subject from 1937 ?

(e) What special arrangements did the Delhi Education Department make for the Rural Science courses in the village schools in the province of Delhi ?

(f) Will Government please give the names of the Rural Science courses that are being taught in the Delhi Province ?

(g) Will Government kindly state the number of the Rural Science teachers and Agricultural Inspectors employed in this Province as well as number of agricultural farms attached to all these centres ?

(h) Is there any Rural Science expert already employed in any institution in this province ? If so, has he been entrusted with the duties of inspection of the village schools ?

Mr. M. W. Yeatts : (a) Instruction in Rural Science is imparted in one District Board Vernacular Middle School at Palam in Delhi.

(b) Yes. This is administratively convenient owing to the small numbers involved.

(c) It follows from the answer to (b) that the Punjab syllabus operates in Delhi.

(d) Yes, but there are alternatives.

(e) Rural science is not taught in village schools.

(f) The course and books prescribed by the Punjab Education Department are followed in Delhi province.

(g) One rural science teacher is employed in the school mentioned in (a) to which an agricultural farm is attached. There is also one in the Normal School, Najafgarh. No Agricultural Inspector is employed in Delhi as the Punjab Agricultural Inspector does the work.

(h) Yes, in the Normal School, Najafgarh. As already remarked, village schools do not take rural science which is a middle school subject.

APPOINTMENT OF A DIRECTOR FOR VILLAGE PROGRAMME AT THE DELHI BROADCASTING STATION.

1433. **Mr. Muhammad Ashar Ali :** (a) Is it a fact that there is no qualified Director for village programme at the Delhi Broadcasting Station ?

(b) Are Government contemplating appointment of an expert in the matter ?

The Honourable Sir Frank Noyce : (a) There is no Director for village programmes attached to the All-India Radio at Delhi, but the Controller has the assistance of a Director of rural broadcasting who is paid by the Punjab Government, in supervising the arrangements for rural broadcasting in parts of the Punjab.

(b) The Controller and the staff of the All-India Radio are gaining valuable experience from the work now being done and the question whether a special officer for village programmes is necessary will depend upon the results of their experience and of developments in the future.

ASSAULT ON A GIRL IN THE BHOPAL UJJAIN PASSENGER TRAIN.

1434. ***Mr. Lalchand Navalrai :** (a) Are Government aware of the sensational case pending in the Court of the Headquarter Magistrate, 'Hoshangabad' ; where it is alleged that a ruffian boarded 45-Down 'Bhopal Ujjain passenger train', entered ladies' compartment, committed criminal outrage upon a girl of 17 years old, pulled off her ear-rings, tearing the holes of her ears, bit off her nose, parts of her cheeks, forehead and arms and further picked up her one year's old baby by the throat, bit off its nose, pulled out one of its eyelids and bit its cheeks and the fore-head ?

(b) What safeguards have Railway authorities provided against such tragic and not uncommon occurrences besides the communication chords which the miscreants do not allow to be made use of on such occasions ?

(c) Do Government propose to consult some experts and to devise new adequate methods sufficient to deter such nefarious acts being committed on the railways and entry into running trains ?

(d) Is it a fact that the railway rules prohibit a male passenger travelling in a female compartment, even when it is occupied by his own family and he undertakes to vacate it in case any other lady gets in and objects to his being there ?

(e) If so, are Government prepared to remove such a restriction and allow a relative male member to travel when the lady is alone ?

(f) In view of the danger of such aforesaid occurrences, do Government propose to initiate introduction of corridor trains ? If so, when ?

(g) Do Government propose to have the new proposed third class carriages to be built with corridors ? If not, why not ?

The Honourable Sir Muhammed Zafrullah Khan : (a) No, but the Agent, Great Indian Peninsula Railway, states that he is aware of the case.

(b) The only safeguarding appliance provided is the communication chain, but the Agent, Great Indian Peninsula Railway, states that each train is accompanied by two police constables in plain clothes whose duty it is to patrol the train during halts at stations, one on the platform side and one on the off side, with a view to the prevention and detection of crimes : and at stations where there are railway watch and ward staff on duty, such watchmen are instructed to keep an eye on the off side of ladies' compartments, so as to prevent persons attempting to enter such compartments from that side.

(c) Government do not consider that any form of apparatus would effectually prevent miscreants from entering a compartment for the commission of such crimes.

(d) and (e) I would refer the Honourable Member to section 119 of the Indian Railways Act which penalises a male person entering a carriage reserved for the exclusive use of females.

(f) and (g) No. The provision of corridor trains would, I am afraid, increase opportunities for the commission of such offences.

UNSTARRED QUESTIONS AND ANSWERS.

PAY, HOUSE RENT AND ELECTRICITY CHARGES, ETC., PAID TO ASSISTANT SURGEONS ON STATE RAILWAYS.

155. **Pandit Krishna Kant Malaviya** : Will Government please state the scales of pay, house rent, electricity charges and other privileges, paid to different classes of Assistant Surgeons on State Railways, administrationwise ?

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

ENFORCEMENT OF GOVERNMENT OF INDIA ACT X OF 1858 IN PORTION OF THE DELHI DISTRICT WHICH WAS UNDER THE PUNJAB GOVERNMENT.

156. **Maulvi Badrul Hasan** : With reference to (1) Letter No. 42, dated 21st April, 1858, from the Chief Commissioner of the Punjab, to the Secretary to Government of India, (2) Despatch No. 1, dated 29th September, 1858, from the Right Honourable the Secretary of State for India in the Legislative Department, and (3) Government of India Circular No. 3994, dated 26th November, 1858, will Government be pleased to state if the Government of India Act X of 1858 was enforced in that portion of the District of Delhi which was then under the Punjab Government ?

The Honourable Sir Henry Craik : The matter is under investigation, and the information will be laid on the table in due course.

LAND TAKEN FOR BABUGARH REMOUNT DEPÔT.

157. **Qazi Muhammad Ahmad Kazmi** : (a) With reference to the answer given to my question No. 1657 (a) and (d) on the 8th April, 1935, will Government be pleased to lay on the table of the House a copy of the agreement or orders in pursuance of which land was taken from the proprietors for Babugarh Remount Depôt in 1818 ?

(b) Will Government be pleased to state whether any orders were passed in connection with the taking of land for Babugarh Remount Depôt on the 23rd October, 1820

(c) If the answer to part (b) be in the affirmative, will Government be pleased to lay a copy of the said order on the table of the House ?

(d) Will Government be pleased to state whether the 120 acres of the land which were no longer required by the Army Department for the Babugarh Remount Depot have been returned to the descendants of the original owners? If not, why not?

Mr. G. R. F. Tottenham : (a), (b) and (c). Records containing the required information are not now available.

(d) No, but the Local Government are taking steps to relinquish the land as soon as possible.

HOLIDAYS HOME PROVIDED FOR THE NORTH WESTERN RAILWAY AT HILL STATIONS.

158. **Mr. Sham Lal :** Is it a fact that the North Western Railway Administration has provided Holidays Home for the gazetted and non-gazetted staff at hill stations? If so, will the Honourable Member for Commerce and Railways, please state :

- (a) the capital outlay on each Home ;
- (b) the maintenance cost for each Home ;
- (c) the purpose for which each Home is established ;
- (d) the staff provided for each Home ; and
- (e) whether he proposes to close these Homes during the financial stringency, if not, why not ?

The Honourable Sir Muhammad Zafrullah Khan : The Honourable Member is referred to the answer given on the 27th November, 1933, to parts (a) and (d) of starred question No. 968 asked by Mr. S. G. Jog on the 16th September, 1933.

Parts (a), (b), (c), (d) and (e) do not arise.

PERSONNEL ORGANISATION ON STATE RAILWAYS.

159. **Mr. Sham Lal :** With reference to the statement laid on the table on 4th September, 1936, in reply to unstarred question No. 552, asked in this House on the 7th April, 1936, regarding personnel organisation on State Railways, will Government please state :

- (a) the posts recommended for reduction ;
- (b) whether those posts were brought under reduction ;
- (c) whether those posts have since been revived ; and
- (d) the extent of reduction and revival amongst those posts ?

The Honourable Sir Muhammad Zafrullah Khan : The information is not readily available and its collection will involve an amount of labour and expense not likely to be justified by the results.

OPTION IN THE MATTER OF SCALES OF PAY AND SENIORITY LISTS IN THE MORADABAD DIVISION OF THE EAST INDIAN RAILWAY.

160. **Mr. Sham Lal :** Has the attention of the Honourable Member for Commerce and Railways been invited towards the following circulars :

Divisional Superintendent, Moradabad, East Indian Railway, Circular Nos. 109-E. of 1927 ; 359-E. of 1928 ; 23/76|25-E.

Pt. III of 1930 ; E.T.-10|30|A.S.M. of 1930, dated 26th August, 1930 and 19th November, 1930 ; E.T.-10|31|S.M., dated 1st April, 1931 ; 23|76|25-E. Pt. III, dated 27th June, 1932 ; E.T.-10|33|A.S.M. of 1933, dated 27th April, 1933 and 5th June 1933 ?

If so, will he please state :

- (a) whether the option under Fundamental Rule 23 once exercised is *Final* ; if so, is it *Final* from point of view of the employer, of the employee, of both sides ;
- (b) whether in terms of circular No. 359-E. of 1928 a State Railway employee is permitted to give option to a scale of pay sanctioned for a Company-managed employee and *vice versa* ; and
- (c) whether the rule of seniority as declared in this House is observed by the Divisional Superintendent when preparing lists of seniority and if not, why not ?

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

APPLICABILITY OF CERTAIN NOTIFICATIONS OR OFFICIAL MEMORANDA TO THE STAFF ON STATE RAILWAYS.

161. **Mr. Sham Lal :** Will Government please state whether the following notifications or official memoranda are applicable to railway servants on State-managed Railways :

- (i) Home Department notification No. F.-386|33-Ests., dated 22nd September, 1933 ;
- (ii) Finance Department letter No. F.-36 (147)-Ex.-1|32, dated 1st November, 1932 ;
- (iii) Finance Department, official memorandum No. F.-31 (4)-Ex. 1|33, dated 2nd October, 1933 ;
- (iv) Finance Department, official memorandum No. F.-31 (10)-Ex. 1|33, dated 20th November, 1933 ;
- (v) Finance Department, official memorandum No. F.-31 (10)-Ex. 1|33, dated 31st January, 1934 ;
- (vi) Finance Department letter No. F.-31 (10)-Ex. 1|33, dated 18th April 1934 ; and
- (vii) Finance Department letter No. F.-21 (56)-Ex. 1|34, dated 16th August 1934 ;

and whether "specific warning at the time of appointment" as used in these executive orders should be given individually, collectively or in general ?

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

COMMUNICATION OF OFFICIAL DOCUMENTS OR INFORMATION BY A GOVERNMENT SERVANT TO HIS SERVICE ASSOCIATION, UNION OR FEDERATION.

162. **Mr. Sham Lal** : With reference to Rule 17 of Government Servants Conduct Rules, will Government please state whether communication of official documents or information by a Government servant to his service Association, Union or Federation is exempted from the said rule ? If not, why not ?

The Honourable Sir Henry Craik : The reply to the first part of the question is in the negative. As regards the second part, it is open to the Union to ask for copies of any communication affecting the service which the Union represents.

FORM OF CERTIFICATE GRANTED TO AN EMPLOYEE ON TERMINATION OF SERVICE ON THE GREAT INDIAN PENINSULA RAILWAY.

163. **Mr. Sham Lal** : Has the attention of the Honourable Member for Commerce and Railways been invited to Great Indian Peninsula Railway Form No. G.-29-B Revised ? If so, will he please state :

- (a) whether it is a form of certificate granted to an employee on termination of service ; and
- (b) what purpose the present form of certificate serves ?

The Honourable Sir Muhammad Zafrullah Khan : The reply to the opening part of the question is in the affirmative.

- (a) Yes.
- (b) It enables an *ex*-employee to prove that he has been in the service of the Railway.

PETITIONS AND MEMORIALS SUBMITTED BY THE NON-GAZETTED STAFF ON STATE RAILWAYS.

164. **Mr. Sham Lal** : Is it a fact that petitions and memorials permissible under Home Department notification No. F.-6/7/33-11, dated 19th June, 1933, are considered by the Railway Board as appeals, if and when submitted by the non-gazetted staff on State Railways ?

The Honourable Sir Muhammad Zafrullah Khan : No.

REPRESENTATIONS MADE BY MEMBERS OF CENTRAL LEGISLATURES REGARDING SERIOUS ABUSE OF POWERS BY ADMINISTRATIVE OFFICERS ON RAILWAYS.

165. **Mr. Sham Lal** : Is it a fact that representations, if and when, made by Members of Central Legislatures to the Honourable Member for Commerce and Railways, bringing to his notice the serious abuse of powers by administrative officers and giving specific instances, are termed by the Secretary, Railway Board, as appeals against the orders of administrative officers ?

The Honourable Sir Muhammad Zafrullah Khan : Only those representations are termed as appeals which are such.

INTERCHANGE OF PASSES WITH JODHPUR-BIKANER STATE RAILWAYS.

166. **Mr. Sham Lal** : Is it a fact that the Divisional Superintendent, Moradabad, East Indian Railway, has informed the staff that passes are not interchangeable with Jodhpur-Bikaner State Railways ? If so, on what authority are the following passes issued and made available on East Indian Railway :

- (a) First Class Pass No. 355, dated the 6th May, 1936 ;
- (b) First Class Pass No. 337, dated the 6th May, 1936 ; and
- (c) First Class Pass No. 307, dated the 9th April, 1936 from Jodhpur to Hardwar ?

The Honourable Sir Muhammad Zafrullah Khan : Government have no information, but I may inform the Honourable Member that the arrangements made by the East Indian Railway Administration with the Administrations of Jodhpur and Bikaner State Railways for the interchange of passes provide :

- with the Jodhpur Railway*, for passes being interchanged only for employees drawing not less than Rs. 300 per mensem ;
- with the Bikaner State Railway*, for five sets of first class return journey passes being interchanged in any one calendar year.

MALARIA ALLOWANCE PAID TO RAILWAY STAFF AT LHAKSAR.

167. **Mr. Sham Lal** : Is it a fact that at Lhaksar on East Indian Railway the staff was paid " Malaria Allowance " till last year ? If so, will the Honourable Member for Commerce and Railways please state :

- (a) on whose recommendation this allowance was first paid ;
- (b) the year in which this allowance was first paid ;
- (c) on whose recommendation the allowance was stopped this year ;
- (d) the average sick reports by the staff during August, September and October, 1934 and 1935 ; and
- (e) the average sick reports by the staff during August and September, 1936 ?

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

ALLOTMENT OF QUARTERS IN THE MORADABAD DIVISION OF THE EAST INDIAN RAILWAY.

168. **Mr. Sham Lal** : Is it a fact that quarters on Moradabad Division, East Indian Railway, are allotted to unmarried staff at the rate of two persons per room, irrespective of pay and class ? If so, why ?

The Honourable Sir Muhammad Zafrullah Khan : Government have no information. These are matters of detailed administration within the competence of the Agent, East Indian Railway, to whom a copy of the question is being sent for information and such action as he may consider necessary.

RETRENCHMENT OF SURPLUS STAFF ON STATE RAILWAYS.

169. **Mr. Sham Lal :** Is it a fact that the Railway Board has issued instructions to the Agents, State Railways "to retrench surplus staff on the basis of comparative efficiency instead of on the rule of length of service" ? If so, will the Honourable Member for Commerce and Railways please state :

- (a) whether this procedure is not against the findings of the Railway Court of Inquiry ;
- (b) what are the categories of the surplus staff and the number in each category administrationwise ;
- (c) whether an appeal lie against the decision of a committee appointed to select staff for discharge ; and
- (d) whether he is prepared to consider the appointment of judicial officers to scrutinize the findings of the committee appointed to select staff for discharge ?

The Honourable Sir Muhammad Zafrullah Khan : As regards the opening part of the question, I would refer the Honourable Member to the reply given to part (a) of starred question No. 371 asked by Mr. Mohan Lal Saksena on the 14th September, 1936 :

- (a) As regards the rest, Government, as stated in paragraph 17 of their Communiqué, dated the 6th June, 1932, a copy of which is in the Library of the House, accepted the recommendation of the Court of Inquiry so far as the retrenchment then authorised was concerned.
- (b) I would refer the Honourable Member to the reply given to unstarred question No. 84 asked by Mr. N. M. Joshi on the 8th October, 1936.
- (c) No.
- (d) No. Government consider that committees of officers already appointed for the purpose are adequate.

INSPECTION CARRIAGES USED BY OFFICERS ON STATE RAILWAYS.

170. **Mr. Sham Lal :** Will Government please place on the table a statement showing :

- (a) Capital outlay, (b) maintenance charges, (c) crockery and utensil expenses of the Inspection carriages used by the officers as under on State Railways, administrationwise ;
- (i) Agent, (ii) Heads of Department, (iii) Divisional Superintendents, (iv) Senior Scale officers attached to Headquarters, (v) Junior Scale officers attached to Headquarters, (vi) Lower Gazetted officers attached to Headquarters, (vii) Senior Scale officers attached to Divisions,

(viii) Junior Scale officers attached to Divisions, (ix) Lower Gazetted officers attached to Divisions, and (x) Inspectors and the rate of allowances paid to them as well as the difference, if any, in the scales of allowance admissible to officers of the Central Government and to them ?

The Honourable Sir Muhammad Zafrullah Khan : The information is not readily available and its compilation would in the opinion of Government involve an amount of labour incommensurate with the value of the information obtained.

SPECIAL TICKET EXAMINERS ON THE NORTH WESTERN RAILWAY.

171. **Mr. Sham Lal :** With reference to the reply given to starred question No. 220, asked in this House on the 10th February, 1936 regarding Special Ticket Examiners on the North Western Railway, will the Honourable Member for Commerce and Railways please state the period required by the administration to fix the pay of the staff and the date on which the staff was paid according to old scales of pay ?

The Honourable Sir Muhammad Zafrullah Khan : I would refer the Honourable Member to my reply to Qazi Muhammad Ahmad Kazmi's question No. 832 asked on the floor of this House on the 26th February, 1936.

PERIOD OF SUBMISSION OF APPEALS FROM SUBORDINATE RAILWAY STAFF.

172. **Mr. Sham Lal :** Is it a fact that the Railway Board has prescribed the period of submission of appeals from subordinate staff ? If so, will the Honourable Member for Commerce and Railways please state the period fixed for an appeal to be disposed of by the competent authority ?

The Honourable Sir Muhammad Zafrullah Khan : The reply to the first part is in the affirmative. No period has been fixed.

RIGHTS AND PRIVILEGES OF THE NON-GAZETTED RAILWAY STAFF.

173. **Mr. Sham Lal :** Will the Honourable Member for Commerce and Railways please state the rule under which the Governor General in Council has delegated the powers to Agents of State Railways for modification, alteration, reduction, curtailment, of the accrued rights and privileges of non-gazetted staff under their control ?

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

PEONS AND DAFTARIES OF THE GOVERNMENT OF INDIA OFFICES REQUIRED TO ATTEND FIRE PARADES.

174. **Prof. N. G. Ranga :** (a) Is it a fact that the inferior staff (i.e., peons and daftaries) of the Government of India Secretariat and attached offices have been ordered to attend 'fire parades' in offices in the morning at about 7 A.M. daily ?

(b) Is it a fact that they are also required to attend office at 10-30 A.M. ?

(c) Is it a fact that most of them reside at great distances from offices and have to go back to their residences, after fire parades, to take their food and have to run to their offices again for usual duties ?

(d) Are Government aware that these poorly paid employees have to prepare their food themselves and no time is left to them for doing so, if they have to attend to 'fire parades' in the morning and are Government prepared to exempt these people from attending parades in the morning, or allow them to attend office late ? If not, why not ?

(e) Is it also a fact that a large number of firemen have been engaged in all places for fire extinguishing work and there are many *chowkidars* and policemen who have been kept to guard offices ?

(f) Why is it, then, considered necessary to train the peons and dufftries, etc., for firework ?

The Honourable Sir Frank Noyce : (a) The Honourable Member has been misinformed. No Government office holds fire parades more than once a week and these are only for the inferior servants residing on or near the office premises. In two offices parades take place once a month.

(b) Yes, except in the case of Army Headquarters, where the hours of attendance are 10 A.M.

(c), (d) and (f). Government do not consider that the attendance at intervals of inferior servants at early morning parades constitutes a serious inconvenience to them. They are trained so that in case of fire they may be able to help the caretaking staff, before the Municipal fire brigade arrives.

(e) Firemen are employed by the Municipal Committee at fire stations. Chowkidars are employed to guard the office buildings at night.

Satta GAMBLING IN AJMER.

175. **Pandit Sri Krishna Dutta Paliwal :** (a) Has the attention of Government been drawn to the news under the sub-heading "*Ajmer men satta ka zor*" published in the 4th Dak Edition of the *Arjun*, Delhi, dated the 2nd September, 1936 at page 3 in column 1 stating therein that "*Ajmer men satta (gambling) dino din zor pakarta ja raha hai, Shahr men kai jagah par niyमित रूप से satta hota hai*" ?

(b) Is it a fact that the grievances about *satta* gambling have been repeatedly brought to the notice of the authorities in Ajmer-Merwara through newspapers and leaflets since April, 1935 ? If so, what steps have Government taken to stop the said *sattas* ?

Sir Aubrey Metcalfe : (a) Yes.

(b) Grievances about *Satta* gambling have not been repeatedly brought to the notice of the authorities in Ajmer-Merwara through leaflets and newspapers. Such grievances have come to notice through Hindi newspapers some three or four times since April, 1935, including the issue of the *Arjun*, dated the 2nd September, 1936, quoted by the Honourable Member. The facts stated in these articles were found to be incorrect. Shops suspected to be the scene of *Satta* gambling were picketed by the

Police to render such gambling there impossible. As a result *Satta* dealers began to go about the city to obtain stakes at their houses from habitual gamblers and these peripatetic *satta* dealers were shadowed by the Police. Though it can scarcely be hoped to eradicate *Satta* gambling, the measures thus taken against it have been not unsuccessful. In the first nine months of 1936 there have been convictions in 11 cases of *Satta* gambling as against nine in the whole of 1935 and ten in the whole of 1934.

INDIANISATION OF THE SENIOR SUBORDINATE SERVICES IN THE CARRIAGE AND WAGON SHOPS AT AJMER.

176. **Pandit Sri Krishna Dutta Paliwal** : (a) Will Government please state the number of Indian (excluding Anglo-Indians) Foremen and Assistant Foremen in the Carriage and Wagon Shops, Bombay, Baroda and Central India Railway, Ajmer on the 31st December, 1925 and 31st December, 1934 ?

(b) Will Government please state the steps taken so far by the Loco. and Carriage Shops Superintendent (Carriage and Wagon Section), Bombay, Baroda and Central India Railway, Ajmer, for the Indianisation of the senior subordinate services in the Department ?

(c) Will Government lay on the table a statement showing separately the number of A grade apprentices trained and absorbed by the (i) Loco. Department and (ii) Carriage and Wagon Department of the Bombay, Baroda and Central India Railway, Ajmer, during the last ten years explaining the difference, if any, in the system, obtaining in the two Departments of the Bombay, Baroda and Central India Railway ?

(d) Will Government please state if it is a fact that Messrs. B. Manning and G. Harbour of the Loco. Department have been transferred to the Carriage and Wagon Department to occupy the post of the Smith Foreman and head chargeman of the Millwright shop, respectively ?

(e) If so, will Government please state the special qualifications which the said persons possess justifying the same ?

(f) If any of the Carriage and Wagon men were given any chance for the post ? If not why not ?

The Honourable Sir Muhammad Zafrullah Khan : (a) The information readily available will be found in Appendix 'F' to Volume I of the reports by the Railway Board on Indian Railways for 1925-26 and 1934-35, copies of which are in the Library of the House.

(b) I would invite the Honourable Member's attention to my reply to his unstarred question No. 344 asked in this House on the 13th March, 1936.

(c) to (f). Government have no information and its collection would involve an amount of labour and expense not likely to be justified by results.

APPLICABILITY OF CERTAIN PROVISIONS OF THE GOVERNMENT SERVANTS' CONDUCT RULES TO GOVERNMENT PENSIONERS.

177. **Mr. Amarendra Nath Chattopadhyaya** : (a) Will Government please state the dates on which the Government Servants' Conduct Rules, 1935, became operative in the All-India Services, gazetted and otherwise ?

(b) Does the definition given in rule 2 of a "government servant" include a "government pensioner" ?

(c) Are Government pensioners permitted to engage in any trade or undertake any employment or work ? If so, are they also required to pay to Government a moiety of such pay, allowance, honorarium, etc. ?

(d) Will Government please state whether the provisions in rule 20 regarding taking part in politics and elections are applicable to "government pensioners" ?

(e) If the answer to part (d) be in the negative, will Government please state the reasons why their pensioners are exempted from the operation of this rule ?

(f) Do Government possess the power to withhold the pension of any retired employee for conduct which it considers objectionable ? If so, under what rules ?

The Honourable Sir Henry Craik : (a) The Rules were published on the 24th December, 1935.

(b) No.

(c) The reply to the first part is in the affirmative and to the second part in the negative.

(d) and (e). The reply is in the negative, because pensioners are not Government servants.

(f) Yes. Under Article 351 of the Civil Service Regulations, future good conduct is an implied condition of every grant of a pension.

RUNNING OF BUSINESSES BY THE WIVES OF RAILWAY SERVANTS.

178. **Mr. Amarendra Nath Chattopadhyaya :** Is it a fact that the Agent, East Indian Railway, in his Railway's Gazette No. 18 of 1936, dated 5th August, 1936, notification No. 544, has stated that the Government of India have ruled that the running of a business in the name of the wife of a railway servant amounts to the railway servant engaging indirectly in trade or business and is therefore against the Government Servants' Conduct Rules ? If so, will Government please state :

- (i) whether the reference to the trade or business being done in the name of the wife appears in any rule ; if so, what rule ;
- (ii) whether the same restriction applies to servants in the other departments of Government ; if not, why this differential treatment ; and
- (iii) whether Government proposes to remove the restriction placed on the wives of railway servants ?

The Honourable Sir Henry Craik : Yes.

(i) Under rule 15 of the Government Servants' Conduct Rules a Government servant is prohibited from engaging in any trade, without the previous sanction of the Government. This prohibition includes trade run by the Government servant in the name of any other person.

(ii) The prohibition applies to all Government servants.

(iii) The Government do not propose to modify the rule.

RACIAL DISCRIMINATION IN THE ALLOTMENT OF QUARTERS IN THE HOWRAH DIVISION OF THE EAST INDIAN RAILWAY.

179. **Mr. Amarendra Nath Chattopadhyaya :** (a) Is it a fact that racial discrimination is practised on the Howrah Division of the East Indian Railway in the matter of allotment of quarters to the non-gazetted Indian employees ?

(b) If the answer to part (a) be in the negative, will Government please state :

- (i) whether quarters allotted to the posts of Luggage and Parcel Supervisors at Howrah Station are at Highet Mansions or at Telkul Ghat ;
- (ii) whether the posts of Luggage and Parcel Supervisors have hitherto been held by Europeans and Anglo-Indians ;
- (iii) whether an Indian has recently been confirmed as Luggage and Parcel Supervisor ;
- (iv) whether he has occupied the quarters at Highet Mansions or Telkul Ghat ;
- (v) whether allotment of quarters is made by the Superintendent, Staff ; and
- (vi) whether the Superintendent, Staff, is a European ?

(c) Do Government propose to take disciplinary action against those responsible for this act of racial discrimination ? If not, why not ?

The Honourable Sir Muhammad Zafrullah Khan : Government are informed as follows :

(a) No.

(b) (i) There are no quarters definitely allotted to the posts of Luggage and Parcels Supervisors at Howrah. They may be given quarters wherever available either at Highet Mansions, Telkul Ghat, Cambridge Terrace or Tindal Bagan.

(ii) The posts of Luggage and Parcels Supervisors have been held by Europeans, Anglo-Indians and Indians.

(iii) An Indian has recently been promoted to this post.

(iv) The employee referred to has made his own arrangements for quarters.

(v) Yes.

(vi) Yes.

(c) There has been no racial discrimination.

RACIAL DISCRIMINATION IN THE MATTER OF PROMOTIONS IN THE HOWRAH DIVISION OF THE EAST INDIAN RAILWAY.

180. **Mr. Amarendra Nath Chattopadhyaya :** (a) Is it a fact that racial discrimination is maintained on the Howrah Division of the East Indian Railway in the matter of promotions to the senior subordinate posts, such as, Deputy Station Superintendent, Howrah Station ?

(b) Is it a fact that these officials have no concern with train passing or any transportation duties connected with such posts at intermediate stations but are mainly occupied in commercial work with the travelling public at Howrah Station ?

(c) Is it a fact that the posts are held by Europeans and sometimes by Anglo-Indians but no Indian has ever held these posts ?

(d) Is it a fact that there are Indian graduates in Law employed in the non-gazetted service at Howrah Station, who have been reported as most efficient workers but who have not been given a trial to work as Deputy Station Superintendent ?

(e) Do Government propose to take immediate action in the matter with a view to removing this racial discrimination and putting Indians for learning the duties of Deputy Station Superintendents ?

The Honourable Sir Muhammad Zafrullah Khan : Government are informed as follows :

(a) There has never been any racial discrimination.

(b) The staff employed at Howrah station are essentially transportation staff but they also attend to certain commercial duties in connection with the travelling public.

(c) These are selection posts and there is nothing to prevent suitably qualified Indians from being appointed to them.

(d) There are Indian graduates in law employed at Howrah but this in itself does not constitute a claim for selection to this post.

(e) In view of my reply to part (c) this does not arise.

PROVISION OF GARAGES AND PITS, ETC., FOR NON-GAZETTED STAFF ON STATE RAILWAYS.

181. **Mr. Amarendra Nath Chattopadhyaya :** (a) Will Government please state whether in the State Railways Rent Rules, Buildings and Residences, provision has been made for garages, pits, and other arrangements for the washing of motor cars, etc., to be provided for the use of gazetted officers ? If so, is additional rent recovered for such facilities ?

(b) Is it a fact that such facilities have been provided at Colvin Court at Howrah for the use of the gazetted officers of the Howrah Division of the East Indian Railway ? If so, why and at what cost ?

(c) Is it a fact that fixed rates of rent have been prescribed, i.e., Rs. 75 from Junior and Lower Gazetted Officers and Rs. 105 from the Senior Scale Officers ? Are these rates based on the pay drawn by the occupants ? If not, on what basis is rent charged ?

(d) Is rent charged for the garages ? If so, what amount per mensem ? If not, why not ?

(e) Are similar facilities provided for those non-gazetted staff who own motor cars ? Is it a fact that they have to erect their own garages, pay ground rent, and are not allowed to dig pits nor is water supplied for washing the cars ?

(f) Do Government propose to take any action in the matter ? If so, what ? If not, why not ?

The Honourable Sir Muhammad Zafrullah Khan : (a) The rent rules do not provide what accommodation should be given in quarters, but under the rules the whole cost of the quarters including garages, outhouses, etc., is taken into account in fixing the rent.

(b) Yes. This is in accordance with the established practice of providing accommodation appropriate to the officers' status. A separate account of the cost of garages is not maintained.

(c) Yes. Under the rules all residences occupied by officers of one class are grouped together, and an average rent fixed for class, with due regard to the prescribed return on the capital cost, and every officer is liable to pay this rent subject to a maximum of 10 per cent. of his pay.

(d) Separate rent is not charged for the garages, but is covered by the inclusive rent fixed for the residence.

(e) Provision of garages in residences occupied by subordinates is made only in exceptional cases where justified in the interests of the work of the employee. Where this condition is not fulfilled, the employee can provide his own garage on paying a nominal ground rent of Re. 1 per annum. There is no prohibition in the matter of digging pits, or of supply of water for washing the car.

(f) No. Government consider that the existing practice fully meets the legitimate needs of the staff.

GRANT OF AN ALLOWANCE TO THE CLERKS IN THE CITY BOOKING OFFICES, CALCUTTA.

182. **Mr. Amarendra Nath Chattopadhyaya :** (a) Is it a fact that the clerical staff employed at Howrah Station, the Divisional Office at Howrah and in the offices at Calcutta, East Indian Railway, receive a monthly allowance of Rs. 3 and Rs. 7 respectively ?

(b) Is it also a fact that the clerical staff employed in the City Booking Offices, Calcutta, are not given this allowance ?

(c) Do Government propose to treat their staff on the East Indian Railway equitably in the matter of this allowance ? If not, why not ?

The Honourable Sir Muhammad Zafrullah Khan : Information is being collected and will be placed on the table of the House when available.

UNRECORDED LEAVE GRANTED TO CERTAIN DRIVERS ON THE EASTERN BENGAL RAILWAY.

183. **Mr. Amarendra Nath Chattopadhyaya :** (a) Is it a fact that Government have introduced New Leave Rules for State Railways ? If so, do these rules permit subordinate officials to grant "trip off" in lieu of leave ?

(b) Is it a fact that such unrecorded leave is granted by the Assistant Loco. Foreman, Eastern Bengal Railway, Calcutta, to certain drivers only? If not, do Government propose to examine the Duty Sheet for the month of August, 1936, to ascertain the correct position?

(c) Is it a fact that the Loco. Foreman is in charge of the Loco. Sheds? If so, why has the power to grant "trips off" been taken away from him?

(d) Are Government aware that such grant of "trip off" is likely to lead to abuses and to cause discontent amongst the staff not so favoured by the Assistant or the Foreman? Do Government propose to take remedial action in the matter?

The Honourable Sir Muhammad Zafrullah Khan: (a) The answer to the first part is in the affirmative. As regards the second part, "trip off" is not granted in lieu of regular leave admissible under the leave rules.

(b) The answer to the first part is "No". As regards the second part, Government do not propose to institute any examination in the matter.

(c) The answer to the first part is "Yes". As regards the second part, the power has not been taken away.

(d) Government do not consider that the practice of the grant of "trip off" is likely to lead to abuse and to cause discontent amongst the staff. They do not propose to take any further action in the matter.

CREATION OF A POST OF ASSISTANT ACCOUNTS OFFICER, TRAVELLING, ON THE EAST INDIAN RAILWAY.

184. **Mr. Amarendra Nath Chattopadhyaya:** (a) Is it a fact that in the Accounts Department, Traffic Accounts, of the East Indian Railway, a post of Assistant Accounts Officer, Travelling, has been created with the object of checking the work done by the Inspectors of Accounts?

(b) How many days has the Assistant Accounts Officer, Travelling, spent on the line and in the office during the period 1st January, 1936 and 31st August, 1936?

(c) How many stations have been checked by him and what amount has he earned as travelling allowance monthly?

(d) Is it a fact that the station inspections have been done by a junior Inspector of Accounts while the Assistant Accounts Officer, Travelling, is out shooting while the office work is performed by another employee?

(e) Do Government propose to examine this matter and to take necessary action?

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

(b) 146 days including 27 Sundays and holidays on the line and 80 working days in office.

(c) 83 stations. The travelling allowance paid to the officer during this period works out to an average of Rs. 91-4-0 per month.

(d) No.

(e) No.

EMPLOYMENT OF RELATIVES IN THE SUPERVISORY POSTS IN THE NON-GAZETTED RAILWAY SERVICE.

185. **Mr. Amarendra Nath Chattopadhyaya** : What is the policy of Government in the Railway Department regarding the employment of relatives in the supervisory posts in the non-gazetted service ?

The Honourable Sir Muhammad Zafrullah Khan : I would invite the Honourable Member's attention to my reply to part (a) of his unstarred question No. 59 asked on the 15th September, 1936.

DONATIONS FOR DEFENDING DEFAMATION SUITS ON THE EASTERN BENGAL RAILWAY.

186. **Mr. Amarendra Nath Chattopadhyaya** : Will Government please state whether the rules of the Staff Benefit Fund on the Eastern Bengal Railway permit of donations being granted to the employees to enable them to defend themselves in private suits for defamation brought against them ?

The Honourable Sir Muhammad Zafrullah Khan : The rules of the Staff Benefit Fund permit the Committee to afford relief to staff in cases of genuine financial distress caused through circumstances over which they have no control.

REFRESHER COURSES OF RAILWAYS.

187. **Mr. Amarendra Nath Chattopadhyaya** : (a) Is it the policy of Government in the Railway Department that the non-gazetted staff must go through Refresher Courses at the schools on the different railways ? If so, why has the gazetted staff been exempted from such Refresher Courses ?

(b) Is it a fact that the staff on the East Indian Railway over the age of 40 years are exempted from going through such Refresher Courses ? If not, from what age ?

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

CONSTRUCTION OF A FOOT OVERBRIDGE NEAR HAPUR RAILWAY STATION.

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

(a) whether they are aware that Hapur Railway Station is situated between Hapur Town on the South and Asora and other important villages on the north, and that they were connected by a *kachcha* road, running to the west of the said railway station prior to the construction of Moradabad-Delhi Section ;

(b) whether they are aware that at the time the railway station was first constructed at Hapur, a level crossing was made for this road and, to meet the demands of growing traffic, another level crossing was made to the east of the said station ;

- (c) whether they are aware that at that time there was another level crossing for Meerut-Hapur metalled road through which all the vehicular traffic could easily pass from one side of the line to the other ;
- (d) whether they are aware that on the construction of Khurja-Hapur branch both of these level crossings were stopped and the Meerut-Hapur Road diverted to a considerably large distance to the great inconvenience of the public ;
- (e) whether they are aware that even after the closing of the level crossings hundreds of pedestrians have been crossing the railway line along the path of the old *kachcha* road with a considerable danger to their safety and lives ;
- (f) whether it is a fact that sometime about 1928, the railway authorities took a census of the persons who thus daily crossed the line ; if so, what was its result ;
- (g) whether they are aware that the public of Hapur has been making continuous representations to the railway authorities for making an overbridge at the site of the old road, and if that be costly, then at least a foot overbridge for pedestrians ;
- (h) whether they are aware that the Agent, East Indian Railway, in his letter No. W.-92/27, dated 28th October, 1935, to Rai Sahib Sham Sundar Singh, Rais of Hapur, indicated his willingness for constructing a foot overbridge about 100 feet to the west of the line of the present foot-path at a cost of Rs. 25,000 provided the local authorities agreed to pay the entire cost ;
- (i) whether they are aware that if the bridge were to be built along the line of the actual foot-path, it would be much more convenient not only to the pedestrians but for the railway passengers and the railway staff also ;
- (j) whether they are aware that the old road from the north to the south of the railway line was blocked by the construction of the railway line and not by any action of the local authorities ; and
- (k) if the answer to or any one of the parts (h), (i) and (j), be in the affirmative, whether they have considered the advisability of getting a foot overbridge constructed in the place of the old path at the cost of the East Indian Railway ? If not, why not ?

The Honourable Sir Muhammad Zafrullah Khan : (a) to (k). Government have no information. Their policy is to leave to the discretion of the Railway Administration such matters as the provision of overbridges where the traffic justifies them. The question, therefore, is one best referred to the Agent of the Railway concerned, preferably through the Local Advisory Committee, and the Agent will then deal with it in accordance with the rules apportioning the cost of such works.

PROMOTIONS TO THE UPPER TIME-SCALE POSTS OF ASSISTANTS IN THE RAILWAY BOARD.

189. **Pandit Sri Krishna Dutta Paliwal** : (a) Will Government please state :

- (i) the sanctioned number up to which the Assistants of the office of the Railway Board can be promoted to the upper time scale ;
- (ii) the number of upper time-scale posts which are at present vacant in the office of the Railway Board ;
- (iii) the dates from which these posts are vacant ; and
- (iv) the reasons for which these have been kept vacant ?

(b) Is it a fact that the last man who was promoted to the upper time-scale was an Anglo-Indian ?

(c) Is it a fact that the next senior men, who are eligible for promotion to the upper time-scale, are all Indians with the exception of one ?

(d) Is it also a fact that all those Indian Assistants have, on one or the other occasion, officiated as Superintendents ?

(e) Is the upper time-scale meant for those who are fit for promotion to the posts of Superintendents ? If so, why have the Indian Assistants referred to not been promoted to the upper time-scale so far ?

The Honourable Sir Muhammad Zafrullah Khan : (a) (i) Four.

(ii) Three.

(iii) 21st July, 1934, 1st March, 1935 and 15th July, 1935.

(iv) The Assistants eligible are not considered fit for this promotion.

(b) Yes.

(c) Yes.

(d) No.

(e) Yes. I would refer the Honourable Member to my answer to part (a) (iv).

NON-FILLING OF A POST OF SUPERINTENDENT IN THE RAILWAY BOARD.

190. **Pandit Sri Krishna Dutta Paliwal** : (a) Will Government please state whether a permanent post of Superintendent is vacant in the office of the Railway Board since June, 1936 ? If so, will Government please state the reasons for which the post has been kept vacant up till now ?

(b) Is it in accordance with the policy of Government to keep such posts unfilled indefinitely ?

The Honourable Sir Muhammad Zafrullah Khan : (a) A post of Superintendent has been vacant since the 16th May, 1936. The assistant officiating in that post is still on probation.

(b) No.

OFFICIALS IN THE BOMBAY POSTAL CIRCLE ALLOWED TO CONTINUE IN SERVICE AFTER ATTAINING THE AGE OF SUPERANNUATION.

191. **Mr. N. M. Joshi** : Will Government be pleased to state :

- (a) the number of officials in the selection grades and in the time-scale in the Bombay General Post Office and in the Bombay Postal Circle, excluding the Bombay town, who have attained the age of superannuation and have still been allowed to continue in service since 1st April, 1934 ; and
- (b) the number of such officials who have been retired immediately on their attaining the age of superannuation since 1st April, 1934 ?

The Honourable Sir Frank Noyce : (a) and (b). Government regret that they are unable to furnish the information as its collection would involve an undue expenditure of time and labour.

VILLAGE POST OFFICES WHERE DELIVERY OF REGISTERED LETTERS AND MONEY ORDERS IS NOT EFFECTED THROUGH POSTMEN.

192. **Mr. N. M. Joshi** : Will Government be pleased to state :

- (a) whether it is a fact that there are a number of village Post Offices where delivery of registered articles and money orders is not effected through the departmental or extra-departmental postman ;
- (b) whether villagers, including women, are served with notices to call at the village Post Offices to receive payment of their money orders, even if their value may range between a few annas to Rs. 5 ;
- (c) if the reply to part (b) be in the affirmative, what is the distance which the Postal Department expects the payees of such money orders of even small amounts to walk to the Post Office to receive payment ;
- (d) whether there is any proposal to charge less commission on money orders which are not paid at the houses of the payees ; and
- (e) why the Postal Department, which has the sole monopoly of carrying letters, does not arrange to deliver registered letters, etc., at the houses of their addressees ?

The Honourable Sir Frank Noyce : (a) and (b). Yes.

(c) No particular limit of distance has been prescribed.

(d) No.

(e) Delivery at the residence of addressees is arranged for except in a few cases where the volume of traffic is so small that the employment of a postman is not justified. In connection with the extension of postal facilities in rural areas however, the Department is taking steps to provide more postmen and thus arrange for the delivery of registered articles, etc., at the residence of the addressees.

FIXATION OF THE LENGTH OF BEATS OF POSTMEN IN HILLY TRACTS.

193. **Mr. N. M. Joshi** : Will Government be pleased to state :

- (a) the number of miles a village postman is required to walk in the plain districts of Ahmednagar, Sholapur, Surat and the like ;
- (b) the number of miles a village postman is required to walk in the hilly tracts of Ratnagiri district ; and
- (c) whether any consideration is given to the nature of the tract in fixing the length of beat over the hilly tracts and if so, to what extent ?

The Honourable Sir Frank Noyce : (a) to (c). Under the rules of the Department, postmen may be required to walk at least ten miles a day with a total attendance of duty of at least eight hours. In the districts mentioned by the Honourable Member village postmen are required to walk from ten to twelve miles a day and no distinction is made between the plains districts and hilly tracts. It is not considered necessary to make a distinction for hilly tracts as local men accustomed to these tracts are employed as village postmen.

REPRESENTATIONS HELD UP FOR CLAIMS OF OLD SCALES OF PAY BY THE POSTMASTER GENERAL, BOMBAY.

194. **Mr. N. M. Joshi** : Will Government be pleased to state :

- (a) the number of representations held up by the Postmaster General, Bombay, concerning the claims of officials to old scales of pay ; and
- (b) if there be any such representations held up, whether the Director General of Posts and Telegraphs proposes to take them into consideration in view of the assurance given by him to the All-India Postal and R. M. S. Union in paragraph 2 of his letter No. Es.B. 217-1/36, dated the 13th February, 1936 ?

The Honourable Sir Frank Noyce : (a) I have no information of the actual number.

(b) No assurance was given. The Director-General merely stated that if individuals considered that they had grievances on account of irregularities, it was open to them to represent them through the proper official channel. If the pay of an individual has not been fixed in strict accordance with the orders of Government in the matter the Director-General will be prepared to consider his case ; but he is not prepared to recommend any exception from the application of these orders.

SPEED FOR MAIL MOTORS ON CERTAIN LINES FIXED BY THE POSTAL DEPARTMENT.

195. **Mr. N. M. Joshi** : Will Government be pleased to state :

- (a) whether the speed for mail motors on the Ratnagiri-Chiplun, Chiplun-Mahad, Chiplun-Dabhol, Khed-Harnai and also on Chiplun-Karad lines, as fixed by the Postal Department, is

15 miles per hour and if so, since how long this speed is in existence ;

- (b) whether it is a fact that service cars have a permissible speed of more than 25 miles per hour on these Public Works Department roads excepting only the ghats ; and
- (c) whether the Postal Department contemplate increasing this speed, alter their time tables and thus accelerate the transmission of mails by mutual agreement with the contractors, if necessary ? If not, why not ?

The Honourable Sir Frank Noyce : (a) Yes ; since the 1st of October, 1927, for the first four lines and the 1st of March, 1925, for the fifth line.

(b) No. The speed over different roads varies according to local circumstances and is fixed by the police authorities in the interests of safety.

(c) As the roads in the Konkan are comparatively narrow and have sharp turns at short intervals besides frequent ascents and descents it is not considered safe to increase the speed on the first four lines. As regards the fifth line from Karad to Chiplun arrangements are, however, being made with the contractor to increase the speed to 18 miles per hour over the plains section of the road which will result in the saving of about $\frac{1}{2}$ an hour in transit.

ORDERS IN REGARD TO PROMOTIONS OF POSTMEN AND OTHER LOWER GRADE STAFF.

196. **Mr. N. M. Joshi :** Will Government be pleased to state :

- (a) whether orders in regard to promotion of postmen and other lower grade staff, matriculated or otherwise, to the clerical cadre have been issued ;
- (b) whether the discussions during the last Sessions on this subject have been taken into consideration as assured by the Director General of Posts and Telegraphs ; and
- (c) if the reply to parts (a) and (b) above be in the affirmative, whether a copy of those orders will be placed on the table ?

The Honourable Sir Frank Noyce : (a) and (b). Yes.

(c) The orders are meant for departmental use only. Government are not prepared to lay them on the table of the House.

OFFICIATING INCREMENTS FOR INFERIOR SERVANTS OF THE POSTAL DEPARTMENT IN THE KONKAN DIVISION.

197. **Mr. N. M. Joshi :** Will Government be pleased to state :

- (a) whether it is a fact that inferior servants of the Postal Department in Konkan Division in the old scale, who officiated in higher cadre, such as packers or postmen, have not been allowed officiating increments during their officiating periods and even after their confirmation for the last four or five years ;

- (b) whether the Postmaster General, Bombay, had sanctioned temporary staff in the Ratnagiri Head Post Office to dispose of such claims ;
- (c) whether their claims still remain undecided and neither their arrears nor due increments have still been paid ; and
- (d) if the replies to the above be in the affirmative, whether steps are now proposed to be taken to cause immediate drawal of their increments and to expedite the payment of their arrears due ?

The Honourable Sir Frank Noyce : (a) to (d). Information is being called for and a reply will be laid on the table of the House in due course.

PROPOSAL TO RETIRE GOVERNMENT SERVANTS WHO HAVE ATTAINED THE AGE OF FIFTY YEARS.

198. Mr. N. M. Joshi : Will Government be pleased to state :

- (a) whether there is any proposal under consideration to retire men who have attained the age of 50 years ; and
- (b) whether in some departments of the Central Government, such as the Accounts and Audit, it has been decided to grant extension of service after superannuation only as a very exceptional case ?

The Honourable Sir James Grigg : (a) No.

(b) The Honourable Member is presumably referring to circumstances governed by Fundamental Rule 56(b). The terms of that Rule are left to be dealt with by Heads of Departments.

AGE FOR EXAMINATION FOR RECRUITMENT TO THE CLERICAL CADRE IN THE POSTAL DEPARTMENT.

199. Mr. N. M. Joshi : Will Government be pleased to state :

- (a) whether the age for examination for recruitment to the clerical cadre in the Postal Department has recently been fixed as between 19 and 21 years instead of 25 years ;
- (b) whether as a result the lists of candidates already in existence have been ordered to be cancelled ; and
- (c) if the replies to parts (a) and (b) above be in the affirmative, whether they propose to state the reasons for such a sudden and abnormal change ?

The Honourable Sir Frank Noyce : (a) Yes.

(b) No, but all candidates on the waiting list have received a repetition of the warning given to them when their names were placed on the list that no assurance can be given that they will receive any permanent appointments.

(c) The change was made in connection with a radical revision of the system of selection for these appointments and Government took into consideration the recommendation made in paragraph 207(5) of the Report of the Unemployment Committee, United Provinces, 1935, a copy of which is in the Library of the House.

DISCONTENT AMONG THE STAFF OF THE MADRAS TELEGRAPH OFFICE.

200. **Mr. N. M. Joshi :** (a) Will Government be pleased to state whether they are aware that there has been some discontent among the staff of the Madras Telegraph Office due to unsatisfactory treatment given to them by the Chief Superintendent, and if so, whether they propose to institute an enquiry into the matter ?

(b) Will Government be pleased to state whether the night duty (from 7 P.M. to 1 A.M.) has not been introduced either in Calcutta, Bombay or Rangoon Telegraph Offices while it has been introduced only in Madras, and if so, will Government be pleased to state the reasons for this difference ?

(c) Are Government aware that there has been much discontent among the staff in Madras on account of the duty (from 7 P.M. to 1 A.M.) being introduced there ?

(d) Will Government be pleased to state whether they propose to consider the question of giving the staff affected half an hour's relief for taking their meals ? If not, why not ?

The Honourable Sir Frank Noyce : (a) Government understand that there has been some agitation in the Madras Central Telegraph Office in connection with the administration of that office but they do not consider that there is any need for an enquiry by Government. The Postmaster-General, Madras Circle, is fully competent to deal with the representations made by the staff and is already doing so.

(b) The duty from 19 to 1 hours is not at present in force in the Calcutta and Bombay Central Telegraph Offices, but has been in force in the Rangoon Central Telegraph Office for the last ten years. The duty is a permissible one and its introduction in any particular office is for the purpose of meeting local traffic requirements.

(c) Government understand that certain representations have been received by the Postmaster-General, Madras Circle, against the prescription of the 19 to 1 hours duty.

(d) As the period of duty from 19 to 1 hours is only for six hours Government see no justification for giving half an hour's relief for meals. The staff can take their meals before coming on duty and short periods of relief are always obtainable during the period of duty and can be prolonged if traffic conditions permit.

CONDITION OF HEALTH OF STATE PRISONER BHUPENDRA KISHORE RAKSHIT ROY DETAINED IN THE BAREILLY CENTRAL JAIL.

201. **Mr. Akhil Chandra Datta :** (a) Will Government be pleased to state the present condition of health of State Prisoner Bhupendra Kishore Rakshit Roy, M.A.—at present detained in the Bareilly Central Jail ?

(b) If the said prisoner is suffering from illness, will Government please state how long he has been suffering, and what is the nature of his illness ?

(c) Will Government be pleased to state if the nature and degree of the said prisoner's suffering from illness necessitated his examination by a medical board ?

(d) If so, when was he examined by a medical board ?

(e) Will Government be pleased to lay on the table the report of the medical board following their examination of the said prisoner ?

(f) Will Government be pleased further to state if the said prisoner has undergone a full course of treatment as recommended by the medical board, and if so, with what result ?

(g) If the course of treatment that has hitherto been tried on the said prisoner, failed to have the desired effect, do Government propose to change the mode of treatment ? If so, what kind of treatment has finally been decided upon and when is it going to be tried ?

(h) In view of the long and protracted illness, and the condition of the prisoner remaining almost the same, are Government prepared to consider the advisability of releasing him and making him over to the care of his parents ?

The Honourable Sir Henry Craik : (a) to (d). The State Prisoner has for some time past suffered from chronic constipation and as a result from external piles of moderate severity. He was examined in October, 1935 by a medical Board who advised treatment for constipation. They did not consider any treatment for piles necessary. His weight on admission to the jail was 122 lbs. and was 124 lbs. on 24th September, 1936.

(e) No.

(f) and (g). The treatment has not produced the desired result but an X-ray examination has been suggested and the result is awaited. Further treatment will depend on the result of that examination.

(h) No.

SELECTION OF CANDIDATES BY THE PUBLIC SERVICE COMMISSION FOR ADMISSION TO EXAMINATION FOR CERTAIN SERVICES.

202. **Khan Bahadur Shaikh Fazl-i-Haq Piracha :** (a) Is it a fact that for the competitive examination for Transportation, Traffic and Commercial Departments of Railway and for Customs, Accounts and Postal Services to be held this year, only about 250 candidates out of a much larger number have been selected by the Public Service Commission to sit for the examination ? If so, will Government please state the principles on which the selection of candidates for such examination is made ?

(b) In view of the percentages fixed for Muslims and other minority communities in Government services, do the Public Service Commission permit the number of these communities up to the percentage laid down by Government to sit for the competitive examination? If not, why not?

The Honourable Sir Henry Craik : (a) 272 candidates have been admitted to the joint examination. It is contrary to the established practice of the Public Service Commission to disclose the principles on which the preliminary selection of candidates is made. But the aim of the Commission is to exclude nobody who on his past record has any chance of success.

(b) In making the preliminary selection, the Commission pay due regard to the principle that due representation should be given to the various communities in India.

PAY OF POSTAL EMPLOYEES STATIONED AT SIMLA.

203. **Sardar Mangal Singh :** (a) What are the scales of pay sanctioned for different classes of postal employees stationed at Simla?

(b) What are the rates of compensatory allowance granted to each class of postal employees stationed at Simla?

(c) What are the scales of pay sanctioned for different classes of employees of other Departments of Government stationed at Simla?

(d) What are the rates of compensatory allowance granted to each of the classes of employees mentioned in part (c) above?

(e) What are the scales of pay sanctioned for the clerical staff stationed at (1) Lahore, (2) Rawalpindi and (3) Simla Post Offices?

The Honourable Sir Frank Noyce : (a), (b) and (e). The information is contained in the Manual of Appointments and Allowances of Officers of the Indian Posts and Telegraphs Department, and Appendix 10 thereof and in the Government of India, Department of Industries and Labour, Memorandum No. Es. A-130/33 (2), dated the 11th March, 1935, copies of which are in the Library of the House.

(c) and (d). The compilation of the information asked for would involve an expenditure of time and labour which Government do not consider that there is sufficient justification for undertaking.

COMPENSATORY ALLOWANCE OF POSTAL EMPLOYEES STATIONED AT SIMLA.

204. **Sardar Mangal Singh :** (a) Is it not a fact that arrangements for house rents in Simla are contracted on annual basis and not monthly as in other places in India?

(b) Will Government please state the conditions of grant of compensatory allowance for Government servants?

(c) Will Government please state whether it is a fact that scale of pay sanctioned to the clerical staff of Simla Post Offices has no connection with the rate of compensatory allowance granted to them?

(d) Will Government please state whether the postal employees of Simla are allowed to draw compensatory allowance while on leave,

if and when they are required to pay annual rents for houses engaged by them for residential purposes ?

(e) If the reply to the preceding part be in the negative, will Government please state the reasons why the postal officials are not allowed to draw compensatory allowance while on leave ?

The Honourable Sir Frank Noyce : (a) Government have no information.

(b) The Honourable Member's attention is invited to Fundamental Rule 9 (5).

(c) The existing rates of compensatory allowances to the clerical staff in Simla are fixed according to scales of pay.

(d) and (e). Permission to draw compensatory allowance while on leave is not dependent on the private commitments of individuals in connection with the renting of houses but is governed by Supplementary Rule 6 (B) (a) (i) and (ii).

MUSLIMS IN THE SURVEY OF INDIA.

205. **Mr. Muhammad Anwar-ul-Azim :** (a) What is the total number of clerks in the Survey of India and what is the percentage of Muslims in that number ?

(b) What is the percentage of Muslims in the holders of the post of Registrar, Head Assistants and Head Clerks in the Survey of India ?

(c) Did Government ever receive a representation from a member of a body of the Muslim community, regarding grievances and showing that all the ways and means for the betterment of the Muslim employees in the Survey of India are blocked and that for this very reason their percentage in the posts of Head Assistants and Head Clerks, does not improve ?

(d) Are Government prepared to ask the Surveyor General to redress the grievances of the Muslim community in the Survey of India, *vide* part (c) above, so that all communities may have equal shares in the Department ?

(e) Is it a fact that the representations mentioned in part (c) above included a grievance to the effect that no Muslim is posted to the Head Assistantship of Dehra Dun Office of the Survey of India, giving sound reasons and laying great emphasis against the installation of Hindu officials ?

(f) Are Government prepared to issue instructions to the Survey of India to safeguard and protect the rights of minority communities by appointing a Registrar from a minority community ?

Mr. M. W. Yeatts : (a) On the 1st January, 1936, there were 218 clerks in the Survey of India of whom 17 per cent. were Muslims.

(b) There are 10 posts so classified of which one is held by a Muslim.

(c) and (d). In 1932 and 1933 representations of grievances of Muslim employees in the Survey of India, were made by an unrecognised body describing itself as the Muslim Ex-Survey Officials' Association. The allegations were gone into carefully by the Surveyor General of India and

no case calling for action emerged. It is not the case that promotion of Muslims to the posts of Registrar, Head Assistant and Head Clerk is blocked, for such promotion is made by selection.

(e) Yes, this grievance was mentioned but no sound reasons were adduced.

(f) There is only one post of Registrar, which is filled by selection, and Government are not prepared to issue such instructions in regard to it.

DEFENCE OF BURMA AND BURMANIZATION OF THE DEFENCE FORCES, ETC.

206. **U Thein Maung** : Will Government please state :

(a) whether they have considered the various questions relating to :

(i) the defence of Burma ;

(ii) Burmanization of the defence forces, including the military police ; and

(iii) their probable cost to Burma ;

(b) When they would be able to announce their recommendations or decisions thereon ; and

(c) whether the Legislature of Burma would be consulted or given an opportunity to discuss them before they are adopted or enforced ?

Mr. G. R. F. Tottenham : (a), (b) and (c). The matter is mainly one for decision by the future Government of Burma in consultation with His Majesty's Government. The views of the Government of India have already been communicated to His Majesty's Government, but they are confidential and the Government of India have no information when decisions will be announced.

REPORT OF THE APPLICATION COMMITTEE ON FINANCIAL ADJUSTMENT BETWEEN INDIA AND BURMA.

207. **U Thein Maung** : Will Government please state when the Report of the Application Committee on Financial Adjustment between India and Burma will be published and whether the Legislatures of India and Burma would have an opportunity to discuss it ?

The Honourable Sir James Grigg : I would invite the Honourable Member's attention to the reply given by me to Mr. Satyamurti's starred question No. 462 on the 17th September, 1936.

REPORT OF THE COMMITTEE ON FINANCIAL SETTLEMENT BETWEEN BURMA AND THE SHAN STATES.

208. **U Thein Maung** : Will Government please state whether the Committee on Financial Settlement between Burma proper and the Federation of Shan States after separation of Burma from India have submitted their report and whether the Legislature of Burma would be given an opportunity to discuss it or the general question of such settlement ?

The Honourable Sir James Grigg : Yes. The settlement is to be made through an Order in Council under section 68 (2) of the Government of Burma Act, 1935, and the question is, therefore, one primarily for His Majesty's Government. I cannot, therefore, give any undertaking that the Legislature of Burma will be given an opportunity to discuss the matter.

EXCLUSION OF BURMA IN THE NEGOTIATIONS FOR A FRESH TRADE AGREEMENT WITH JAPAN.

209. **U Thein Maung :** Will Government please state :

- (a) why Burma has been left out in the negotiations for a fresh trade agreement with Japan ; and
- (b) whether Burma would be at liberty to make negotiations for and enter into a trade agreement with Japan separately ?

The Honourable Sir Muhammad Zafrullah Khan : As regards part (a) the attention of the Honourable Member is invited to the Press Communiqué, dated the 12th August, 1936, a copy of which is in the Library. The Government of India are not in a position to answer part (b) as it relates to a matter that is for His Majesty's Government in the United Kingdom to decide.

EXEMPTION OF TEAK LOGS FROM THE PROTECTIVE CUSTOMS DUTY.

210. **U Thein Maung :** (a) Will Government please state whether they are prepared to exempt teak logs, imported into Burma through the river Salween, from the protective customs duty of 25 per cent. *ad valorem* and to make them subject to the seven per cent. transit duty only as before the 11th July, 1936, for the reasons that have been submitted by the President of Moulmein Timber Traders' Association, Burma, in his memorial to His Excellency the Governor General in Council, dated the 30th July, 1936 ? If not, will Government please state the reasons for not doing so ?

(b) Will Government please state whether the Government of Burma would be at liberty to review the case and exempt such logs from the said duty after separation from India, in spite of the trade agreement between India and Burma ?

The Honourable Sir Muhammad Zafrullah Khan : (a) The import duty in question is not protective. It was raised to the level of the sea customs rate at the instance of the Government of Burma. The Government of India are awaiting the views of the Local Government on the memorial of the Moulmein Timber Traders Association before reconsidering the matter.

(b) The terms of the Order in Council which will regulate the trading relations between India and Burma after separation have not yet been finally settled. In the meantime, the Honourable Member's attention is invited to Articles 6 and 9 of the Provisional Draft of India and Burma Trade Regulation Order, published in Command Paper No. 4985.

**GOVERNMENT SERVANTS DEBARRED FROM MAKING ANY STATEMENT, ETC.,
EMBARRASSING THE RELATIONS BETWEEN CERTAIN PERSONS.**

211. **Dr. N. B. Khare :** (a) Is it a fact that under rule 18 (1) (a) of the Government Servants' Conduct Rules, 1935, a Government servant is debarred from making any statement of fact or opinion which is capable of embarrassing the relations between the Governor General in Council or any Local Government and the people of India ?

(b) Does this rule apply also to a speech broadcast by a Government servant ? If not, why not ?

The Honourable Sir Henry Craik : (a) and (b). Yes.

**WRITING OF ARTICLES FOR PRESS AND PUBLICATION OF BOOKS BY GOVERNMENT
SERVANTS.**

212. **Dr. N. B. Khare :** (a) Is it a fact that a Government servant is not permitted, or has to obtain the previous permission of Government, for writing an article for press or publishing a book, etc., on a subject falling within the scope of rules 15, 16 or 17 of the Government Servants' Conduct Rules, 1935 ?

(b) Will Government please state whether a similar previous permission is also necessary for *occasionally* writing a book or an article for press on a subject of non-political nature, not connected with a Government servant's official work and involving no disclosure of official information or competition with professional journalists ? If so, under what rule ?

The Honourable Sir Henry Craik : (a) and (b). The Rules quoted by the Honourable Member, read with Rules 13 and 18, state the position clearly.

PROVISION OF A LIBRARY, ZOO AND MUSEUM, ETC., IN NEW DELHI.

213. **Dr. N. B. Khare :** Has the attention of Government been drawn to a letter under the heading "Delhi's Need" published in the *Hindustan Times*, dated 7th July, 1936, and several other press notes, etc., deploring the absence of a public library, zoo, museum (excepting the so-called "Central Asian Antiquities") and a public garden in New Delhi ? If so, what action do Government propose to take to provide these amenities ? If none, why not ?

Mr. M. W. Yeatts : Yes. Public gardens have already been provided, e.g., Talkatora Garden and Lodhi Park. Provision of the other amenities suggested would require to be considered along with other needs of New Delhi.

**GRANT OF LIVERY ALLOWANCES TO THE DUFTARIES IN THE GOVERNMENT
OF INDIA OFFICES.**

214. **Mr. N. V. Gadgil :** (a) Is it a fact that dufftries employed in the Government of India Secretariat offices are supplied with liveries only once in every three years ?

(b) Is it also a fact that in the past in certain Departments at least, dufftries were given amounts in cash and they used to get their garments made themselves which were shown to the offices ?

(c) Why has this practice been discontinued ?

(d) Is it a fact that the quality of the cloth now supplied for liveries is the same as it was some years ago, when the prices were very high ?

(e) What is the reason for not supplying a better quality of cloth, now that the prices have fallen and the cost charged to Government is almost the same ?

(f) Is it a fact that the contract for sewing the liveries has been given only to one tailor for a large number of years ?

(g) Do Government propose to consider the desirability of giving cash allowances to dufftries for making liveries, so that they may be able to have better clothes made, by supplementing the amount themselves if necessary ? If not, why not ?

The Honourable Sir Henry Craik : (a) Yes.

(b) Yes.

(c) Government have now an organisation—the Indian Stores Department—which by making bulk purchases can obtain better value for the money.

(d) No, the quality is better now.

(e) Does not arise.

(f) I do not know to what Department the Honourable Member refers. The answer is in the affirmative so far as the Home Department is concerned.

(g) Government do not consider it necessary to make any change in the system which has worked satisfactorily and economically.

SUPPLY OF COTTON LIVERIES TO DUFTRIES IN THE GOVERNMENT OF INDIA OFFICES.

215. **Mr. N. V. Gadgil :** (a) Is it a fact that the dufftries in the Government of India Secretariat are not allowed any cotton liveries for use in the summer season when they have to stay in Delhi during April and October ?

(b) Are cotton liveries allowed to peons of the Government of India Secretariat ?

(c) Do Government propose to arrange to supply cotton liveries to dufftries also ? If not, why not ?

The Honourable Sir Henry Craik : (a) Yes.

(b) Yes.

(c) There is no necessity for supplying them with cotton liveries for the short period of their stay in Delhi.

REMOVAL OF THE PORTRAIT OF LORD KRISHNA BY THE SUPERINTENDENT, RAILWAY MAIL SERVICE, "L" DIVISION.

216. **Bhai Parma Nand :** (a) Is it a fact that the Superintendent, R. M. S. "L" Division, visited the S. R. O., Shorkot, in December last and personally removed the portrait of Lord Krishna hanging on a wall of the

office and threw it down on the floor in a most contemptuous manner in the presence of his Hindu subordinates and some of the railway staff whose religious susceptibilities were vehemently injured and the incident was brought to light, *vide Postal Observer* issue for June, 1936 ?

(b) If the reply to part (a) above be in the affirmative, have Government taken any action against the officer concerned and to obviate recurrence of the sort in future and if so, what ? If not, do they propose to take any action now ?

The Honourable Sir Frank Noyce : (a) and (b). Government have no information. The matter is within the competence of the Postmaster-General. A copy of the question is being sent to him for such action as he may consider suitable.

ALLEGATIONS AGAINST AN INSPECTOR, RAILWAY MAIL SERVICE.

217. **Bhai Parma Nand :** (a) Will Government please state whether Abdul Hakim, mail guard of defunct L-25 section, was convicted of abducting a young Pathan woman in the mail van under section 498, Indian Penal Code ?

(b) Is it also a fact that the name of this man was published in the convictions statement circulated by the Postmaster General, Punjab, with his monthly circular of July, 1936 ?

(c) Will Government please state whether this man has been dismissed, or is he still serving the Department ? In the latter case, will Government please state the reasons for the same ?

(d) Is it a fact that enquiries made into the case revealed that this woman was being abducted in the mail van for the sake of an Inspector, Railway Mail Service, who was at Peshawar on the day of occurrence according to previous arrangements and that this Inspector concealed the actual crime committed and did not submit any report to the higher authorities ?

(e) If the reply to part (d) be in the affirmative, will Government please state the action taken against the Inspector and if no action has been taken, do Government propose to make an independent enquiry into the conduct of this Inspector and see whether such a supervising officer is fit to be retained in Government service ?

The Honourable Sir Frank Noyce : (a) to (e). Government have no information. The matter is within the competence of the Postmaster-General to whom a copy of the question and this answer is being sent for such action as he may consider suitable.

EXTRA-DEPARTMENTAL SUB-POSTMASTERS AND BRANCH POSTMASTERS IN THE PUNJAB AND NORTH-WEST FRONTIER CIRCLE.

218. **Bhai Parma Nand :** Will Government place on the table a statement showing separately the total number of Extra-Departmental sub-Postmasters and Extra Departmental Branch Postmasters in the Punjab and North-West Frontier Circle, as also their number by communities ? If any one community is disproportionately represented, do Government propose to stop recruitment of officials for these posts from that community ?

The Honourable Sir Frank Noyce : Government have no information and do not propose to call for it as it would involve an undue expenditure of time and labour. As regards the last part of the question, the Honourable Member's attention is invited to the reply given to his unstarred question No. 81 on the 22nd February, 1935.

ALLOWANCES OF CAMP CLERKS IN THE PUNJAB AND NORTH-WEST FRONTIER POSTAL CIRCLE.

219 **Bhai Parma Nand :** (a) Is it a fact that formerly allowance for a Camp Clerk to the Head of a Postal Circle and for Director, Telegraphs, was Rs. 50 per mensem and that for a Camp Clerk to a Deputy Postmaster General was Rs. 20 per mensem, but now these allowances have been equalised at Rs. 30 per mensem with the provision that in the former case the allowance at the higher rate is to continue for the incumbents of the posts on the date of orders so long as they continue with the Head of a Circle or the Director, Telegraphs ?

(b) Is it a fact that the existing Camp Clerk to the Postmaster General, Punjab and North-West Frontier Circle, is rotated between him and the Director of that Circle since the last six years to maintain his allowance at the higher rate ?

(c) If the replies to parts (a) and (b) above be in the affirmative, do Government propose to consider the advisability of removing the present Camp Clerk of the Postmaster General, Punjab and North-West Frontier Circle, to any of his Deputies, if not to the office, to save Rs. 20 per mensem ?

The Honourable Sir Frank Noyce : (a) Yes.

(b) Government have no information. The matter is one within the discretion of the Head of the Circle.

(c) No.

TRANSFERS OF CERTAIN CLERKS IN THE PUNJAB AND NORTH-WEST FRONTIER CIRCLE.

220. **Bhai Parma Nand :** (a) Is it a fact that Head Clerks in Postal Circle Offices are required to be changed every three years and if so, why ?

(b) Will Government kindly state whether there are any definite orders regarding the rotation of ordinary time-scale clerks in the Postal Circle Office ?

(c) Will Government kindly place on the table a statement showing the number of transfers of ordinary time-scale clerks effected under the personal orders of the Postmaster General, Punjab and North-West Frontier Circle, in his office ?

(d) If the reply to part (b) above be in the negative, and the reply to part (c) discloses a sufficiently large number of transfers, will Government state the reason for the same ?

The Honourable Sir Frank Noyce : (a) The reply to the first part of the question is in the affirmative. As regards the latter part, the periodical transfer is ordered for administrative reasons.

(b) No.

(c) and (d). Government have no information and do not propose to call for it as the matter is one entirely within the Postmaster-General's competence.

DISCHARGE OF CERTAIN FIREMEN AND SHUNTERS ON THE EASTERN BENGAL RAILWAY.

221. **Mr. Umar Aly Shah :** (a) Will Government be pleased to state if it is a fact that the Chief Mechanical Engineer, Eastern Bengal Railway, has discharged a number of firemen, shunters who failed to pass departmental examination ?

(b) If so, will Government be pleased to state if at the time of appointment of those firemen and shunters, they executed any agreement that, failing to pass the departmental test, they will be discharged ?

(c) Will Government be pleased to state if those firemen and shunters are efficient workers on their respective posts and if regular annual increase of pay were granted to them.

(d) If the answer to part (c) be in the negative, will Government be pleased to state why they were not discharged from service on the ground of inefficiency ?

(e) If the answer to part (c) be in the affirmative, will Government be pleased to state why they cannot be retained in their posts ?

(f) Will Government be pleased to state if the departmental examination is to test their abilities for promotion to next higher grades ?

(g) If the answer to part (f) is in the affirmative, will Government be pleased to state the reason to issue an order of discharge of those persons when their services could be utilised in their own posts ?

(h) Will Government be pleased to state the date of issue of an order stating that those who fail to pass departmental examination will be discharged from service ?

(i) Will Government be pleased to state if the order mentioned in part (i) was issued long after appointment of those discharged hands ?

(j) If the answer be in the affirmative, will Government be pleased to state why the Eastern Bengal Railway Administration has applied the order to persons who entered the service long before the issue of such an order ?

The Honourable Sir Muhammad Zafrullah Khan : With your permission, Sir, I propose to reply questions Nos. 221 and 222 together.

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

ABOLITION OF NIGHT SCHOOLS FOR EDUCATING THE ILLITERATE RAILWAY WORKERS OF THE LOCO. DEPARTMENT.

†222. **Mr. Umar Aly Shah :** (a) Will Government be pleased to state if it is a fact that on account of economy, night schools for educating the illiterate workers of Loco. Department have been abolished ?

(b) If so, how many schools have been abolished ?

(c) Will Government be pleased to state what steps were taken by the Eastern Bengal Railway Administration to teach the firemen, shunters and drivers the names and alphabets of the stations ?

(d) Will Government be pleased to state if it is a fact that there is no night school at Katihar, Lalmonirhat, Ishurdi ?

(e) If so, will Government be pleased to state the number of firemen and shunters discharged for not passing the departmental tests and who mostly belonged to the Loco. Shed mentioned in part (d) ?

SCHOOL ESTABLISHED AT CALCUTTA TO TRAIN FIREMEN, SHUNTERS AND DRIVERS.

223. **Mr. Umar Aly Shah :** (a) Will Government be pleased to state if it is a fact that a training school has recently been established in Calcutta to train the firemen, shunters and drivers in that school ?

(b) If so, will Government be pleased to state if those workers are examined by the School Authorities after completion of their training and are granted certificates of competency ? If not, why not ?

(c) If the answer to part (b) be in the affirmative, will Government be pleased to state why the persons who could not get any facilities at other stations be sent to school in Calcutta for training ?

(d) Will Government be pleased to state if it is a fact that workers returned from the training schools in Calcutta as competent are again called by the District Officers to undergo an examination by the Loco. Inspector ?

(e) Will Government be pleased to state if they are prepared to re-instate those that have been discharged and grant facilities to receive training in Calcutta Training Schools ? If not, why not ?

The Honourable Sir Muhammad Zafrullah Khan : Government have no information and do not consider that the labour and expense involved in collecting it will be commensurate with the results likely to be obtained, but I am sending a copy of the question to the Agent, Eastern Bengal Railway, for information and such action as he may consider necessary.

RELIEVING ALLOWANCE TO STAFF SENT TO OUTSTATIONS TO RELIEVE STATION MASTER, SIGNALLERS AND CLERKS.

224. **Mr. Umar Aly Shah :** Is it a fact that Rule 364 of the State Railway Open Line Code, Volume II, sanctions relieving allowance to staff who are sent to outstations for a time to relieve Station Masters, signallers and clerks for absence from headquarters ? Will Government be pleased to state if any amendment has been made to this rule ? If so, when and on what date ? Will Government be pleased to state why the relieving allowance has been substituted by travelling allowance and under what authority ?

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

PROVISION OF BOX *Khalasies* TO CARRY THE BOXES OF INDIAN DRIVERS.

225. **Mr. Umar Aly Shah** : Will Government be pleased to state if it is a fact that Mr. P. R. Rau, replying to Mr. N. M. Joshi on the floor of the Legislative Assembly, regarding provision of box *khalasies* to carry the boxes of all Indian drivers, said that to obtain uniformity the Railway Administration have been instructed that there should be no racial discrimination in this matter and that box *khalasies* should be provided for all drivers when circumstances render it necessary? If so, will Government be pleased to state the names of the railways which have complied with the instructions issued by the Railway Board in this matter?

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

PROVISION OF MOSQUITO CURTAINS, MATTRESSES AND BED SHEETS IN THE RUNNING ROOMS OF DRIVERS ON STATE RAILWAYS.

226. **Mr. Umar Aly Shah** : Will Government be pleased to state if mosquito curtains and mattresses and bed sheets are provided in the running rooms of Indian drivers on the State Railways? If not, will Government be pleased to state if mosquito curtains, bed sheets and bedsteads are given to the European and Anglo-Indian drivers' running room? If so, why?

The Honourable Sir Muhammad Zafrullah Khan : Government have no information, but I have sent a copy of the question to the Agents of the State-managed Railways for information and such action as they may consider necessary.

PROVISION OF COOKS TO DRIVERS ON THE EAST INDIAN RAILWAY.

227. **Mr. Umar Aly Shah** : Will Government be pleased to state if the East Indian Railway provides cooks for Muhammadan, Anglo-Indian and European drivers in their running rooms? If so, will Government be pleased to state if it is a fact that no Hindu cook is provided for Hindu Indian drivers and firemen in the running room? If so, will Government be pleased to state why there should be none?

The Honourable Sir Muhammad Zafrullah Khan : Government have no information. This is a matter of detailed administration within the competence of the Agent, East Indian Railway, to whom a copy of the question has been sent for information and such action as he may consider necessary.

RECORDING OF NAMES OF THE CREW STAFF WHO FAIL TO COLLECT EXCESS FARES FROM PASSENGERS ON THE EASTERN BENGAL RAILWAY.

228. **Mr. Umar Aly Shah** : Will Government be pleased to state if it is a fact that the District Traffic Superintendent—"Crews" of the Eastern Bengal Railway, has introduced a board to record the names of the crew staff who fail to collect any excess fare from passengers?

on any day ? If so, will Government be pleased to state if the object of the District Officer is to black-mark those staff who fail to collect any excess fare on any day ? If so, why ?

The Honourable Sir Muhammad Zafrullah Khan : Government have no information. This is a matter of detailed administration within the competence of the Agent, Eastern Bengal Railway, to whom a copy of the question has been sent for information and such action as he may consider necessary.

RUNNING ROOM ARRANGEMENT FOR CREW STAFF ON THE EASTERN BENGAL RAILWAY.

229. **Mr. Umar Aly Shah :** Will Government be pleased to state if the crew staff under the Eastern Bengal Railway are considered as running staff ? If so, will Government be pleased to state if any running room arrangement is in existence for the crew staff ?

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

MILEAGE ALLOWANCE GRANTED TO THE RUNNING PARCEL CLERKS ON THE EASTERN BENGAL RAILWAY.

230. **Mr. Umar Aly Shah :** (a) Will Government be pleased to state if it is a fact that the Railway Board has issued letter No. 35-A.L.101, dated the 1st September, 1936, to the Agent, Eastern Bengal Railway, communicating that mileage allowance granted to the Running Parcel clerks should cease finally from a date not later than the 31st October, 1936 ?

(b) If the answer to part (a) be in the affirmative, will Government be pleased to state whether sanction was obtained from the Governor General in Council ? If not, why not ?

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

RETROSPECTIVE EFFECT TO CONCESSIONS GRANTED TO RAILWAY STAFF.

231. **Mr. Umar Aly Shah :** (a) Will Government be pleased to state if it is a fact that the Honourable the Commerce Member, in replying to unstarred question No. 499 of Dr. N. B. Khare on the 7th April, 1936, said that the usual policy of Government is not to grant retrospective effect in general to concessions that may be granted ?

(b) If the answer to part (a) be in the affirmative, will Government be pleased to state if retrospective effect to withdraw concessions already granted to staff are sanctioned ?

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

REDUCTION IN WORKING EXPENSES ON THE EASTERN BENGAL RAILWAY.

232. **Mr. Umar Aly Shah** : Will Government be pleased to state if it is a fact that the Eastern Bengal Railway Administration is contemplating reduction in working expenses? If so, will Government be pleased to state how they propose to do so?

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

RUNNING PARCEL CLERKS ON THE EASTERN BENGAL RAILWAY.

233. **Mr. Umar Aly Shah** : (a) Will Government be pleased to state if it is a fact that the Eastern Bengal Railway Administration proposes to transfer the present Running Parcel Clerks from their running duties to other posts? If so, why?

(b) Will Government be pleased to state the date from which the Eastern Bengal Railway Administration have been paying the mileage allowance to the Running Parcel Clerks?

(c) Will Government be pleased to state if it is a fact that the duties allotted to the Running Parcel clerks on the Eastern Bengal Railway were performed by second guards before the posting of Running Parcel Clerks to passenger and mail trains?

(d) If the answer to part (c) be in the affirmative, will Government be pleased to state whether the Running Parcel clerks are doing the duties of second guards?

(e) Will Government be pleased to state if it is a fact that the Eastern Bengal Railway Administration has made a substantial saving in the way of claims for missing or shortages of luggages and parcels with the introduction of Running Parcel clerks? If so, will Government be pleased to state the reason for disallowing the mileage allowance?

(f) If the answer be in the negative, will Government be pleased to state what justification the Eastern Bengal Railway Administration had to replace the second guards by Running Parcel Clerks?

(g) Will Government be pleased to state if it is a fact that the Running Parcel Clerks are exempted from the Geneva Convention, as they are treated as running staff? If so, why are the Running Parcel Clerks disallowed the mileage allowance?

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

POWERS GIVEN TO AGENTS OF STATE RAILWAYS TO MODIFY THE RULES FOR THE GRANT OF ALLOWANCES.

234. **Mr. Umar Aly Shah** : Are Government aware that Rule 359 of Chapter IV of State Railway Open Line Code, Volume II empowers the Manager of a State Railway, now called Agent of a State Railway, to modify the rules for the grant of allowance at their discretion to suit the circumstances of the railways under their control?

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

SUNDAY FEES FUND AT THE MAJOR PORTS.

235. **Mr. V. V. Giri :** (a) Will Government be pleased to state the annual reserve accumulated in the Sunday Fees Fund at the various major ports of India during the last five years ?

(b) Will Government be pleased to state in what manner the amount collected in the fund is being utilised ?

(c) Will Government be pleased to state whether the unexpended balance of these reserves is brought forward from year to year and whether any credit for interest is given to these reserves ?

The Honourable Sir James Grigg : (a) There has been no surplus to carry forward.

(b) After making payments on account of Crown Overtime Fees, the balance is distributed to Seamen's and Customs Welfare Institutions but subject to a minimum payment of Rs. 88,000.

(c) Does not arise.

SUNDAY FEES FUND AT THE MAJOR PORT.

236. **Mr. V. V. Giri :** (a) Will Government be pleased to state whether the proceeds of the Sunday Fees Fund are utilised for the benefit and welfare of Indian seamen and, if so, how ?

(b) Will Government be pleased to state the amount spent for the benefit of European seamen and Indian seamen respectively from the proceeds of this Fund ?

The Honourable Sir James Grigg : (a) Yes—a part of the Fund is used for the benefit of Indian Seamen. A grant is made to the Indian Sailors Home, Bombay, and to certain hospitals in Burma which cater for Indians as well as for Europeans.

(b) A sum of Rs. 8,200 is paid yearly to an exclusively Indian Institution. Rs. 3,120 a year is paid to hospitals. About Rs. 38,000 a year is paid to other institutions which are mainly, but not in all cases, for European seamen.

GRANT TO THE MARINE CLUB OF CALCUTTA.

237. **Mr. V. V. Giri :** (a) Will Government be pleased to state whether the Marine Club of Calcutta is receiving any grant directly or indirectly through the Seamen's Welfare Association from Government ?

(b) Are Government aware whether Indian Officers are allowed admission in the Marine Club of Calcutta ?

The Honourable Sir James Grigg : (a) Yes. The Marine Club of Calcutta received grants of Rs. 8,850 for each of the years 1935-36 and 1936-37.

(b) Indian Officers are allowed admission to the Club.

EXPENDITURE INCURRED ON LEE CONCESSION PASSAGES.

238. **Mr. V. V. Giri** : Will Government be pleased to state the annual expenditure incurred on Lee concession passages year by year from 1931 to 1935 ?

The Honourable Sir James Grigg : The information is being collected and will be laid on the table of the House in due course.

DRIVERS IN THE JHANSI DIVISION OF THE GREAT INDIAN PENINSULA RAILWAY.

239. **Pandit Sri Krishna Dutta Paliwal** : (a) Will Government state the number of Anglo-Indian, Parsee, Hindu, Muslim and Indian Christian, drivers employed on the Great Indian Peninsula Railway on their main and branch lines in the Jhansi Division, working in different grades on their mail, passenger and goods trains ?

(b) Are these drivers recruited separately for main and branch lines in the various grades ? If so, what are the different grades and scales of pay for the Jhansi Division ?

(c) Are they recruited strictly on grounds of qualification and experience, or is race and creed also taken into consideration ?

(d) Is any person disqualified on grounds of religion or nationality from being recruited ? Are any post or grades reserved for any particular community ?

(e) What is the grade pay of drivers on passenger and goods trains ?

(f) Is it a fact that a circular of the Railway Board prohibits any racial preference or discrimination in the recruitment of drivers on railways ?

(g) Are Government satisfied that the Great Indian Peninsula Railway authorities adhere to the terms of this circular ? If not, do Government propose to ask them to do so ?

(h) Is it a fact that on the Jhansi-Manikpur, Bina-Katni and Kotah Branches, no Indian has been appointed as a passenger train driver ? If so, what are the reasons therefor ?

(i) Is it a fact that main line drivers, drawing larger pay and allowances, are recruited on branch lines in preference to branch line drivers drawing similar pay ?

(j) Are Government aware that there is much discontent among drivers who feel that their just claims have been ignored for appointment as passenger drivers ?

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

INCOME AND EXPENDITURE OF THE SALES DEPARTMENT OF THE NORTH WESTERN RAILWAY.

240 **Sardar Sant Singh** : (a) Is it a fact that the annual expenditure incurred by the Sales Department of North Western Railway is Rs. 72,000 and that the earnings amount to only Rs. 24,000 ?

(b) Is it a fact that in spite of this, it has been given a new lease of life by the Railway Board? If so, why?

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

ARTICLE WRITTEN BY MR. HAWKES, CHIEF COMMERCIAL MANAGER, NORTH WESTERN RAILWAY, ON RAIL-ROAD COMPETITION.

241. **Sardar Sant Singh:** (a) Is it a fact that Mr. Hawkes, Chief Commercial Manager, North Western Railway, wrote an article on Rail-Road Competition, which was severely criticised in the press?

(b) If so, did he first obtain the permission of Government, in accordance with Government Servants Conduct Rules, and what action do Government propose to take against him for breach of rules?

The Honourable Sir Muhammad Zafrullah Khan: (a) Government have no information.

(b) Does not arise.

INJUSTICE DONE TO INDIAN OFFICERS ON THE NORTH WESTERN RAILWAY.

242. **Sardar Sant Singh:** (a) Is it a fact that a couple of years ago a new department called "Sales" was created on the North Western Railway?

(b) Is it a fact that Mr. C. D. Jordan, a promoted subordinate, was put in charge of this department in the senior scale of Imperial Service?

(c) Is it a fact that there are orders that no officer in the Lower Gazetted Service was to be promoted to the senior scale of Imperial Service?

(d) Is it a fact that all officers of the Imperial Service senior to Mr. Jordan appealed against their unmerited supersession?

(e) Is it a fact that Mr. Hawkes certified them all as unfit, in consequence of which their appeals were turned down?

(f) If the answer to the above be in the affirmative, will Government please state what they propose to do to remedy injustice being done to Indian officers and to check recurrence thereof on the North Western Railway?

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

APPOINTMENT OF MR. HALES AS DIVISIONAL SUPERINTENDENT, RAWALPINDI DIVISION OF THE NORTH WESTERN RAILWAY.

243. **Sardar Sant Singh:** (a) Is it a fact that Mr. Hales, while working as Divisional Superintendent on the Quetta Division, caused a net loss to the railway of Rs. 51,000, of which Rs. 18,000 were law charges as sanctioned by the Railway Board, the actual expenses not yet being known; vide paragraph 57, page 28 of Railway Audit Report of 1936?

(b) Is it a fact that Mr. Hales was reduced while working on the Karachi Division for making over-payments amounting to thousands of rupees ?

(c) Is it a fact that orders were passed prohibiting Mr. Hales from being put in charge of a Division ?

(d) Is it a fact that in spite of the above orders, Mr. Hales was allowed to officiate as Chief Commercial Manager and is now working as Divisional Superintendent on the Rawalpindi Division ?

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

REFUSAL TO PERMIT SHAIKH ABDULLA KUFU, A WELL-KNOWN Muallim, FROM ENTERING INDIA.

244. Khan Bahadur Shaikh Fazl-i-Haq Piracha : (a) Are Government aware that Shaikh Abdulla Kufi, a subject of the Hedjaz Government, is a well-known *Muallim* of the Indian pilgrims for Hedjaz at Mecca ?

(b) Is it a fact that the said Abdulla Kufi, *Muallim*, has been refused entrance to India by the Indian Government ?

(c) If the answer to the above part be in the affirmative, will Government be pleased to state the reasons for that, and if the answer be in the negative, are Government prepared to make enquiries about the fact from their representative at Jeddah, and inform the House ?

(d) Are Government aware that in case the said Shaikh Abdulla Kufi is not allowed to come to India, the pilgrims to Mecca will be deprived of his valuable assistance and guidance in their voyage to the Hedjaz ?

Sir Aubrey Metcalfe : (a) The case of this *mutawwif* came to the notice of the Government of India.

(b) and (c). He was refused a visa for India on the ground that he had wrongfully withheld a sum of Rs. 100 from an Indian pilgrim. Subsequently on his paying a sum of Rs. 80 out of this sum, the restriction was withdrawn.

(d) Does not arise.

PROCEDURE ON STATE RAILWAYS FOR PUNISHING OR REDUCING THE STAFF FROM SUPERIOR TO INFERIOR SERVICE ON FAILURE TO PASS AN EXAMINATION.

245. Mr. Ram Narayan Singh : With reference to the reply given on the 31st August, 1936 to unstarred question No. 491 (page 78), asked in this House on the 7th April, 1936, will the Honourable Member for Commerce and Railways please state whether paragraphs 30 and 632, published in the East Indian Railway Gazettes, dated 24th January, 1934 and dated 3rd October, 1934, respectively, have retrospective effect ? If not, what were the rules in force before the publications of the said paragraphs, both on old Oudh and Rohilkhand Railway Section and on old East Indian Railway Section and on amalgamated sections ?

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

APPEAL AGAINST THE DISCRETION OF THE DIVISIONAL SUPERINTENDENT ON THE EAST INDIAN RAILWAY.

246. **Mr. Ram Narayan Singh** : With reference to paragraph 632 of East Indian Railway Gazette, No. 20, dated the 3rd October, 1934 will the Honourable Member for Commerce and Railways please state whether an appeal lay against the discretion of the Divisional Superintendent ?

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

MAINTENANCE OF RECORDS OF SUBORDINATE NON-PENSIONABLE SERVANTS ON STATE RAILWAYS.

247. **Mr. Ram Narayan Singh** : Will the Honourable Member for Commerce and Railways please state whether the provisions of Supplementary Rules 199, 200, 201 and 202 are applicable to permanent subordinate non-pensionable servants on State Railways, for whom a special form of record has been prescribed ? If not, then under what rule are their records maintained and prescribed ?

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

INCUMBENT OF THE POST OF THE DEPUTY DIRECTOR, ESTABLISHMENT II, RAILWAY BOARD.

248. **Mr. Ram Narayan Singh** : Will the Honourable Member for Commerce and Railways please state :

(a) whether the present incumbent of the post of the Deputy Director, Establishment II, Railway Board was removed from the Superior Revenue Establishment of the North Western Railway ; if so, when and for what reasons or considerations ; and

(b) when and for what reasons or considerations he was subsequently recruited to the Superior Revenue Establishment of the old Oudh and Rohilkhand Railway ?

The Honourable Sir Muhammad Zafrullah Khan : (a) and (b). The information required by the Honourable Member will be found in the reply given by Sir George Rainy on the 16th September, 1929, to a question by Mr. D. K. Lahiri Choudhury.

COMPLETION OF DRAINAGE WORK IN SHAHDARA, DELHI. ◀

249. **Mr. Ram Narayan Singh** : With reference to the answer given to part (d) of unstarred question No. 305 asked in this House on the 9th April, 1935, will the Honourable Member of the Government for Education, Health and Lands please state when the locality was last inspected by the Director of Public Health and with what result and the approximate date by which the drainage is to be completed ?

Mr. M. W. Yeatts : The locality was inspected by the Assistant Director of Public Health in 1935 as a result of which he submitted his

comments on a drainage scheme for the area drawn up by the Deputy Commissioner. This scheme is to form part of a programme for the expansion of medical and public health facilities in the Delhi Province which is in the course of preparation.

RAIL MOTORS RUN FROM SIMLA TO KALKA ON THE 20TH AUGUST, 1936.

250. **Mr. Ram Narayan Singh** : Will Government please state :

- (a) the total number of Rail Motors run *ex-Simla* to Kalka on North Western Railway on 20th August, 1936 ;
- (b) the number of passengers carried by each Rail Motor holding tickets and passes separately ;
- (c) the fares recovered by and the expenditure incurred on each run of Rail Motor ;
- (d) the seats reserved in each Rail Motor for ticket holders and pass holders separately ;
- (e) the seats reserved and occupied in each Rail Motor by ticket and pass holders separately ;
- (f) whether the fares for seats reserved and not occupied by the persons travelling in each Rail Motor were recovered from ticket and pass holders respectively ;
- (g) whether the seats over and above actually occupied were reserved for comfortable travel of ticket and pass holders respectively ;
- (h) why the fares for comfortable travels are not recovered ; and
- (i) whether the reservation of seats on passes from starting station is permissible, if so, how a ticket holder can claim preference over a pass holder ?

The Honourable Sir Muhammad Zafrullah Khan : (a) Three, of which one was returned empty having come up to Simla as a "special". The other two were Nos. 6-Down and 4-Down which are provided for in the time table.

(b), (d) and (e). No. 6-Down

Four seats were reserved by ticket holders and were occupied by them.

Four other seats were also reserved by pass holders, but only two took up their reservation.

No. 4-Down

Five seats were reserved by ticket holders, four of whom took up their reservation and two others who had not reserved their seats also travelled.

One seat was reserved by a pass holder who occupied it and one other pass holder who had not reserved his seat also travelled.

(c) Rs. 73|8|- was recovered by 6-Down and Rs. 94|13|- by 4-Down. It is not practicable to estimate the expenditure incurred in view of numerous factors involved, several of which are difficult to determine with any approach to approximate accuracy.

(f) and (g). No.

(h) If a passenger reserves and actually occupies additional seats for his own comfort, fares for such seats will be recovered.

(i) Yes, on the understanding that the pass holder must give precedence to a ticket holder.

EXAMINATIONS FOR RECRUITMENT OF CLERKS IN THE GOVERNMENT OF INDIA SECRETARIAT AND ATTACHED OFFICES.

251. Pandit Sri Krishna Dutta Paliwal : (a) Is it a fact that before 1934, a combined examination used to be held for employment in the Second Division of the Secretariat and the Attached Offices, and that the Second Division scales of the Secretariat and Attached Offices vastly differed from each other and the difference was so great that the Secretariat Second Division scale was practically double of the Attached Offices Second Division scale ?

(b) If so, will Government be pleased to state on what principle the candidates qualifying in the same examination were nominated to the Secretariat and Attached Offices in the two different scales ?

(c) Were the candidates nominated to the two different scales, *strictly in order of merit*, i.e., those who obtained the highest places were taken from the top and nominated to the higher Second Division scale of the Secretariat and those who ranked junior to them, were nominated to the Attached Offices in the lower second division scale ?

(d) If so, will Government please refer to the results of the second division examination held in 1925 and state whether it is a fact that most of the successful candidates from No. 15 and downwards, were nominated to the higher second division scale in the Secretariat, in which they are now permanently employed ; while there were some candidates above No. 15, who were nominated to the lower second division scale in the Attached Offices where they are now permanently employed ?

(e) Will Government be pleased to state why the principle of nomination to the higher scale of the Secretariat *strictly in order of merit*, was not followed in respect of some candidates above No. 15 ?

(f) Will Government be pleased to state what steps were taken to remove such irregularities, when they were brought to light on several occasions ?

The Honourable Sir Henry Craik : Sir, I propose, with your permission to answer questions Nos. 251 to 255 together. The necessary information is being collected and replies to the questions will be laid on the table in due course.

**EXAMINATIONS FOR RECRUITMENT OF CLERKS IN THE GOVERNMENT OF INDIA
SECRETARIAT AND ATTACHED OFFICES.**

†252. **Pandit Sri Krishna Dutta Paliwal :** (a) Is it a fact that prior to 1934, separate examinations were held for the Second and the Third divisions and that candidates appearing in the Second division examination were required to possess a higher standard of educational qualifications than those appearing for the Third division ?

(b) Is it also a fact that prior to 1934, there was no Third division in the Attached Offices and candidates qualified for the Third division with lower educational standard were nominated to the Second division in the Attached Offices in the same scale with those who qualified for the Second division and possessed higher educational qualifications ?

(c) If the answer to parts (a) and (b) be in the affirmative, will Government be pleased to state why candidates passing a higher examination were treated alike and nominated on the same footing with those who passed a lower examination and possessed lower educational qualifications ?

(d) Will Government be pleased to state whether they propose to accord preference to candidates qualified for a higher examination in respect of promotion to the First division in the Attached Offices, over those who are qualified for the Third division only and also over those who have not qualified in any examination at all and possess lower educational qualifications than candidates qualified for the Second division ?

**EXAMINATIONS FOR RECRUITMENT OF CLERKS IN THE GOVERNMENT OF INDIA
SECRETARIAT AND ATTACHED OFFICES.**

†253. **Pandit Sri Krishna Dutta Paliwal :** (a) Is it a fact that before 1925, the Second division Secretariat scale of the Secretariat was regarded as quite distinct from the Attached Offices Second division scale and that separate examinations were held for the two different scales ?

(b) Is it also a fact that before 1925, the Second division Secretariat scale and the First division Attached Offices scale, were regarded as identical and that on one or two occasions, a combined examination was held for the Second division Secretariat and the First division Attached Offices ?

(c) Is it also a fact that before 1924, all such candidates who had qualified for the Second division Secretariat only, but were nominated in the Second division of the Attached offices, were subsequently declared to have qualified for the First division Attached offices ?

(d) If the answer to parts (a), (b) and (c) be in the affirmative, will Government be pleased to state why those candidates who qualified for the Second division in the examinations of 1925 and after were not also declared to have qualified for the First division Attached Offices, as was done in the case of those who qualified for the Second division scale before 1924 ?

(e) Are Government aware that many of those who qualified in 1925 and after for the Second division of the Secretariat and were nominated to the lower Second division scale of the Attached offices, are graduates

†For answer to this question, see answer to question No. 251.

with distinguished careers and possess superior qualifications to those who qualified for the same division before 1925 ?

(f) If so, do Government propose to consider to provide these men who qualified for the Second division from 1925 onwards and possessing higher educational qualifications in the First division of the Attached Offices ?

(g) Do Government propose to provide those Second division qualified men who obtained high positions in the examination, in the Second division of the Secretariat or in the First division in some other Attached offices ?

EXAMINATIONS FOR RECRUITMENT OF CLERKS IN THE GOVERNMENT OF INDIA SECRETARIAT AND ATTACHED OFFICES.

†254. **Pandit Sri Krishna Dutta Paliwal** : (a) Is it a fact that several of the men who qualified for the Third division only and possess lower educational qualifications, have now been permanently absorbed, or are officiating, either in the Second division of the Secretariat or in the Upper division in the Attached Offices, without even qualifying for any of the two divisions ? Is it further a fact that several of those who qualified for the Second division in 1925 have not secured any of the two parallel scales and are still employed in the lower Second division scale of the Attached Offices, which has a somewhat lower start and maximum than even the Third division of the Secretariat ?

(b) If so, are Government prepared to replace the Third division men (who are now employed in the Second division of the Secretariat or the Upper division of the Attached Offices and are now enjoying a higher scale before those who qualified for a higher scale), by persons who qualified for a higher scale ?

(c) Is it also a fact that most of those who qualified for the Second division in 1925, including several of those from No. 15 downwards in the list of successful candidates are now enjoying the old First division scale of the Secretariat, which is thrice higher than the old Second division scale of the Attached Offices ; while several of those who stood above No. 15 have not yet even got the old Second division scale of the Secretariat in which their juniors were provided ten years ago ?

(d) If so, are Government prepared to provide these men, in the old First division scale of the Secretariat ?

EXAMINATIONS FOR RECRUITMENT OF CLERKS IN THE GOVERNMENT OF INDIA SECRETARIAT AND ATTACHED OFFICES.

†255. **Pandit Sri Krishna Dutta Paliwal** : (a) Is it also a fact that there are several candidates, who were passed over by their juniors in the list, i.e., those who had obtained higher positions were nominated in the same office much after those who were their juniors in the list and thus who were senior in order of merit in the examination became juniors in a particular Department and those who were juniors in the list became senior to them in the same Department ?

†For answer to this question, see answer to question No. 251.

(b) Is it also a fact that in several cases, candidates qualifying for the Third division in the same year, happened to be posted in the Second division of the Attached Offices, prior to those who qualified in the same year for the Second division and the Third division qualified men thus became senior to the candidates qualified for the higher scale ?

(c) If the answers to parts (a) and (b) be in the affirmative, will Government be pleased to state what steps were taken to remove such anomalies ?

(d) If no such steps have been taken up to now, do Government propose to take immediate steps to remove such anomalies ?

LIFE INSURANCE COMPANIES IN THE PROVINCES.

256. **Pandit Sri Krishna Dutta Paliwal** : (a) Will Government be pleased to state the number of life insurance companies in each province doing business under the Indian Life Assurance Companies Act, 1912 as at 30th September, 1936 ?

(b) What is the total number of the companies working under the Life Insurance Companies Act of 1912 in this country, and how many of these were started in this current decade, i.e., registered after the 1st January, 1931, in each province ?

(c) How many of these companies, started in the current decade, i.e., after the 1st January, 1931, have furnished securities with the Controller of Currency for rupees one lakh or over ?

(d) What is the maximum amount a life insurance company is required to deposit with the Controller of Currency under the Act as security money ?

(e) How many of the companies registered after the 1st January, 1936 have been able to deposit the above maximum amount upto 30th September, 1936 ? If any, will Government be pleased to state the names of such companies ?

(f) How many of the life assurance companies started during this decade had to stop their business for non-fulfilment of the security deposit condition ? Will Government be pleased to name them and also the provinces in which they were registered ?

(g) Will Government be pleased to state the number and names of companies started after the 1st January, 1931, who have undergone actuarial valuation together with the deficit on surplus shown by each company ?

The Honourable Sir Muhammad Zafrullah Khan : (a), (b) and (g). Two statements giving the necessary information are laid on the table.

(c) Of the Indian Life assurance companies started after the 1st January, 1931, five deposited Government securities of the face value of Rupees one lakh or over up to the 31st December, 1935.

(d) and (e). The Honourable Member's attention is invited to section 4 (1) of the Indian Life Assurance Companies Act, 1912. The maximum deposit required for any Company is securities of the face value of two hundred thousand rupees, but this may be worked up to

annually as prescribed. None of the Companies registered after the 1st January, 1936, has in fact deposited the maximum.

(f) None.

I. Statement showing the number of Indian Life Assurance Companies as at 30th September, 1936.

Name of Province.	Total No. of Companies.	No. of Companies started since 1st January, 1931.
Madras ..	36	20
Bombay ..	55	18
Bengal ..	36	18
Punjab ..	30	18
Sind ..	13	9
Assam ..	2	1
Central Provinces ..	5	3
United Provinces ..	11	11
Bihar ..	4	4
Ajmer-Marwara ..	3	2
Delhi ..	10	7
N. W. F. P. ..	1	1
Total ..	206	112

II. Statement showing certain particulars in respect of actuarial valuations of the Indian Life Assurance Companies started after 1st January, 1931.

Serial No.	Name of Company.	Year of Establishment.	Date of valuation.	Result of valuation.
1	Depositors Benefit Insurance Co., Bombay.	1932	31-3-1935	Rs. 24,883 (surplus).
2	Swadeshi Bima Co., Agra ..	1931	31-12-1934	Rs. 4,300 (deficit covered by paid up capital).
3	Neptune Assurance Company, Bombay	1931	31-7-1935	Rs. 26,084 (surplus).

ABOLITION OF THE CADRE OF STATION SERVICE TELEGRAPHISTS.

257. **Sardar Sant Singh** : (a) Is it a fact that in pursuance of Government orders on the recommendation of the Varma Committee, Station Service of Telegraphists' cadre has been abolished ?

(b) Is it a fact that after abolition of the Station Service referred to above, some General Service telegraphists drawing maximum salary of the grade were transferred to the Station Service ?

(c) If the replies to parts (a) and (b) be in the affirmative, will Government be pleased to state how it was possible to transfer telegraphists from the General Service to the Station Service already abolished ?

(d) Do Government propose to transfer the remaining forced Station Service telegraphists to the General Service ? If not, why not ?

The Honourable Sir Frank Noyce : (a) The fact is not as stated by the Honourable Member. The cadre of station service telegraphists still exists, but fresh recruitment to the cadre from outside has been stopped.

(b) Yes.

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

(d) No, because Government do not require any more general service telegraphists.

COMPLAINTS ABOUT THE ADMINISTRATION OF THE CENTRAL TELEGRAPH OFFICE, CALCUTTA.

258. **Sardar Sant Singh** : (a) Is it a fact that various complaints about the administration of the Central Telegraph Office, Calcutta have reached higher authorities since Mr. Mich Dsouza took over charge of that office ?

(b) Is it a fact that the Chief Superintendent referred to in part (a) has withdrawn all concessions regarding attendance, duty hours, reliefs, etc., of the staff ?

(c) Will Government be pleased to state the object of local orders in telegraph offices ? Are not manual rules, Director General's and Postmasters General's circulars and general orders sufficient for administration of telegraph offices in India ?

(d) Will Government be pleased to state the number of local orders issued in the Central Telegraph Office, Calcutta during the administration of the present Chief Superintendent upto 31st August, 1936 ?

The Honourable Sir Frank Noyce : (a), (b) and (d). Government have no information and do not propose to call for it. The Postmaster-General is competent to deal with the matter and any official who has any grievance may represent it in the usual manner to the proper authority.

(c) As regards the first part of the question, the object of local orders in telegraph offices is to give instructions to staff in matters purely of local interest. The reply to the second part of the question is in the negative.

INTRODUCTION OF THE SUPERVISOR-OPERATOR SCHEME IN SOME TELEGRAPH OFFICES.

259. **Sadar Sant Singh** : (a) Is it a fact that since the introduction of the supervisor-operator scheme in some telegraph offices the number of mutilations in messages has increased ?

(b) Is there any record to show the comparative statements of mutilations of messages before and after the introduction of the said scheme ?

(c) If the reply to part (b) be in the affirmative, will Government be pleased to place a copy of the statements on the table ?

(d) Is it a fact that a telegraphist is one day a signaller and another day a supervisor under the supervisor-operator scheme ?

(e) Is it a fact that there is no provision for grant of relief to the supervisor-operator ? Is relief granted ? If so, who relieves him ?

(f) Have Government considered whether it is economical to have signalling work done by highly paid and trained technical supervisors in view of the revised rates of pay of telegraphists ?

(g) Is it not a fact that when a supervisor-operator has to attend to his technical duties loss of operating time and consequent delay in the disposal of traffic become unavoidable ?

(h) Is it a fact that traffic supervisors and electrical branch officers submitted reports on the merits of the Baudot supervisor-operator working ? If so, will Government be pleased to lay copies of such reports on the table ?

(i) Have Government come to any final decision, one way or the other, regarding the supervisor-operator scheme ?

The Honourable Sir Frank Noyce : (a) Government have no reason to believe that the fact is as stated by the Honourable Member.

(b) No.

(c) Does not arise.

(d) The fact is not as stated by the Honourable Member. The Supervisor-Operator supervises the working of the baudot machine and does not supervise the work of any other employees. He performs the work of either reception or sending of messages when his attention is not required for the machine.

(e) The fact is not as stated by the Honourable Member. Reliefs are granted, when necessary, another Supervisor-Operator attending to the machine, if required.

(f) and (g). The attention of the Honourable Member is drawn to paragraphs 76-80 of the Report of the Telegraph Establishment Enquiry Committee, 1932-33.

(h) Government have no information.

(i) Government have not yet come to a final decision.

SUPERVISION OF WORK BY THE TELEGRAPH MASTER IN THE CENTRAL TELEGRAPH OFFICE, CALCUTTA.

260. **Sardar Sant Singh** : (a) Is it a fact that according to orders of the Government of India on the recommendations of the Telegraph Establishment Enquiry Committee a Telegraph Master is to supervise the work of 12 telegraphists ?

(b) Is it a fact that in the Central Telegraph Office, Calcutta a Telegraph Master has to supervise the work of more than 12 telegraphists during the period from 10 to 20 hours ?

(c) If the reply to parts (a) and (b) be in the affirmative, do Government propose to order removal of the irregularity for maintaining efficiency in supervision ?

The Honourable Sir Frank Noyce : (a) The fact is not as stated by the Honourable Member. The standard for fixing the number of telegraph masters in every office is one telegraph master for every twelve telegraphists and clerks when the latter are actually under the supervision of the telegraph master. This does not mean that no telegraph master should be expected to supervise more than twelve telegraphists.

(b) Government have no information.

(c) Does not arise.

DURATION OF DUTIES IN TELEGRAPH OFFICES.

231. **Sardar Sant Singh** : (a) Is it a fact that there are three kinds of duties in telegraph offices, viz., morning, evening and night ?

(b) Is it a fact that morning duty is of eight hours duration, evening duty of seven hours duration and night duty of six hours duration ?

(c) Is it a fact that duty commencing at 2 A.M. is of seven hours duration and a duty commencing at 12 noon is of eight hours duration ?

(d) If the replies to parts (b) and (c) be in the affirmative, are Government prepared to reduce these two duties by one hour ?

The Honourable Sir Frank Noyce : (a), (b) and (c). The Honourable Member's attention is invited to Rule 53 of the Posts and Telegraphs Manual, Volume IX, a copy of which is attached.

(d) No.

Copy of Rule 53 of the Posts and Telegraphs Manual, Volume IX.

Rule 53.—The hours of duty of telegraphists and clerks must be arranged on the following principles :—

(a) Duty commencing at or after 5 hours, and ending before 21 hours, should be of 8 hours' duration.

(b) Duty commencing before and ending after 5 hours, should be of 7 hours' duration. This may be reduced to 6½ hours on condition that no meal relief is claimed.

(c) Duty commencing before 19 hours, and ending at or after 21 hours, should be of 7 hours' duration.

(d) Duty commencing at or after 19 hours, and ending before 5 hours should be of 6 hours' duration.

NOTE.—The hours of duty of Women Telegraphists are the same as for men except that they may not be required to work before 8 A.M. or after 9 P.M.

COMMITTEES FORMED FOR THE POSTS AND TELEGRAPHS DEPARTMENT.

262. **Sardar Sant Singh** : (a) Will Government be pleased to refer to the answer given to the question No. 115 on 18th February, 1936, and place on the table a list of committees formed for the Posts and Telegraphs Department combinedly or separately showing the year as well as the personnel of each from 1900 to 1935 ?

(b) Will Government be pleased to state :

- (i) which of these committee reports are available for sale ; and
- (ii) which of these are followed for regulation of duty hours and night duties of the staff ?

The Honourable Sir Frank Noyce : Information is being collected and will be placed on the table of the House in due course.

RAISING OF SERVICE LIMIT FOR RECRUITMENT TO THE CADRE OF ENGINEERING SUPERVISORS OF THE TELEGRAPH ENGINEERING BRANCH.

263. **Sardar Sant Singh** : (a) Is it a fact that departmental candidates having more than seven years' service in their respective grades are not recruited to the cadre of Engineering Supervisors of the Telegraph Engineering Branch ?

(b) If the reply to part (a) be in the affirmative, will Government be pleased to state the reason for putting the maximum service limit of departmental candidates at seven years for their eligibility for recruitment to the Engineering Supervisor's grade ?

(c) Are Government prepared to raise the service limit from seven to 12 years ? If not, why not ?

The Honourable Sir Frank Noyce : (a) The limit is ordinarily seven years' service, but in special cases it can be exceeded.

(b) The object is to secure young men for the Engineering Supervisors grade as the work involves strenuous outdoor duty.

(c) Does not arise in view of the replies to parts (a) and (b).

AMALGAMATION OF TWO GRADES IN THE SUPERIOR TRAFFIC SERVICE OF THE POSTS AND TELEGRAPHS DEPARTMENT.

264. **Sardar Sant Singh** : (a) Is it a fact that the two grades in the superior traffic service of the Posts and Telegraphs Department have been amalgamated into one grade ?

(b) Is it a fact that the periods required by officials to reach the maximum stages of salary in the old and new continuous scales are 15 to 20 years, respectively ?

(c) If the reply to part (b) be in the affirmative, will Government be pleased to state (i) the approximate age of Telegraph Masters when they will be promoted to the Superior Traffic Service, Second division, and (ii) whether there is any likelihood of a fair number of them reaching the maximum stages of pay ?

(d) Are Government prepared to increase the rate of increment and lessen the period covered by the scales of pay ?

The Honourable Sir Frank Noyce : (a) The two grades A and B which existed in the Telegraph Traffic Service, Class II, have been amalgamated into one grade.

(b) By the old continuous scale the Honourable Member apparently refers to the scale of pay applying to officers of the Superior Traffic Branch, II Division. The new continuous scale is identical with the old scale for officers of the Superior Traffic Branch, II Division. The scale is Rs. 350—20—550—30—700, and it will take 15 years in the ordinary course for an officer to reach the maximum.

(c) As promotion to the Superior Traffic Service, Class II, is by selection from the class of Telegraph Masters, it is not possible to state the age at which Telegraph Masters would be promoted to that service. Government see no reason to believe that a fair number of the promoted officials will not reach the maximum of the scale.

(d) No.

WIRELESS WHEATSTONE SYSTEM FOR WORKING BETWEEN RANGOON AND MADRAS.

265. Sardar Sant Singh : (a) Is it a fact that the wireless wheatstone system was introduced for working between Rangoon and Madras in 1927 ?

(b) If the reply to part (a) be in the affirmative, will Government be pleased to state :

- (i) how long it lasted and when it was abolished ;
- (ii) if abolished, what the reason was for its abolition ;
- (iii) whether any other system was introduced in its place ; and
- (iv) what was the cost (both initial and recurring) involved in introducing and maintaining the system, respectively ?

(c) If the reply to part (b) (iii) be in the affirmative, will Government be pleased to state :

- (i) what the initial cost was of the second new system ;
- (ii) whether the new system is still in vogue ; if not, why not .
- (iii) if the reply to part (c) (ii) be in the affirmative, the extent of loss incurred ; and
- (iv) who is responsible for making these experiments ?

(d) Will Government be pleased to state the conditions on which certain station service telegraphists volunteered for service in Burma in connection with wireless wheatstone system ?

(e) Is it a fact that these telegraphists were appointed temporarily on general service scale of pay ?

(f) Is it a fact that the system was subsequently declared permanent and the operators were brought to the permanent establishment of the general service ?

(g) Is it a fact that Government decided that the pay of those operators would be charged under the head ' pay of permanent establishment, etc. ' ?

(h) Will Government be pleased to state the reason for reverting the operators to the station service after eight years' service under general service conditions ?

(i) Is it not a fact that when the wireless wheatstone system was made permanent the services of the operators were also made permanent along with the system ? If not, why not ?

(j) Is it not a fact that at the time of selection for training in the wireless wheatstone system the operators were given definite hopes to the effect that their prospects in this branch would depend upon the success of the experiment ?

(k) Is it not a fact that these men being employed as wireless wheatstone operators lost chances of prospects in all other branches of the department ?

(l) Are Government prepared to grant them general service ?

(m) Do Government propose to transfer them to civil wireless after usual training on permanent general service scale of pay, etc. ?

The Honourable Sir Frank Noyce : Information is being collected and will be placed on the table of the House in due course.

RECOGNISED SERVICE UNIONS AND ASSOCIATIONS OF THE STAFF OF THE POSTS AND TELEGRAPHS DEPARTMENT.

266. **Sardar Sant Singh :** (a) Will Government be pleased to state the number and names of the Service Unions and Associations of the staff of the Posts and Telegraphs Department in India recognised by the Government of India ?

(b) Is it a fact that there is a separate organisation for the gazetted officers of Post Offices ? If so, what is its name and where is it located ?

(c) Is it a fact that there are many Gazetted officers in the Central as well as branch committees of the All-India Telegraph Union and Indian Telegraph Association ?

(d) If the reply to part (c) be in the affirmative, will Government be pleased to state the names of those Gazetted officers in the Central Committees of those two organisations and the positions they hold in telegraph offices ?

(e) Is it a fact that there was a proposal to instruct the gazetted officers not to stand for election in those committees or to take part in them as their presence in those committees is likely to stifle the free opinion of their subordinates in those committees and thus prejudice the interest of the latter who form about 90 per cent. of the members of the organisations concerned ?

(f) Will Government be pleased to state if any definite order to the effect referred to in part (e) has been issued by Government ?

(g) If so, will Government be pleased to place a copy of the said order on the table ?

(h) ^{the} ^{Go} ^{not}, do Government propose to issue such orders now ?

The Honourable Sir Frank Noyce : (a) A statement showing the names of the recognised service unions and associations of the Posts and Telegraphs Department is attached.

(b) Yes.

(c) Government have no information.

(d) Does not arise.

(e) A proposal is under consideration, but not wholly for the reason mentioned by the Honourable Member.

(f) No.

(g) Does not arise.

(h) The matter is under consideration.

List of recognised service unions and associations of the Posts and Telegraphs Department.

1. Telegraph Engineers Association, Delhi.
2. Indian Posts and Telegraphs Union, Delhi.
3. All-India Telegraph Union, Calcutta.
4. Postal Officers Association, India, Calcutta.
5. All-India (including Burma) Posts and Telegraphs Administrative Officers Association, Lucknow.
6. All-India R. M. S. Inspectors Association.
7. Indian Telegraph Association, Calcutta.
8. All-India Postmen and Lower Grade Staff Union, Lucknow.
9. All-India and Burma Postmasters Association.
10. All-India (including Burma) Postal and R. M. S. Union, New Delhi.
11. All-India (including Burma) Postal Accountants Association, Poona.
12. Association of All-India Postal Town Inspectors, Delhi.

TELEGRAPH MASTERS IN TELEGRAPH OFFICES.

267. **Sardar Sant Singh :** (a) Will Government be pleased to state the number of sanctioned Telegraph Masters in different Telegraph Offices in India for 1936-37 and the number of permanent Telegraph Masters in service ?

(b) Is it a fact that in spite of permanent vacancies in the cadre of Telegraph Masters due to retirement and promotion, passed hands are being shown for a long time as officiating in this grade ? If so, why ?

(c) Will Government be pleased to state when those officiating men are likely to be made permanent ?

(d) Is it a fact that junior hands are getting officiating allowance at the rate of Rs. 100 or so per month by local arrangements while the seniors by being made permanent would have got Rs. 20 or so only per month ?

(e) Do Government propose to take immediate steps and effect economy by making officiating Telegraph Masters permanent ? If not, why not ?

(f) Will Government be pleased to state the number of Telegraph Masters sanctioned for 1936-37 for offices at Calcutta, Bombay, Madras, Rangoon, Agra, Karachi and the number of present officiating men in each of those offices ?

(g) Is it a fact that the officiating Telegraph Masters are allowed to draw pay of telegraphists' grade when they proceed on formal leave on application or on medical certificate ? If so, will Government be pleased to quote authority for the same ?

(h) Do Government propose to take steps to prevent such financial loss to those men who have been shown as officiating for a long time in spite of permanent vacancies in the grade of Telegraph Masters ? If not, why not ?

The Honourable Sir Frank Noyce : Information is being collected and will be placed on the table of the House in due course.

OUTTURN OF THE STAFF IN A FIRST CLASS TELEGRAPH OFFICE ON CERTAIN POINTS.

268. **Sardar Sant Singh :** (a) Will Government be pleased to state the standard outturn of the staff in a first class telegraph office on the following points and the authority for the same ?

1. Desk (i) Desk Proper, (ii) Reference point, (iii) St. point.
2. Addressing (i) Adrema printing, (ii) C. Passing.
3. Censor Telegraphists.
4. Baudot operators.
5. Murrary operators.
6. Morse operators.
7. Establishment section clerks.
8. Account section clerks.

(b) Is it a fact that explanations are called for from operators, clerks and supervisors of the Central Telegraph Office, Calcutta for low outturn even when traffic is clear and the officials are faulted ? If so, why ?

The Honourable Sir Frank Noyce : (a) No standard outturn for the staff mentioned by the Honourable Member is fixed. Certain standards have been fixed for determining the strength of the staff which should be sanctioned for a certain class of work, but this does not mean that the staff must give the standard outturn, no more or no less.

(b) Government have no information. It is open to any official who considers he has a grievance to represent it in the usual manner to the proper authority.

GUARDS ON THE NORTH WESTERN RAILWAY.

269. **Dr. N. B. Khare :** Will Government please state the strength in each grade of guards on the North Western Railway between the years 1926 and 1936 year, division and communitywise, with scales of pay of each grade and the reasons for difference, if any ?

The Honourable Sir Muhammad Zafrullah Khan : The information is not readily available and its collection will involve an amount of labour and expense not commensurate with the results likely to be obtained.

GUARDS ON THE NORTH WESTERN RAILWAY.

270. **Dr. N. B. Khare :** Will Government please state the number of persons communitywise recruited direct or appointed by promotion to the highest grade of guards on the North Western Railway between the years 1926 and 1936, year and divisionwise ?

The Honourable Sir Muhammad Zafrullah Khan : Government have no information and its collection will involve an amount of labour and expense not likely to be justified by results.

STATEMENTS LAID ON THE TABLE.

Information promised in reply to starred question No. 1547 asked by Sirdar Jogendra Singh on the 14th April, 1936.

DELAY IN THE DISPOSAL OF APPEALS REGARDING CONSTRUCTION OF BUILDINGS LYING IN THE MUNICIPAL COMMITTEE, DELHI.

(a) and (b). No appeals relating to 1930-33 are pending, but about 100 cases are still under re-consideration.

(c) No.

(d) and (f). Inspections are carried out when the Committee so orders. If any specific cases are cited they will be examined.

(e) Government regret that the collection of the information asked for would involve a disproportionate expenditure of time and labour.

Information promised in reply to part (a) (ii) of starred question No. 353 asked by Mr. S. Satyamurti (on behalf of Mr. M. Asaf Ali) on the 14th September, 1936.

DRAINAGE SYSTEM OF NEW DELHI AND OLD DELHI.

(a) (ii). The expenditure on the drainage system of old Delhi was Rs. 8,98,574 up to the end of 1935-36.

Information promised in reply to starred question No. 925 asked by Prof. N. G. Ranga on the 9th October, 1936.

CATTLE BYRES IN NEW DELHI.

(a) Yes.

(b) No. There are 11 Cattle Byres situated in different centres in New Delhi.

(c) Yes.

(d) Contractors, some of whom are *gwalas*, are bound by the condition that they must give preference to *bona fide* property (cows and buffaloes) of Government servants.

(e) No. The Byres are kept as clean as they possibly can be.

(f) No. Experience has shown that this is not desirable.

MOTION FOR ADJOURNMENT.

SUSPENSION OF SOME PATWARIS OF THE ALIGARH DISTRICT FOR ALLEGED ATTENDING AN ELECTION MEETING.

Mr. President (The Honourable Sir Abdur Rahim) : Has any further information been obtained about the subject matter of the adjournment motion ?

Pandit Lakshmi Kanta Maitra (Presidency Division : Non-Muhammadan Rural) : We were under the impression that the adjournment motion will be taken up only at twelve o'clock after the question hour.

Pandit Sri Krishna Dutta Paliwal (Agra Division : Non-Muhammadan Rural) : We are expecting a message from Aligarh any moment.

Pandit Lakshmi Kanta Maitra : We were under the impression yesterday that questions will be taken up in the usual course. Now, we have dispensed with the questions. My Honourable friend, Pandit Govind Ballabh Pant, has not yet arrived, and I, therefore, request that this motion may be taken up at 12 o'clock.

Dr. Ziauddin Ahmad (United Provinces Southern Divisions : Muhammadan Rural) : It may be taken up after the Durgah Bill is over.

Mr. President (The Honourable Sir Abdur Rahim) : There is a technical difficulty in taking up this motion at 12 o'clock. Standing Order No. 21 says :

“ Leave to make a motion for an adjournment of the business of the Assembly for the purpose of discussing a definite matter of urgent public importance must be asked for after questions and before the list of business for the day is entered upon.”

Mr. Mohan Lal Saksena (Lucknow Division : Non-Muhammadan Rural) : As a matter of fact, yesterday I asked Pandit Govind Ballabh Pant to send a telegram and also to telephone to Aligarh and find out the facts. They had promised to send further information by night. I do not know whether my Honourable friend, Pandit Govind Ballabh Pant, has received further information, and since there were questions for today, Pandit Govind Ballabh Pant might perhaps arrive here a little later.

Mr. President (The Honourable Sir Abdur Rahim) : Honourable Members have now agreed that questions should be dispensed with.

Mr. Mohan Lal Saksena : In any case, Government ought to have got some further information.

Mr. President (The Honourable Sir Abdur Rahim) : I simply want to know if the Honourable Member has since received any further information.

Mr. Mohan Lal Saksena : I am not in a position to give any further information until my Honourable friend, Pandit Govind Ballabh Pant, arrives. He might possibly have received telephonic message.

Dr. Ziauddin Ahmad : May I also add that I sent a telephonic message yesterday to Aligarh after hearing this thing here, and I came to know by telephone that orders were given suspending the patwaris

and the peons not for attending any particular meeting, but for not obeying the rules of Government service and for absenting themselves from duty without leave.

Mr. President (The Honourable Sir Abdur Rahim) : On the information that is before the House, I am not satisfied that the order of suspension of 11 patwaris and two court peons in Khairi, district Aligarh, with respect to which this adjournment motion has been tabled was passed because they had attended an election meeting as alleged. It appears from the statement of the Honourable the Home Member that his information is that these officers were suspended primarily because of neglect of duty or absence from their posts, and not for attending any election meeting addressed by Pandit Jawahar Lal Nehru. It has been ruled by my predecessor in office and it has been the practice since that if a statement appearing in a newspaper is disputed by the Member of the Government or any other Member of this House then the motion for adjournment should not be allowed unless some authentic official information is available. As in this case the best information that is available is that these men were suspended not for attending an election meeting but because of neglect of their duty, I must rule that the motion is out of order.

MESSAGE FROM THE COUNCIL OF STATE.

Secretary to the Assembly : Sir, the following Message has been received from the Council of State :

“ I am directed to inform you that the Council of State has, at its meeting held on the 15th October, 1936, agreed without any amendment to the following Bills which were passed by the Legislative Assembly at its meetings held on the 10th, the 12th and the 13th October, 1936, namely :

1. A Bill further to amend the Indian Tea Cess Act, 1903, for certain purposes.
2. A Bill to implement Article 28 of the Geneva Convention of the 27th day of July, 1929.
2. A Bill to amend the Indian Rubber Control Act, 1934, for certain purposes.
4. A Bill to validate certain marriages solemnized in the Civil and Military station of Bangalore.
5. A Bill to amend the Indian Tea Control Act, 1933, for certain purposes.
6. A Bill to provide out of the property of the Indian Red Cross Society a fund to be administered in Burma by a Burma Red Cross Society and to terminate in Burma the existing functions of the Indian Red Cross Society.
7. A Bill further to amend the General Clauses Act, 1897, for a certain purpose.
3. A Bill further to amend the Chittagong Port Act, 1914, for certain purposes, and
9. A Bill further to amend the Code of Civil Procedure, 1908, for certain purposes (Amendment of section 51, etc.).”

THE DURGAH KHAWAJA SAHEB BILL.

Mr. President (The Honourable Sir Abdur Rahim) : The Assembly will now resume consideration of the Durgah Khawaja Saheb Bill.

Dr. Ziauddin Ahmad (United Provinces Southern Divisions : Muhammadan Rural) : Sir, in view of the agreement, I don't want to proceed further with my speech. (Laughter.)

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

“ That the Bill to make better provision for the administration of the Durgah and the Endowment of the Durgah of Khawaja Mom-ud-din Chisti, generally known as Durgah Khawaja Saheb, Ajmer, as passed by the Council of State, be taken into consideration.”

The motion was adopted.

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

“ That clause 2 stand part of the Bill.”

Dr. Ziauddin Ahmad : Sir, I move :

“ That in sub-clause (i) (b) of clause 2 of the Bill, after the word ‘ buildings ’ the words ‘ and moveable property ’ be inserted.”

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

“ That in sub-clause (i) (b) of clause 2 of the Bill, after the word ‘ buildings ’ the words ‘ and moveable property ’ be inserted.”

The motion was adopted.

Dr. Ziauddin Ahmad : Sir, I move :

“ That in sub-clause (i) (c) of clause 2 of the Bill, after the word ‘ Jagir ’ the words ‘ including all land, houses and shops and all landed property wheresoever situated belonging to the Durgah Sharif ’ be inserted.”

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

“ That in sub-clause (i) (c) of clause 2 of the Bill, after the word ‘ Jagir ’ the words ‘ including all land, houses and shops and all landed property wheresoever situated belonging to the Durgah Sharif ’ be inserted.”

The motion was adopted.

Dr. Ziauddin Ahmad : Sir, I move :

“ That in sub-clause (i) (d) of clause 2 of the Bill, the word ‘ British ’ be omitted.”

I should like to give some explanation for this, the reason being that the next amendment has been sent to be typed and it has not yet arrived so as to be in time. I want to say just a few words in connection with this particular amendment and I will continue till that particular amendment has come.

Mr. President (The Honourable Sir Abdur Rahim) : Then this clause 2 may stand over for the present till those amendments come.

The question is :

“ That in sub-clause (i) (d) of clause 2 of the Bill, the word ‘ British ’ be omitted.”

The motion was adopted.

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

“ That clause 3 stand part of the Bill.”

The motion was adopted.

Clause 3 was added to the Bill.

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

“ That clause 4 stand part of the Bill.”

Dr. Ziauddin Ahmad : Sir, I move :

“ That in sub-clause (1) of clause 4 of the Bill, for the word ‘ supervision ’ the word ‘ administration ’ be substituted.”

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

“ That in sub-clause (1) of clause 4 of the Bill, for the word ‘ supervision ’ the word ‘ administration ’ be substituted.”

The motion was adopted.

Dr. Ziauddin Ahmad : Sir, I move :

“ That in sub-clause (1) of clause 4 of the Bill, the words ‘ and of buildings connected therewith ’ be omitted.”

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

“ That in sub-clause (1) of clause 4 of the Bill, the words ‘ and of buildings connected therewith ’ be omitted.”

The motion was adopted.

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

“ That clause 4, as amended, stand part of the Bill.”

The motion was adopted.

Clause 4, as amended, was added to the Bill.

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

“ That clause 5 stand part of the Bill.”

Mr. M. Ghiasuddin (Punjab : Landholders) : Sir, I move :

“ That in clause 5 of the Bill, for the word ‘ nineteen ’ the word ‘ twenty-five ’ be substituted.”

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

“ That in clause 5 of the Bill, for the word ‘ nineteen ’ the word ‘ twenty-five ’ be substituted.”

The motion was adopted.

Mr. M. Ghiasuddin : Sir, I move :

“ That for sub-clause (e) of clause 5 of the Bill, the following be substituted :

‘ (e) three shall be elected by the Muslim members of the Central Legislature ; ’ ”

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

“ That for sub-clause (e) of clause 5 of the Bill, the following be substituted :

‘ (e) three shall be elected by the Muslim members of the Central Legislature ; ’ ”

The motion was adopted.

Dr. Ziauddin Ahmad : Sir, I move :

“ That sub-clause (f) of clause 5 of the Bill be omitted and the subsequent sub-clauses be re-lettered accordingly.”

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

“ That sub-clause (f) of clause 5 of the Bill be omitted and the subsequent sub-clauses be re-lettered accordingly.”

The motion was adopted.

Dr. Ziauddin Ahmad : Sir, I move :

“ That sub-clause (g) of clause 5 of the Bill be omitted and the subsequent sub-clauses be re-lettered accordingly.”

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

“ That sub-clause (g) of clause 5 of the Bill be omitted and the subsequent sub-clauses be re-lettered accordingly.”

The motion was adopted.

Dr. Ziauddin Ahmad : Sir, I move :

“ That sub-clauses (h) and (i) of clause 5 of the Bill be re-lettered as sub-clauses (f) and (g), respectively.”

It is a consequential amendment.

Mr. President (The Honourable Sir Abdur Rahim) : If sub-clause (g) is omitted, the other sub-clauses have to be re-lettered.

Dr. Ziauddin Ahmad : The necessity of this is that a sub-clause (g) will reappear in some other form later.

Mr. President (The Honourable Sir Abdur Rahim) : I do not know : very well. I will put it. The question is :

“ That sub-clauses (h) and (i) of clause 5 of the Bill be re-lettered as sub-clauses (f) and (g), respectively.”

The motion was adopted.

Dr. Ziauddin Ahmad : Sir, I move :

“ That after sub-clause (i) of clause 5 of the Bill, the following new sub-clauses be inserted :

- “(j) one shall be elected by the Muslim Members of the United Provinces Provincial Legislatures ;
- “(k) one shall be elected by the Muslim Members of the Bihar Provincial Legislatures ;
- “(l) one shall be elected by the Muslim Members of the Bengal Provincial Legislature ;
- “(m) one shall be elected by the Muslim Members of the Punjab Provincial Legislature ;
- “(n) one shall be elected by the Muslim Members of the Sind Provincial Legislature ;
- “(o) one shall be elected by the Muslim Members of the Madras Provincial Legislatures .”

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

“ That after sub-clause (i) of clause 5 of the Bill, the following new sub-clauses be inserted :

- ‘ (j) one shall be elected by the Muslim Members of the United Provinces Provincial Legislatures ;
- (k) one shall be elected by the Muslim Members of the Bihar Provincial Legislatures ;
- (l) one shall be elected by the Muslim Members of the Bengal Provincial Legislature ;
- (m) one shall be elected by the Muslim Members of the Punjab Provincial Legislature ;
- (n) one shall be elected by the Muslim Members of the Sind Provincial Legislature ;
- (o) one shall be elected by the Muslim Members of the Madras Provincial Legislatures . ’ ’ ’

Mr. K. Ahmed (Rajshahi Division : Muhammadan Rural) : Sir, on this amendment I have got a grievance on behalf of Bengal. Muhammadans form 55 per cent. of the total population of Bengal and 42 per cent. of India amongst the Muslims. I ask, is there any sense of proportion when, under clause 5, the number of representatives from Bengal will be only one, while Madras and Bihar which have only a few per cent. of Muhammadans have one each. I ask that the Bengal Muhammadans should have at least more than one member in the committee. This is not a place to share these things that are scattered, but the people who go to this sacred shrine should be properly represented, for its administration, as they come from long distances. Otherwise there will be no equity. When equity and law are considered, it is clear that Bengal should have more than the number allotted to that province at present. Bengal will elect at least 5 out of 20 ! (*An Honourable Member* : “ Twenty-five, not twenty ! ”) Well, the more the merrier. Bengal, having 42 per cent. of the total Muhammadan population of India, must have more than 5.

Mr. President (The Honourable Sir Abdur Rahim) : Has the Honourable Member given any notice of any amendment to that effect ?

Mr. K. Ahmed : No. I am simply making a speech on the amendment that has been moved. And now that the amendment is before the House, I ask, Sir, if there has been any compromise or if there was any conspiracy among the Muslim Members to come to a compromise. If they have done so, then they will certainly have a big burden on them. Muhammadans outside are watching all their activities. When this Bill was sponsored yesterday, there were many speeches made in support of the measure, and the object of the Bill is to have better administration, and not misappropriation. (Laughter.) The nature of the present administration has been questioned in the country, and when it was said that the income of the Shrine was only Rs. 50 000. I was thunderstruck, because my information was it was about 2 lakhs, and these Khadims and Sajjada Nashins and their associates who have nothing to do with the Great Saint who lived in the 12th century, are all mismanaging the estates, misappropriation comes in, and there are a lot of complaints against them. Therefore, Sir, unless Bengal gets a full share.

An Honourable Member : Full share of this misappropriation ?

Mr. K. Ahmed : Unless Bengal gets a full share in the representation, it will be unjust to us. The Shrine is not the place where people can gather round to divide the booty for their own benefit. That is not the place for people to gather together to divide the income and then run away with whatever they get out of the little offerings. Therefore, unless Bengal gets its adequate share, we would not like to join the illegal conspiracy that has been hatched. There are people representing the present Sajjadanashins and Khadims, but the Saint who died in the 12th century had no issues, and they cannot be properly qualified representatives. People are hired for the occasions, they are gained over for the occasions. Members do not properly consult among themselves, they have no sense of proportion. Why have you omitted the Muslims of Bengal, although proportionately it has a far larger Muslim population than other provinces. Is there anything right ? Is there any sense of proportion ? You go and divide and take the major portion of the booty yourself. I therefore say, Sir, that this is not equitable, and the Members must come to a compromise and give Bengal an adequate share of representation. (Laughter.)

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

“ That after sub-clause (i) of clause 5 of the Bill, the following new sub-clauses be inserted :

- ‘ (j) one shall be elected by the Muslim Members of the United Provinces Provincial Legislatures ;
- (k) one shall be elected by the Muslim Members of the Bihar Provincial Legislatures ;
- (l) one shall be elected by the Muslim Members of the Bengal Provincial Legislature ;
- (m) one shall be elected by the Muslim Members of the Punjab Provincial Legislature ;
- (n) one shall be elected by the Muslim Members of the Sind Provincial Legislature ;
- (o) one shall be elected by the Muslim Members of the Madras Provincial Legislatures .”

The motion was adopted.

Dr. Ziauddin Ahmad : Sir, the next is mine, No. 15 on the Supplementary List.

Mr. President (The Honourable Sir Abdur Rahim) : No, Mr. Nauman's amendment comes next. No. 5 on Supplementary List No. 1.

Mr. Muhammad Nauman (Patna and Chota Nagpur *cum* Orissa : Muhammadan) : Sir, I move :

“ That in sub-clause (j) of clause 5 of the Bill, for the words ‘ Hyderabad's Government ’ the word ‘ Hyderabad ’ be substituted.”

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

“ That in sub-clause (j) of clause 5 of the Bill, for the words ‘ Hyderabad's Government ’ the word ‘ Hyderabad ’ be substituted.”

The motion was adopted.

Dr. Ziauddin Ahmad : Sir, I beg to move :

“ That sub-clause (j) of clause 5 of the Bill be re-lettered as sub-clause (n). ”

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

“ That sub-clause (j) of clause 5 of the Bill be re-lettered as sub-clause (n). ”

The motion was adopted.

Dr. Ziauddin Ahmad : Sir, I beg to move :

“ That after sub-clause (n) of clause 5 of the Bill, the following new sub-clause be inserted :

‘ (o) four Sajjada Nashins of the Shrines of the Chisti Order of Sufis to be co-opted by the members elected or nominated under the preceding sub-sections (a) to (n) ’.”

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

“ That after sub-clause (n) of clause 5 of the Bill, the following new sub-clause be inserted :

‘ (o) four Sajjada Nashins of the Shrines of the Chisti Order of Sufis to be co-opted by the members elected or nominated under the preceding sub-sections (a) to (n) ’.”

The motion was adopted.

Dr. Ziauddin Ahmad : Sir, I beg to move :

“ That to clause 5 of the Bill, the following proviso be added :

‘ Provided that no person other than a Hanafi Muslim shall be a member thereof. Members elected by the Provincial and Central Legislatures may not be members of Legislatures ’.”

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

“ That to clause 5 of the Bill, the following proviso be added :

‘ Provided that no person other than a Hanafi Muslim shall be a member thereof. Members elected by the Provincial and Central Legislatures may not be members of Legislatures ’.”

The motion was adopted.

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

“ That clause 5, as amended, stand part of the Bill.”

The motion was adopted.

Clause 5, as amended, was added to the Bill.

Mr. President (The Honourable Sir Abdur Rahim) : Then we will come to clause 2.

Dr. Ziauddin Ahmad : Sir, I beg to move :

“ That for sub-clause (4) (e) of clause 2 of the Bill, the following be substituted :

‘ (e) only such offerings as are intended explicitly for the use of the Durgah ’.”

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

“ That for sub-clause (4) (e) of clause 2 of the Bill, the following be substituted :

‘ (e) only such offerings as are intended explicitly for the use of the Durgah ’.”

The motion was adopted.

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

“ That clause 2, as amended, stand part of the Bill.”

The motion was adopted.

Clause 2, as amended, was added to the Bill.

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

“ That clause 6 stand part of the Bill.”

Dr. Ziauddin Ahmad : Sir, I move :

“ That in clause 6 of the Bill, after the word ‘ election ’, occurring in the first line, the words ‘ of members mentioned in section 5 (d) ’ be inserted.”

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

“ That in clause 6 of the Bill, after the word ‘ election ’, occurring in the first line, the words ‘ of members mentioned in section 5 (d) ’ be inserted.”

The motion was adopted.

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

“ That clause 6, as amended, stand part of the Bill.”

The motion was adopted.

Clause 6, as amended, was added to the Bill.

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

“ That clause 7 stand part of the Bill.”

Khan Sahib Nawab Siddique Ali Khan (Central Provinces : Muhammadan) : Sir, I move :

“ That for clause 7 of the Bill, the following be substituted :

‘ 7. Only those Muslims who are recorded as voters in the Register of voters of the Municipal Board of Ajmer, except persons belonging to the Khadim community, shall have the right to vote in the election of members under section 5 (d) ’.”

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

“ That for clause 7 of the Bill, the following be substituted :

‘ 7. Only those Muslims who are recorded as voters in the Register of voters of the Municipal Board of Ajmer, except persons belonging to the Khadim community, shall have the right to vote in the election of members under section 5 (d) ’.”

The motion was adopted.

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

“ That clause 7, as amended, stand part of the Bill.”

The motion was adopted.

Clause 7, as amended, was added to the Bill.

Clause 8 was added to the Bill.

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

“ That clause 9 stand part of the Bill.”

Dr. Ziauddin Ahmad : Sir, I move :

“ That clause 9 of the Bill be omitted.”

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

“ That clause 9 of the Bill be omitted.”

The motion was adopted.

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

“ That clause 10 stand part of the Bill.”

Dr. Ziauddin Ahmad : Sir, I move :

“ That to clause 10 of the Bill, the following be added at the end :

‘ casual vacancies shall be filled up by the authority which has the power to appoint the members ’.”

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

“ That to clause 10 of the Bill, the following be added at the end :

‘ casual vacancies shall be filled up by the authority which has the power to appoint the members ’.”

The motion was adopted.

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

“ That clause 10, as amended, stand part of the Bill.”

The motion was adopted.

Clause 10, as amended, was added to the Bill.

Clause 11 was added to the Bill.

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

“ That clause 12 stand part of the Bill.”

Dr. Ziauddin Ahmad : Sir, I move :

“ That in sub-clause (1) of clause 12 of the Bill, all the words occurring after the figures ‘ 1863 ’ be omitted.”

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

“ That in sub-clause (1) of clause 12 of the Bill, all the words occurring after the figures ‘ 1863 ’ be omitted.”

The motion was adopted.

Qazi Muhammad Ahmad Kazmi (Meerut Division : Muhammadan Rural) : Sir, I move :

“ That for sub-clause (2) of clause 12 of the Bill, the following be substituted :

(2) The duties and powers of the Committee shall be—

(a) to manage the Durgah endowment ;

(b) to keep the buildings within the boundaries of the Durgah Sharif and all buildings, houses and shops comprised in the Durgah Endowment in proper order and in a state of good repair ;

[Qazi Muhammad Ahmad Kazmi.]

- (c) to receive all moneys and other income of the Durgah Endowment ;
- (d) to see that the endowment funds are spent in the manner desired by the donors ;
- (e) to pay salaries, allowances, and perquisites, and make all other payments due out of or charged on the revenues or income of the Durgah Endowment ;
- (f) to engage, appoint, promote, degrade, suspend or dismiss servants of the Durgah Endowment ;
- (g) to do all other such things as may be incidental or conducive to efficient administration .”

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

“ That for sub-clause (2) of clause 12 of the Bill, the following be substituted :

“(2) The duties and powers of the Committee shall be—

- (a) to manage the Durgah endowment ;
- (b) to keep the buildings within the boundaries of the Durgah Sharif and all buildings, houses and shops comprised in the Durgah Endowment in proper order and in a state of good repair ;
- (c) to receive all moneys and other income of the Durgah Endowment ;
- (d) to see that the endowment funds are spent in the manner desired by the donors ;
- (e) to pay salaries, allowances, and perquisites, and make all other payments due out of or charged on the revenues or income of the Durgah Endowment ;
- (f) to engage, appoint, promote, degrade, suspend or dismiss servants of the Durgah Endowment ;
- (g) to do all other such things as may be incidental or conducive to efficient administration .”

The motion was adopted.

Qazi Muhammad Ahmad Kazmi : Sir, I move :

“ That after sub-clause (2) of clause 12 of the Bill, the following new sub-clause be inserted :

“(3) That the Committee will exercise its powers of administration, control and management of Durgah Endowment through the Muttawalli who shall be its manager .”

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

“ That after sub-clause (2) of clause 12 of the Bill, the following new sub-clause be inserted :

“(3) That the Committee will exercise its powers of administration, control and management of Durgah Endowment through the Muttawalli who shall be its manager .”

The motion was adopted.

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

“ That clause 12, as amended, stand part of the Bill .”

The motion was adopted.

Clause 12, as amended, was added to the Bill.

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

“ That clause 13 stand part of the Bill .”

Dr. Ziauddin Ahmad : Sir, I move :

“ That for clause 13 of the Bill, the following be substituted :

‘ 13. The Committee may appoint such and so many standing and special committees as it deems fit, and may appoint to them persons who are not members of the Committee, to exercise such powers and perform such duties as may be delegated to them by the Committee, subject to the confirmation by the Committee.’ ”

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

“ That for clause 13 of the Bill, the following be substituted :

‘ 13. The Committee may appoint such and so many standing and special committees as it deems fit, and may appoint to them persons who are not members of the Committee, to exercise such powers and perform such duties as may be delegated to them by the Committee, subject to the confirmation by the Committee.’ ”

The motion was adopted.

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

“ That clause 13, as amended, stand part of the Bill.”

The motion was adopted.

Clause 13, as amended, was added to the Bill.

Clauses 14, 15 and 16 were added to the Bill.

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

“ That clause 17 stand part of the Bill.”

Dr. Ziauddin Ahmad : Sir, I move :

“ That for clause 17 of the Bill, the following be substituted :

‘ 17. Any dispute arising about the powers, or privileges of Sajjada Nashin, Mutawalli or any Khadim and the Committee, shall at the request of either side be referred to a Tribunal of Arbitration consisting of one member appointed by the Committee, one member appointed by the aggrieved party and an umpire of a rank not below that of a District Judge appointed by the Chief Commissioner of Ajmer-Merwara. The decision of the tribunal shall be final and no suit shall lie in any civil court in respect of the matters decided by the Tribunal. Every such request shall be deemed to be a submission to arbitration under the terms of this section within the meaning of the Indian Arbitration Act, 1899, and all the provisions of that Act, with the exception of section (2) thereof, shall apply accordingly.’ ”

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

“ That for clause 17 of the Bill, the following be substituted :

‘ 17. Any dispute arising about the powers, or privileges of Sajjada Nashin, Mutawalli or any Khadim and the Committee, shall at the request of either side be referred to a Tribunal of Arbitration consisting of one member appointed by the Committee, one member appointed by the aggrieved party and an umpire of a rank not below that of a District Judge appointed by the Chief Commissioner of Ajmer-Merwara. The decision of the tribunal shall be final and no suit shall lie in any civil court in respect of the matters decided by the Tribunal. Every such request shall be deemed to be a submission to arbitration under the terms of this section within the meaning of the Indian Arbitration Act, 1899, and all the provisions of that Act, with the exception of section (2) thereof, shall apply accordingly.’ ”

The motion was adopted.

Dr. Ziauddin Ahmad : Sir, I move :

“ That after clause 17 of the Bill, the following new clause be inserted :

‘ 18. No act or proceeding of the Committee shall be invalidated merely by reason of the existence of a vacancy or vacancies among its members ’.”

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

“ That after clause 17 of the Bill, the following new clause be inserted :

‘ 18. No act or proceeding of the Committee shall be invalidated merely by reason of the existence of a vacancy or vacancies among its members ’.”

The motion was adopted.

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

“ That clause 17, as amended, stand part of the Bill.”

The motion was adopted.

Clause 17, as amended, was added to the Bill.

Clause 18 was added to the Bill.

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

“ That clause 19 stand part of the Bill.”

Dr. Ziauddin Ahmad : Sir, I beg to move :

“ That in clause 19 of the Bill, for all the words occurring after the words ‘ Durgah Endowment ’ in the fifth line, the words ‘ to religious preaching ’ be substituted.”

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

“ That in clause 19 of the Bill, for all the words occurring after the words ‘ Durgah Endowment ’ in the fifth line, the words ‘ to religious preaching ’ be substituted.”

The motion was adopted.

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

“ That clause 19, as amended, stand part of the Bill.”

The motion was adopted.

Clause 19, as amended, was added to the Bill.

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

“ That clause 20 stand part of the Bill.”

Dr. Ziauddin Ahmad : Sir, I beg to move :

“ That for clause 20 of the Bill, the following be substituted :

‘ 20. (a) The accounts of the Durgah shall be duly audited every year by a Chartered or Registered Accountant appointed by the Committee.

(b) The Committee shall publish an annual report on the administration of the Durgah with the financial estimate and the report of the Auditor ’.”

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

“ That for clause 20 of the Bill, the following be substituted :

‘ 20. (a) The accounts of the Durgah shall be duly audited every year by a Chartered or Registered Accountant appointed by the Committee.

(b) The Committee shall publish an annual report on the administration of the Durgah with the financial estimate and the report of the Auditor ’.”

The motion was adopted.

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

“ That clause 20, as amended, stand part of the Bill.”

The motion was adopted.

Clause 20, as amended, was added to the Bill.

Sir Muhammad Yakub (Rohilkund and Kumaon Divisions : Muhammadan Rural) : Sir, I beg to move :

“ That necessary corrections of the numbering and lettering of the sections inserted be carried out together with consequential corrections of cross references.”

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

“ That necessary corrections of the numbering and lettering of the sections inserted be carried out together with consequential corrections of cross references.”

The motion was adopted.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill. (Loud Applause.)

Syed Ghulam Bhik Nairang (East Punjab : Muhammadan) : Sir, I beg to move :

“ That the Bill to make better provision for the administration of the Durgah and the Endowment of the Durgah of Khawaja Moin-ud-din Chisti, generally known as Durgah Khawaja Saheb, Ajmer, as passed by the Council of State, and as amended, be passed.”

In moving this motion, Sir, it is due from me that I should not only offer my best thanks but really my hearty congratulations to the House on the most admirable spirit which has prevailed ever since I moved the motion for the consideration of this Bill up to the present moment. (Hear, hear.) Sir, the striking unanimity with which the entire House has given its support to the Bill is a remarkable event in the history of this Legislature. (Hear, hear.) I say that, Sir, in spite of the voice of dissent which we heard this morning from our very much esteemed friend, Mr. Kabeer-ud-Din Ahmed (Applause), who, contrary to all expectations, appeared to be a bit serious (Laughter), but this exception is subject also to my great appreciation of the spirit in which he behaved at the time of voting, because he did not say “ no ” when the question was put. (Hear, hear.) I think that I may inform him through you, Sir, that Bengal has been given the fullest consideration by us in the matter of this Bill. Sir, he was expatiating on the large percentage of the Mus'lim population in Bengal and again and again telling us that it was 55 per cent. of the entire population of that Province. I wish to inform him that the Punjab has

[Syed Ghulam Bhik Nairang.]

got 56 per cent. Muslims in the population and yet to the Punjab also we have given only one member. So it is I think absolutely just, and when on the top of this he will discover that in the original allotment of seats on the Durgah Committee made by the Council of State, Bengal was nowhere, he should feel—it is possibly presumptuous on my part to say so—obliged to those gentlemen who considered the various amendments and did not forget Bengal. Sir, my friend Mr. Kabeer-ud-Din Ahmed, talked a good deal of a sense of proportion. Sir, I want to inform him that I do, I think, possess some sense of proportion.

Mr. K. Ahmed : What about the Frontier.

Syed Ghulam Bhik Nairang : Well, Sir, I may also pay my acknowledgments to the way in which we were guided and assisted in the matter of this Bill by Government. (Hear, hear.)

I know, Sir, that but for their ready and generous co-operation with us in the matter of this Bill, there was little chance of the Bill ever coming before this House during this Session as so many Members had left the station and everybody was practically in a hurry to leave the station to attend to his private business and Government itself has its own work to attend to. So, the fact that they found time for us and gave us every facility in piloting this Bill through this House is a thing for which we are deeply grateful to them. (Hear, hear.) I may say, if it is not invidious, that in this matter we are particularly indebted to our esteemed friend, Mr. Spence and our respected Leader of the House, the Honourable Sir Nripendra Sircar. (Hear, hear.) I may also submit that we are very deeply grateful for the generous co-operation which we have received from all sections and all parties of this House, particularly from the Congress Party which gave us a blank cheque in the matter. (Hear, hear.) It was certainly in a praiseworthy and friendly spirit that they said that whatever we, the Muslim Members, decided to do they would heartily support and they have been as good as their promise. I may submit that the Honourable Members of the Council of State also deserve our gratitude and expression of appreciation. Whatever they did in the Council of State, it was their immediate duty. They have worked hard there and we know they were working against time but that was what they were naturally expected to do. But after they had passed the Bill in the other House, they gave us, the Members of the Assembly, most ungrudging help and whenever we wanted information or advice or help, they most readily came to our assistance and we know that, but for their assistance, it would have been very difficult for us, looking at the short time that was at our disposal to have properly understood and appreciated the various provisions of the Bill. In this matter, without mentioning names which may look invidious, I submit that all the Honourable Members of the Council of State who have been working day and night with us in this matter deserve our warmest thanks. (Hear, hear.) I may also state that we have received very great help from the Ajmer gentlemen who, on behalf of the several interests connected with the Durgah Sharif, have been spending their time here at Simla and helping us in the matter. It might have apparently looked as if they were here to represent their particular interests but, as a matter of fact, the way in which they gave us information and supplied documents, bearing upon the various questions which arose either directly or indirectly in connection with the several provisions

of the Bill, was of the greatest help to us. We are particularly obliged to the representatives of the Venerable Sajjada Nasim Saib, to the representatives of the Venerable Mutawalli Sahib and to the respectable members of the Khuddam community who gave us every help in understanding the several questions of fact connected with the legislative measure before this House. We are especially indebted to Mirza Abdul Qadir Beg, who is one of the most respected personalities in Ajmer and who has done yeomen's service to the Durgah Sharif by collecting all the necessary and relevant materials and by putting them at our disposal and thus helping us in properly preparing the amendments and seeing that the measure takes a shape which may, without favouring or disfavouring any party, be a piece of legitimate reform in the management of the Durgah Sharif. Sir, there is no doubt, considering the various conflicting interests which were to be dealt with, we had a very difficult task before us. We had to steer clear of Scylla and Charybdis. We may now thank God that we are out of it quite safely and we have at least the satisfaction of having done the work in all good faith without trying to favour any party or without in any way attempting to injure any party. In this connection, I must, as the Member who has piloted this Bill in this House, make my acknowledgments to my Honourable brethren, the Muslim Members of this House, who for about a week have been working at high pressure day and night in preparing the various amendments and studying the Bill, so that today we had perfect unanimity amongst us all and could during the short period which alone could be allotted to us carry this Bill through. Although it may not be very much appropriate, yet I must make my acknowledgments to the office of the Assembly also who really were put to very unusual trouble. We were telephoning to them our amendments, giving them our amendments on small bits at unusual hours, asking them to type them and to get them printed. All this work was done by them most willingly and most efficiently and we are bound to thank them. (Hear, hear.)

Now, Sir, after these few remarks I move that the Bill, as amended, be passed.

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

“ That the Bill, as passed by the Council of State, and as amended by the Assembly, be passed.”

Khan Sahib Nawab Siddique Ali Khan : Sir, this Bill came before this Honourable House as a result of the opinions of the Judicial officers of the Government because the existing law—Act XX of 1863—and Notification No. 1811-A of 1867 by which the Durgah is at present governed, could not be changed and amended except by express legislation. It is a remarkable characteristic of this Bill that from the very beginning it has received almost universal support from all quarters and that it has ended in the support of even that small group of vested interests who originally seemed to oppose it. When first published in the papers after the Simla Session of 1935, the Muslim press in India welcomed the measure with rare enthusiasm and cordiality. When it was moved for consideration at Delhi, leaders like the late-lamented Dr. M. A. Ansari, and Sir Abdul Rahman of Delhi published touching appeals requesting the Members of the Council of State to see that the Bill was passed. Even prior to the introduction of the Bill, a representation was submitted to Government emphasising the need for a suitable measure of reform in the administration of the Durgah Sharif

[Khan Sahib Nawab Siddique Ali Khan.]

and this representation was signed, among others, by leaders like late Maulana Muhammad Ali, distinguished Members of the Assembly, the Council of State and many leading Ulemas and Soones of India, including Hazrat Sajjada Nashin of Taunsa and Hazrat Khwaja Hasan Nizami of Delhi. While the Bill was moved for consideration at Delhi, an appeal for support of the Bill was circulated under the signatures of such eminent Muslims of Ajmer as Hazrat Sajjada Nashin Sahib of Hazrat Khawaja Sahib himself, Khan Bahadur Abdul Wahid Khan, President, Durgah Committee, and Mirza Abdur Qadar Beg, Advocate, President of the Rajputana and Central India Provincial Muslim League, whose sincere and self-less co-operation in getting this Bill through the Council of State cannot be over-estimated.

Sir, the Mover of the Bill, the Honourable Raja Ghazanfar Ali Khan, both in his speeches on the Bill in the Council of State and in private discussion on its provisions has always shown a remarkable patience, perseverance and liberal mindedness to which we owe the success of the Bill in the Council of State. The result of all this is that the Bill as passed by the Council of State enjoys the support of all parties, Sajjada Nashin, Mutawalli and independent Muslims at Ajmer and is universally applauded by the Muslim Press in India. Nothing could bear better testimony to the utility of the Bill than the fact that it is a measure enjoying universal support. Sir, I am ready to admit without any hesitation that there may still be some defects in the Bill when it emerges out of this House. It cannot be said that it was due to lack of interest on the part of Members of this House but the main reason for the deficiency may be due to the shortness of time which was at our disposal. I appeal to the Members to give a fair trial to this Bill and if unfortunately it does not meet their requirements they are at liberty to bring in an amending Bill.

Sir, no seat has been provided for a Muslim from the Central Provinces and Berar on the Durgah Committee. But I am sure the Muslim Members of the Indian Legislature while electing three members under sections 5 (d) and (f) will favourably consider the advisability of having a Muslim member from the Central Provinces and Berar.

Sir, till yesterday evening several Members of this House thought that the Muslim Members will not come to an agreement and that it will be a controversial Bill. But I am glad that all the Muslim Members unanimously decided to support the Bill. It would not be out of place to mention here that the credit of bringing this unanimity amongst the Muslim Members who did not see eye to eye with the supporters of this Bill goes to my Honourable friends, Maulvi Sir Muhammad Yakub, Syed Ghulam Bhik Nairang and Dr. Ziauddin Ahmad. Furthermore it has given us a proof that Maulana Shaukat Ali and Dr. Ziauddin Ahmad can unite on such vital matters.

Sir, under the circumstances I heartily support the amended Bill and request the Honourable Members of this House also to support it.

Mr. M. Ghasuddin : Sir, a few years ago, I had the chance of visiting the Scottish National War Memorial at Edinburgh. It is the boast of the architect who designed it that he has not forgotten anybody who served in the War. There are the figures of soldiers of every nationality

who representing every service, who fought and died in the great struggle ; there are also the figures of animals which served the Allied cause, there are the figures of dogs and pigeons and even of rats which had been of any use. Sir, the speech of my Honourable friend, Mr. Ghulam Bhik Nairang, reminds me of that war memorial and he has not forgotten anybody in his thanks. I cannot say very much by way of thanks because all the persons who were to be thanked have been thanked by him. He was so much in thanking mood that he has even thought of thanking God though last of all. Now, Sir, one or two names, with your permission, I cannot help mentioning. One is of my Honourable friend, Raja Ghazanfar Ali Khan (Applause), who introduced this Bill in another place and I can say from my personal experience about the way in which he has been going about and the trouble he has taken, how interested he was and how he served the cause of this Bill. Another name I must mention is a friend very near to me at present, namely, my Honourable friend, Syed Ghulam Bhik Nairang, who took no end of trouble in preparing this Bill and within a very short period the historical researches that he has made in the conflicting claims of different parties are really marvellous. I am sure that with a Judge like him no party is likely to suffer in any way and there is no chance of anybody's interests being unjustly affected, so long as he is in charge of the affairs. (hear, hear.) Now, Sir, with your permission, I may offer a word of advice to those persons whom this Bill really affects. These are the gentlemen from Ajmer who represent different parties there. Through you, Sir, I will request them to work out this Bill exactly in the spirit in which we have passed it here, because without their support this Bill will be merely a scrap of paper. Any Bill with whatever laudable intention is passed, if it is not worked in the proper spirit the time and labour of the Legislature is wasted. We require the co-operation of those gentlemen in Ajmer most of all to make this Bill a success and I hope they will co-operate with us in working this Bill in the best of spirit. Sir, today is the day of Friday which is considered a sacred day amongst the Muslims. Today is the last sitting of this Session and what more can we want than we should have served the Saint who came here some 800 years ago, on this auspicious Friday ; and that we should end our labours in great harmony serving that great Saint who served our motherland. Sir, with these words, I support this measure. (Applause.)

Maulvi Syed Murtuza Sahib Bahadur (South Madras : Muhammadan) : Sir, I rise to express my joy at our having passed this Bill into an Act. This measure is calculated to improve matters to a great extent. No doubt as we had not sufficient time, we were not able to make palpable improvement in the Bill. But whatever we have done is of course to a certain extent satisfactory. Sir, in this connection I have to say that Hazrat Khawaja Moin-ud-din Chishti was the founder of one of the orders of Sufis called Chishtis and as such it was quite necessary that we should have passed such a measure even earlier than today. The other day in another place the Honourable Nawab Sir Akbar Khan and today another Honourable friend, Mr. K. Ahmed, made certain allegations against the Sajjadanashins of this holy shrine. Now, I feel it my duty to refute their arguments. They say that these Sajjadanashins are not the descendants of Hazrat Khawaja Moin-ud-din Chishti.

Mr. K. Ahmed : I said he was childless. He had no son.

Maulvi Syed Murtuza Sahib Bahadur : I will just quote authority to show that he had children. Sir, in a very recognized book called Akbar-ul-Akhyar written by Maulana Abdul Haq, who is well known to be a 2nd Imam-e-Azam, it is said that Saint Hazrat Khawaja Moin-ud-din Chishti had three sons, and I will refer to page 114 of that book wherein the names of the three sons are given. They are :

- (1) Shaik Abu Sayeed,
- (2) Shaik Fakhruddin, and
- (3) Shaik Hisamuddin.

The first-named son was by the daughter of Shaik Vajeehuddeen and the other two by another lady.

Moreover, it should be known that according to the Judicial Commissioner's judgment and even according to Akbarnama which was compiled by Abul Fazl, the Prime Minister of Akbar, the Great, it is said that these Sajjadanashins are the direct descendants of the Khawaja Sahib. Moreover, I will assert for the information of the House that unless the geneology of the Sajjadanashins be proved to be genuine, no one can become a Sajjadanashin or a Gaddinashin. That being the case, how is Mr. Kabeeruddin Ahmed or anybody else justified in making a violent remark on the descendants of such a well known and great Saint ?

Mr. K. Ahmed : Where is that geneological table ?

Maulvi Syed Murtuza Sahib Bahadur : Here it is ; if you know Persian, you can read it. If other authorities are wanted, I will refer the Honourable Member to the following works :

- (1) Tuzuk-i Jahangiri ; (2) Muntakhabut Tarikh by Mullah Abdul Khader Badayuni ; (3) Maunisul Arvah by Princess Jahan Ara ; (4) Miratul Asrar by Abdur Rahman Alavi Chishti ; (5) Siarul Aulia by Syed Muhammad Kirmani ; (6) Matloobut Talibeen by Syed Muhammad Bulaq ; (7) Lamatul Anwar by Maulvi Anwarul Haq of Delhi ; (8) Gulzare Abrar ; (9) Sairul Arifeen ; and (10) Chahar Gulshan-e-Muhammad Shahi.

Mr. K. Ahmad : I know these are very good books, all right. (Laughter.)

Maulvi Syed Murtuza Sahib Bahadur : Sir, with these few remarks, I support the motion that the Bill be passed.

Mr. Lalchand Navalrai (Sind : Non-Muhammadan Rural) : Sir, I rise to congratulate my Muhammadan brethren on having succeeded, with complete harmony, in passing this very important and necessary Bill. Sir, I come from Sind which is well known as the land where lived and still live saints and sufis and therefore I can very well appreciate a Bill of this kind. Nowadays these temples and durgahs are going on in such a manner that they require to be administered and I congratulate the inhabitants of that place who had this idea of seeing that this durgah is well managed. Those who know this durgah, specially my Muslim friends from Sind who know this durgah, know how affairs there are going on ; and I thought that in the absence of my Muhammadan friends from Sind in this House, I must ask that Sind should not be forgotten in the matter of representation on this committee. I

do not blame anybody because I know that in the Council of State also the Honourable Raja Saheb who sponsored this Bill did not perhaps know much about the Sind sufis and saints. But I do not blame him at all, and I thank my Muhammadan friends that as soon as I moved this amendment it was agreed to and accepted. This Bill as has now been passed will remain a good document if its provisions are carried on properly ; not that there should be dissensions amongst people who live on the spot and who may thus frustrate the very object of this Bill. I therefore in the end again congratulate my Muhammadan friends on having sponsored such a Bill which is for the purpose of the amelioration of such a very important durgah and also because this will lead the country to consider with regard to all temples and durgahs whether certain legislation to control them should not be passed. Sir, with these words, I support the motion that the Bill as amended be passed.

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

“ That the Bill, as passed by the Council of State, and as amended by the Assembly, be passed.”

The motion was adopted.

The Assembly then adjourned *sine die*.

CORRIGENDA.

In the Legislative Assembly Debates, Simla Session, 1936,—

(1) Vol. VI, No. 4, dated the 3rd September, 1936,—

(i) page 358, line 2 of the answer to starred question No. 112, *delete* one "also".

(ii) page 375, line 2, *for* "if I may so," *read* "if I may say so,".

(2) Vol. VI, No. 5, dated the 4th September, 1936, page 484, *for* line 18, *substitute* the following line :—

"so much time and so much labour to produce the Bill in its present form".

(3) Vol. VI, No. 6, dated the 7th September, 1936, page 495, last line *for* "coherrent" *read* "coherent".

(4) Vol. VI, No. 11, dated the 14th September, 1936, page 934, in the subject-heading "The Indian Rubber Control Bill" *insert* "(Amendment)" after "Control".

(5) Vol. VII, No. 4, dated the 18th September, 1936, page 1491, line 7 from the bottom, *for* "principally in" *read* "principally affecting".

(6) Vol. VII, No. 7, dated the 23rd September, 1936,—

(i) page 1692—

(a) in part (a), first line, *for* "Station" *read* "Stations".

(b) in part (b), against "Ferozepore" *for* "23,232" *read* "20,232".

(ii) page 1693—

(a) under "Eastern Command", first name in the right hand column, *for* "Fatehgard" *read* "Fatehgarh".

(b) in part (c) under "Elect-ed Board", *after* "Belgaum" *add* "Kirkee".

(iii) page 1698, last word in the right hand column, *for* "Mattra" *read* "Muttra".

(7) Vol. VII, No. 8, dated the 24th September, 1936, page 1768—

(i) line 2 of the answer to part (c) of starred question No. 590, *for* "L. Hukam Chand. They," *read* "L. Hukam Chand, they,".

(ii) line 3 of the answer to part (c) of starred question No. 590, *for* "for payment", *read* "for payment to him."

(8) Vol. VII, No. 10, dated the 28th September, 1936,—

(i) page 1949, line 26, *for* "pharesology" *read* "phraseology".

(ii) page 1977—

(a) line 1, *for* "sage" *read* "stage".

(b) line 27, *for* "treatening" *read* "threatening".

(c) last line, *insert* "any" *after* "give up".

(9) Vol. VIII, No. 1, dated the 29th September, 1936,—

(i) page 2030, line 28, *for* "Samakara" *read* "Sams-kara".

(ii) page 2035, last line *for* "Mahmood" *read* "Mu-hammad".

(10) Vol. VIII, No. 6, dated the 6th October, 1936, page 2432, line 19 from the bottom, *for* "may vote" *read* "my vote".