

13th September 1937

# THE LEGISLATIVE ASSEMBLY DEBATES

(Official Report)

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Volume V, 1937

*(2nd September to 17th September, 1937)*

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SIXTH SESSION  
OF THE  
FIFTH LEGISLATIVE ASSEMBLY,  
1937



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1938.

# Legislative Assembly.

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MR. M. GHIASUDDIN, M.L.A.

MR. MATHURADAS VISSANJI, M.L.A.

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# LEGISLATIVE ASSEMBLY.

*Monday, 13th September, 1937.*

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

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

**His Excellency the Viceroy :** GENTLEMEN,—It is a great pleasure to me to see you today and again to extend my greetings to you and to the distinguished Presidents of the Council of State and of the Legislative Assembly.

The year which has passed since I last addressed the combined Legislature has been marked by many developments, political and other, of great significance, and of great importance to India as a whole. Of these developments by far the most important is the great constitutional change which took place in the relation of the Centre to the Provinces and in the position of those Provinces on the 1st of April with the introduction of Provincial Autonomy.

Let me touch briefly on certain questions of immediate importance or interest to the Central Legislature.

The problem of middle class unemployment is, in present constitutional conditions, one primarily for Provincial Governments. My Government has, however, been in close contact with the various Provincial Governments with a view to following up the suggestions made by the Sapru Committee, including the obtaining of statistics of unemployment, the maintenance of employment records, the subsidising of medical practitioners in rural areas, the provision of facilities for secretarial training at the University stage, and the arrangements for recruitment to certain governmental services and posts. Any assistance which my Government can properly lend to the solution of this most important problem will most readily be given.

In the field of rural development, there have, since I last addressed you, been developments of much importance. Reports of great value have been received from Sir John Russell and Dr. Wright, and will shortly be published. The Jute Committee established last year has held two meetings ; a number of schemes have already been taken up ; and with the establishment by next year of a Jute Technological Institute and of a Jute Research Station at Dacca, the work will be in full progress both on the agricultural and on the technological sides. The Imperial Institute of Sugar Technology started its operations in October of last

year, and I am confident that it can be relied upon to produce results of real and immediate value. In the sphere of marketing, a Wheat Report has already been published and a Cold Storage Survey Report will be published in the very near future. I would like to take the opportunity to refer to the valuable contribution to marketing improvement made by the Central Legislature by the Agricultural Produce Grading and Marketing Act which was passed in February of this year. Steps have been taken to arrange for an enquiry into the possibilities of extending cinchona cultivation in this country with the object of meeting from our own resources the very large demands with which we are annually confronted for quinine.

The results of the appeal which I made last year for donations for the purchase of bulls have been most encouraging, and it is a source of keen personal satisfaction to me that so great an interest in this all-important question should have been manifested throughout India. Let me add with what satisfaction I have also learnt of the response to the appeal which I made at an earlier stage for co-operation in the eradication of the cruel and wasteful practice known as *Phooka*. I am glad to be able to announce that my Government, with a view to providing an added stimulus to the interest which has now been evinced in improving cattle-breeding, have contributed a sum of Rs. 25,000 towards the cost of a Cattle Show which will be held in Delhi in February next in connection with the Annual Horse Show held under the auspices of the National Horse-Breeding Society.

Since I returned to India in April of last year, I have been at pains to make myself familiar with the position in regard to archaeological research, and the preservation of ancient monuments in this country. The question is at present under review of how best to further these important objects within the inevitably limited funds available. The monuments of antiquity, eloquent witnesses to the historical and cultural achievements of this great country, constitute a heritage of incalculable value and significance which it must be our privilege to guard and to hand down to posterity. (Applause.)

I have already announced my decision to extend the period of the life of the present Legislative Assembly. This is an appropriate occasion on which to intimate that the date to which I contemplate its extension is the 1st of October, 1938.

The disturbances in Waziristan have been a source of much anxiety to my Government during the last few months, and they have resulted in heavy expenditure. I am glad to say that there are now distinct signs of a settlement, and of the acceptance by the tribes of the very moderate terms which have been imposed upon them. And it is my earnest hope that, thanks to the operations of the last few months, the foundation has been laid, of a greater measure of stability in this difficult and disturbed area.

In consultation with the Commander-in-Chief, I have been giving the closest consideration to the question of Army organisation and the re-equipment of the Army in India so as to maintain its efficiency at the highest possible pitch having regard to recent developments elsewhere in the matter of mechanisation, and the like. The expenditure involved is inevitably considerable. I have caused representations to

be made in the matter to His Majesty's Government for assistance in carrying out the reorganisation owing to the very heavy cost involved, and it is my hope that we shall receive a favourable reply. (Applause)

The valuable recommendations made by the Wedgwood Committee are, as you are aware, under examination. I have watched with close attention the railway returns during the last year, for there is no surer barometer of the prosperity of a country. Nothing, I am glad to say, could have been more encouraging than those returns up to the present date. The revised estimates submitted to the Legislature in February for the year 1936-37 anticipated a surplus after meeting all obligations of 15 lakhs. The final figures show in fact a surplus of about 120 lakhs, and, thanks to a substantial decrease in working expenses, the year 1936-37 shows a net betterment of over five crores. I am not without hope, dangerous as it is to speculate in a matter of this nature, that that figure will be maintained, and indeed materially enhanced, during the current year, for the approximate earnings up to the end of August are some 2.75 crores better than over the same period of the previous year.

I cannot pass from this subject without a reference to the disaster which occurred at Bihta in July. We all know how heavy was the loss of life and how long the list of casualties in that disaster. I am glad to think that this shocking accident should be so wholly exceptional in character; and that during the five years ending March, 1936, the average number of persons killed in India per annum in collisions or derailments of trains should have been no more than eleven, a figure of great significance when it is remembered that during each year 525 million passengers are carried, and 125 million train miles run.

My personal concern for the improvement of conditions in the rural areas has always been close and immediate; but I would not have you think that because of that I am in any way indifferent to the claims of industry or in any way oblivious of the vital importance to the future of this country of lending all aid that properly can be lent to the development of industries. Here again the matters involved are now in a very considerable degree matters for Provincial Governments; but I have taken pains to ensure that all such action shall be taken as can appropriately be taken by the Central Government for the encouragement and the development of industries. In particular I would refer to the work of the Industrial Research Organisation. That organisation is now in its third year. It has, I am satisfied, proved its utility beyond any question, and my Government will in due course recommend to you that it should be placed on a permanent footing from the beginning of the next financial year. Another aspect of this matter which is of substantial importance, but which equally must depend to a very large extent, if not entirely, on provincial co-operation, is the question of industrial surveys. That question was considered both by the last Industries Conference and by the Industrial Research Council at their meeting in July, and it is being actively pursued. I need not stress the direct relation of investigations such as these, and of the development of industry as a whole, to the problem of middle-class unemployment. The next Industries Conference which will be held at Lahore in December will be asked to consider the question of training and assisting young men to start and conduct small industrial enterprises.

I referred in my speech last year to the position and the difficulties of Indians overseas. No one is more conscious than I am of the keen interest with which this question is watched by Indian public opinion, or of the close attention which has always been paid to it by the Indian Legislature. The past year has not been free from questions of considerable difficulty and complexity. Those questions are by no means yet in all cases finally resolved, but in any area in which they arise, the Government of India are in the closest touch with the situation. The most important of these questions, and the only one to which I propose to refer today, is that of Zanzibar. In the case of Zanzibar I will only say that in my judgment the scheme now proposed, while I am well aware that in certain respects it has fallen short of the expectations and of the demands of Indians in Zanzibar, holds out very definite possibilities and very definite advantages; and I would make an appeal to those concerned that it should be given a fair trial. It is my own belief and my earnest trust that with the co-operation of the Zanzibar Indians it should prove of definite benefit to those concerned.

When I last addressed you, India stood upon the verge of constitutional changes the profound significance of which it is not possible to overstate. I ventured then to say to you that we could hardly hope to compass the developments at that time imminent without some difficulty and some degree of anxiety. Since the inauguration of Provincial Autonomy on the 1st of April of this year, the course of political events has varied between Province and Province, a tendency which we may be sure is destined—having regard to the differing conditions obtaining in the various Provinces—to become more marked as time goes on.

To one feature of the elections, common to every Province, I feel I must refer. The smoothness with which arrangements were carried out for polling nearly 35 million people, over vast tracts of country, and in areas in which frequently communications were difficult to a degree, left nothing to be desired; and the first evidence of the solid interest of that immense electorate in the political problems confronting the new India, of its discipline and its self-restraint, was given by the orderly manner in which the process of polling was effected. Nothing could have been a greater tribute to the electorate and to those responsible for the organisation of the elections.

Speaking now within six months of the launching of this great experiment, it would plainly be premature to attempt any detailed appraisal of the working of the scheme of reform. Indeed, when it is remembered that we are witnessing changes which include the enfranchisement for the first time of very large sections of the community, we may be sure that the full political consequences of these changes will not be discernible for many years to come. Meantime it is enough to claim that together we have overcome at least the most serious of the difficulties that have so far confronted us. By the early days of August there were established in office, in every Province of India, Ministries enjoying the support of a majority of their respective Legislatures. The decision which has brought about this happy position does high credit to all concerned. One of the great turning points of our political history has been successfully negotiated, and we face now a future that in my judgment is full of promise. I have entire confidence that Ministers in every Province will find in the Public Services a body of men willing and

anxious to support their political chiefs by every proper means in their power, and zealous, under the direction of responsible Ministers, to continue to the best of their ability to serve their several Provinces. Nor do I doubt that Ministers will at all times be found ready to protect the just rights and interests of every servant of Government. There can be no stronger bond of mutual regard and understanding than that of labours shared—of constructive work done together. It is in this field of common aspirations and common endeavour that we see exemplified the first fruits of that new relationship which it is the prime purpose of the Constitution to establish and to foster.

The Provinces are now set upon their own courses, and the extent to which this Legislature and the Central Government are concerned with their affairs is very precisely conditioned by the terms of the Constitution Act. But it will not, I think, be held inappropriate that—with, I am confident, the whole-hearted support of all those who are present today—I should send to those Provincial Governments a message of cordial goodwill and of encouragement in confronting the many problems that lie before them.

I turn now to the next and final stage in the Constitutional Reforms, the introduction of the Federation of India. Since last I addressed you, my representatives have toured the States and held discussions with the Ruling Princes and their Ministers; and replies from almost every State to my letter of enquiry of last August have been received, expressing their views on the matters connected with Federation in which they are particularly interested. The work of collating and analysing these voluminous replies is nearing completion, and after decisions have been taken on the many difficult and complicated questions of policy arising therefrom, a process now far advanced, it will be possible to enter on the next phase of the programme, namely, that of placing the complete and final picture before the Ruling Princes and then formally addressing them in regard to their accession.

I am well aware that the scheme of Federation laid down in the Constitution Act gives rise in some quarters to doubts and criticism. I have done my best to make myself familiar with the nature of that criticism and I think I can say with complete truth that everyone of the grounds upon which it is levelled was before my colleagues and myself upon the Committee of Parliament at the time we made our recommendations. We saw clearly the difficulties of setting up a Federation composed of disparate units, and we were fully seized of the implications that must follow an arrangement of that kind. We were conscious as well of many other difficulties. Nevertheless, upon the best judgment of which we were capable, there were two considerations which in our view must be held to outweigh all others. The first, that the early establishment of a constitutional relationship within the federal sphere between the States and British India is of the utmost importance from the standpoint of the maintenance of the unity of India; the second, that the existence of a Central Government capable of formulating economic policies affecting the interests of the sub-Continent as a whole is of direct and immediate relevance to the economic circumstances of the India of today.

With regard to the first of these considerations, I will only say that, while on one, so far as I am aware, is disposed to question the strong

desirability of achieving a Federation of India at the earliest moment possible, the anomalies to which I have referred are the necessary and inescapable incidents, not merely of the introduction of an All-India Federation at this moment ; but of its introduction at any time within the measurable future.

To the economic aspect of this question, too little attention has, in my opinion, been given. The commercial and industrial development of the sub-Continent stand now at a point where progress is in many respects definitely prejudiced by the absence of uniformity at present existing in, for example, Company Law, Banking Law, the Law of Copyright and Trademarks, and the like. Again, it is most desirable that there should be established without delay over the whole fiscal field the greatest possible degree of unity and uniformity. It goes without saying that, from the stand-point of British India as well as of the Indian States, substantial advantage is likely to result from the establishment of a system under which tariff policies which affect every part of India should no longer fall to be constructed by a Central Government in whose counsels, for historical and constitutional reasons, wide areas of India at the moment enjoy no direct representation. And I am myself confident that the achievement of Federation will presage an early and substantial modification of those disparate conditions the existence of which today, unavoidable, for the reasons I have mentioned, as it may be, tends in so many ways to hamper the growth of trade and commerce and the full development of our natural resources.

Finally, let me say that I hold it as a matter for profound satisfaction that at a time when, over wide areas of the world, political liberty is being increasingly curtailed, we should witness in India the establishment, upon foundations patiently prepared, of a new and vigorous system of parliamentary government. Differences of opinion there may be upon the merits of this or that provision of the new Constitution. Yet I cannot but think that we shall be wise, in the circumstances of the world today, to make a supreme effort to concentrate our gaze rather upon points of agreement and of common interest than upon those things in which complete accord is yet to be reached. We have many things in common that are infinitely precious to both peoples and many of those things are in grave jeopardy today. We love peace, and peace is threatened over half the world. Violence we both abhor, and the rule of force is in evidence in three continents. To democratic principles of government both countries are deeply attached, and those principles are, at this time, under question and even challenge in wide regions of the world. The regimentation of the human mind proceeds apace, freedom of opinion is systematically suppressed, and the right of the individual to live as he wills in the quiet and peaceable enjoyment of the family circle is a thing denied to half mankind. It is a common affection for these things, today in dire peril of destruction—a common determination to protect the elementary decencies of human life upon this planet—that holds together the people of the British Commonwealth of Nations in loyalty to the British Crown. I believe with every fibre of my mind that India at heart is loyal to those same ideals, and that her highest destiny lies within that brave sisterhood of States which stands today as a bulwark against forces that threaten the very soul of man. (Loud and Prolonged Applause.)

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

### MEMBERS SWORN.

Mr. John Desmond Boyle, M.L.A., (Bombay : European),  
and

Mr. James Cochrane Highet, M.L.A. (Government of India : Nominated Official).

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### STARRED QUESTIONS AND ANSWERS.

#### (a) ORAL ANSWERS.

##### PARKING OF *Ekkas* OUTSIDE RAILWAY STATIONS.

464. **\*Mr. Sri Prakasa :** (a) Will the Honourable Member for Commerce and Railways state what, if any, are the respective rights and duties of the Police and the Railway in connection with the parking of *ekkas* and other vehicles outside railway premises ?

(b) Is it a fact that *ekkawalas* have to pay the policemen on the beat one pice each time that they get a hire and that the railway contractor charges an extra pice ?

(c) Are Government aware that this entails great hardship on the *ekkawalas* and the travelling public ?

(d) Do Government propose either to induce the railway authorities to make parking free or communicate with the Police authorities with a view to stop the charge levied by the policemen ?

**The Honourable Sir Saiyid Sultan Ahmad :** The Honourable Member has not indicated to what particular railway or station he alludes. If it is a general question, I have no information. But if it is with respect to any particular station, he may mention it and then we will take some action.

**Mr. Sri Prakasa :** Is it not a fact that the complaint I am making in this question is prevalent at all stations in the United Provinces, like Benares, Allahabad, Lucknow, etc. ?

**The Honourable Sir Saiyid Sultan Ahmad :** I have no information.

**Mr. Sri Prakasa :** Will the Honourable Member kindly enquire into these complaints, because between the police and the contractor, the *ekkawalas* have a bad time and the passengers a worse one ?

**The Honourable Sir Saiyid Sultan Ahmad :** Unless the Honourable Member would give me particular facts with respect to particular stations, it would be really a roving enquiry which the Government are not prepared to undertake.

**Mr. Mohan Lal Saksena :** Will the Honourable Member make enquiries relating to Lucknow station ?



**Mr. President** (The Honourable Sir Abdur Rahim) : The Honourable Member has already answered that a specific question should be given notice of. Next question.

**RAILWAY TICKET OF MR. SRI PRAKASA CHECKED AT THE BIDDING OF THE CRIMINAL INVESTIGATION DEPARTMENT MAN AT MOGHUL SARAI.**

465. **\*Mr. Sri Prakasa** : (a) Will the Honourable Member for Commerce and Railways state if it is a fact that on June 20, 1937, when I travelled from Benares Cantonment to Allahabad on the East Indian Railway with an intermediate class return ticket No. 1058 by the 102 Down from Benares Cantonment and while changing into the 1 Up at Moghal Sarai, my ticket was examined at the barrier to the overbridge on the platform at which I got off and consequently not again examined at the barrier at the other end of the overbridge on the platform where the 1 Up was standing ; and that thereupon while I was proceeding towards the waiting train, a C. I. D. man in plain clothes nudged the Chief Ticket Collector and pointed me out to him and that the Chief Ticket Collector in his turn nudged his Assistant to follow me, when my ticket was re-examined ?

(b) Will Government state under what railway rule are C. I. D. officers allowed the use of railway platforms ? And what right, if any, they have to ask railway officials to pursue passengers in the manner described above ?

**The Honourable Sir Saiyid Sultan Ahmad** : (a) Government have no knowledge of the incident, but I am prepared to accept the Honourable Member's version of it.

(b) There are no Railway rules on the subject, but the railway staff are expected to assist the Police in the execution of their duties.

Government propose to send a copy of this question and my answer thereto to the Administration concerned and also to the Provincial Government.

**Mr. Mohan Lal Saksena** : Are there any instructions to the railway authorities on this subject ?

**The Honourable Sir Saiyid Sultan Ahmad** : I have no knowledge.

**Mr. Mohan Lal Saksena** : Will the Honourable Member kindly lay on the table of the House a copy of the instructions, if any ?

**The Honourable Sir Saiyid Sultan Ahmad** : I do not think there are any instructions at all.

**Mr. Sri Prakasa** : Under the circumstances detailed by my Honourable friend, how is it that the C. I. D. officers get entrance into the railway stations ? Do they purchase platform tickets ?

**The Honourable Sir Saiyid Sultan Ahmad** : From enquiries I have been able to make so far, it appears that no platform tickets are taken by them, but they have got implied permission of the railway authorities to go to the platform.

**Mr. Sri Prakasa :** Do Government realise how railways are getting unpopular because, though a commercial department, they allow political considerations to enter into their administration in their helping the C. I. D. to harass passengers on railway premises ?

**The Honourable Sir Saiyid Sultan Ahmad :** That is the reason why I said that I propose to send a copy of this question and my answer thereto to the Administration and to the Provincial Government to take necessary action with respect to these C. I. D. officers.

**Mr. Mohan Lal Saksena :** If the C. I. D. Inspector asked the ticket collector to take the number of the Honourable the Finance Member while travelling by train by that route, will the ticket collector do it ?

**The Honourable Sir Saiyid Sultan Ahmad :** That question does not arise.

**Mr. S. Satyamurti :** What is the nature of the duties of the Police which they discharge on or about the railway premises, which the railway officials are expected to assist them in doing ?

**The Honourable Sir Saiyid Sultan Ahmad :** All the duties which they can perform under any rules or provision of the law.

**Mr. S. Satyamurti :** May I know whether those duties include shadowing an Honourable Member of this House ?

**The Honourable Sir Saiyid Sultan Ahmad :** I cannot answer that question. I have answered whatever question was originally put.

**Mr. S. Satyamurti :** If the Honourable Member will look into part (a) of question No. 465, he will find that it refers to an Honourable Member of this House who was being shadowed. My Honourable friend said in answer to parts (a) and (b) that railway officials have instructions to assist the Police in their duties. I am asking with reference to those duties in the discharge of which railway officials are expected to assist the Police whether shadowing an Honourable Member of this House is included and if so, why.

**The Honourable Sir Saiyid Sultan Ahmad :** I do not find the word "shadowing" anywhere in the question. If it is assumed that the Police were shadowing the Honourable Member, then of course an enquiry may be made, but there is no question of shadowing at all.

**Mr. S. Satyamurti :** Will the Honourable Member please read this question again carefully ? It says :

"and that thereupon while I was proceeding towards the waiting train, a C. I. D. man in plain clothes nudged the Chief Ticket Collector and pointed me out to him and that the Chief Ticket Collector in his turn nudged his Assistant to follow me, when my ticket was re-examined."

If this is not shadowing, what else is it ?

**The Honourable Sir Saiyid Sultan Ahmad :** I am sending a copy of this question to the Provincial Government for any enquiry that they may consider necessary.

**Seth Govind Das :** It is worse than shadowing ?

## NEGOTIATIONS FOR TRADE RELATIONS WITH CEYLON.

466. \***Mr. S. Satyamurti** : Will the Honourable Member for Commerce and Railways be pleased to state :

- (a) whether any correspondence or negotiations are going on between the Government of India and the Government of Ceylon over the trade relations between the two countries ;
- (b) when the actual negotiations for this purpose are proposed to be started ; and
- (c) whether in conducting the negotiations the Government will bear carefully in mind the position of Indians especially of Indian labourers in Ceylon ?

**The Honourable Sir Saiyid Sultan Ahmad** : (a) The Honourable Member's attention is invited to the reply given to parts (b) and (c) of **Mr. Avinashilingam Chettiar's** question No. 50 on the 2nd September, 1936.

(b) It is difficult to say when the actual negotiations for this purpose will be started.

(c) Yes.

**Mr. S. Satyamurti** : May I know what is the nature of trade relations today between India and Ceylon ?

**The Honourable Sir Saiyid Sultan Ahmad** : I cannot answer this question.

**Mr. S. Satyamurti** : Is there any preference being given between India and Ceylon with regard to trade relation ?

**The Honourable Sir Saiyid Sultan Ahmad** : I cannot answer that.

**Mr. S. Satyamurti** : With reference to part (b), may I know the reasons for the delay in starting the actual trade negotiations between India and Ceylon ?

**The Honourable Sir Saiyid Sultan Ahmad** : Negotiations will be started immediately after the Indo-British trade negotiations are completed.

**Mr. S. Satyamurti** : With reference to part (c), may I know whether Government have come to any conclusion that, when they actually conduct trade negotiations, they will bear this in mind, that is to say, the political and other position of Indians and Indian labourers particularly in Ceylon ?

**The Honourable Sir Saiyid Sultan Ahmad** : Government have not come to any definite decision about it, but as I have already said, they will bear very carefully in mind the position of Indians in Ceylon.

**Mr. T. S. Avinashilingam Chettiar** : May I know whether at present the trade relations between India and Ceylon are governed by the Ottawa Agreement ?

**The Honourable Sir Saiyid Sultan Ahmad** : I have no knowledge of all these matters. If the Honourable Member will give me notice of this question, I shall get an answer. Perhaps the trade relations are governed by the Ottawa Agreement, but I do not know for certain.

**APPOINTMENT OF INDIA'S REPRESENTATIVES TO THE LEAGUE OF NATIONS.**

**467. \*Mr. S. Satyamurti :** Will the Honourable the Leader of the House be pleased to state :

- (a) who appoints the representatives on behalf of India to the League of Nations ;
- (b) the considerations on which such appointments are made ;
- (c) whether the appointments are made by His Majesty's Government on their own responsibility, or whether they are made on the recommendations of the Government of India ; if the latter, whether these recommendations are **always** accepted ;
- (d) how the representatives to the next session of the League of Nations were appointed and if so what their qualifications are to represent Indian opinion and sentiment on the questions coming before the League of Nations ; and
- (e) whether Government propose to consult the Indian Legislature in the matter of selecting these representatives and if not why not ?

**The Honourable Sir Nripendra Sircar :** (a) The Secretary of State acting in consultation with the Government of India.

(b) Considerations of general suitability, an essential factor being the willingness of the representative to act in accordance with the instructions issued by the Secretary of State acting in consultation with the Government of India.

(c) I have already stated that the appointments are made by the Secretary of State acting in consultation with the Government of India. The process of consultation has ended in agreement.

(d) In the usual manner. Their records will be found in **any** standard work of reference.

(e) No. The matter is one in which in India as in any other country the Executive Government must reserve unfettered discretion to themselves.

**Mr. S. Satyamurti :** With reference to the answer to clause (b) may I know whether apart from the consideration set out by the Honourable Member, namely, their willingness to abide by the instructions of the Secretary of State and their suitability, any consideration is paid to their representative character, that is to say, the capacity of these gentlemen to represent the public opinion of India ?

**The Honourable Sir Nripendra Sircar :** Government exercise their discretion to the best of their judgment, having regard to that point of view pressed by my Honourable friend.

**Mr. S. Satyamurti :** With reference to the answer to clause (c), does the last sentence of my Honourable friend's answer mean that so far the recommendations of the Government of India have been accepted by the Secretary of State ?

**The Honourable Sir Nripendra Sircar :** I said the process ended in agreement, which means that there might have been *interim* differences but in the end both parties agreed.

**Mr. S. Satyamurti :** With reference to the answer to clause (d), may I know whether the representatives to the next session of the League of Nations have been given instructions with regard to Abyssinia and the proposed exclusion of Abyssinia from the League of Nations ?

**The Honourable Sir Nripendra Sircar :** As to the exact matter in which they have been instructed, I have not got it before me and I shall require notice about this.

**Mr. S. Satyamurti :** I have asked a question as to the qualifications of these representatives to represent Indian opinion and sentiment on the questions coming before the League of Nations, and the next session is intended to pronounce on the question of the exclusion of Abyssinia from the League of Nations.

**The Honourable Sir Nripendra Sircar :** I have told my Honourable friend, from what little I know, that Abyssinia is not on the agenda.

**Mr. S. Satyamurti :** With regard to the Sino-Japanese conflict and the appeal of China to the League of Nations to bring the Covenant into force against Japan, may I know whether Government have given any instructions to these representatives on this Sino-Japanese conflict ?

**The Honourable Sir Nripendra Sircar :** That will not be before the Assembly where the Indian delegates are going but before the Council.

**Seth Govind Das :** Is it a fact that a regular list of favourites is being maintained in this respect and one after the other is recommended and accepted by the Secretary of State ?

**The Honourable Sir Nripendra Sircar :** The insinuation is wholly unjustified.

**Mr. S. Satyamurti :** With reference to the answer to clause (e), may I know, in view of the fact that the Government of India in this country are not responsible and in view of the fact that even in countries like England Government does consult the House of Commons on questions before the League of Nations, the reason why this Government refuse to consult this House on these questions ?

**The Honourable Sir Nripendra Sircar :** My information is that in England the House of Commons is not consulted in the matter of the selection of representatives.

**Mr. S. Satyamurti :** With regard to questions coming up before the League of Nations, I am asking for the reasons why Government will not consult this House.

**The Honourable Sir Nripendra Sircar :** I have a question on that which I want to answer on Thursday and my Honourable friend may wait till then.

**Mr. T. S. Avinashilingam Chettiar :** Has any occasion arisen when any of these representatives has differed from the opinion of Government ?

**The Honourable Sir Nripendra Sircar :** This question could not have arisen if my Honourable friend had followed the answer which I gave, namely, that one of the conditions was willingness of the representative to act in accordance with the instructions issued by the Secretary of State acting in consultation with the Government of India.

**Mr. Mohan Lal Saksena :** May I know if in the matter of vote and speech the representatives of India are bound by the wishes of the leader of the British delegation ?

**The Honourable Sir Nripendra Sircar :** They are not.

**Mr. S. Satyamurti :** In giving these instructions, which ultimately these delegates are bound to obey, may I know if the Secretary of State usually accepts the advice of the Government of India or the Government of India usually accept the directions of the Secretary of State ?

**The Honourable Sir Nripendra Sircar :** When my Honourable friend says, "usually", that involves my looking into the records of the last 12 years and find out who started disagreement and who agreed, and so on. I cannot answer that question now.

**Mr. S. Satyamurti :** What is the convention with regard to this matter ? Does the Secretary of State normally accept the instructions of the Government of India, or the Government of India merely carry out the orders of the Secretary of State ?

**The Honourable Sir Nripendra Sircar :** There is no definite convention, but to the extent that there is a convention, it is that the Government of India are asked to make suggestions and we make suggestions, and that is how the thing starts.

**Mr. S. Satyamurti :** During all these years of the existence of the League of Nations, has the Indian delegation on a single occasion differed from the British delegation ?

**The Honourable Sir Nripendra Sircar :** On very many occasions, yes.

**Mr. S. Satyamurti :** On any international questions ?

**The Honourable Sir Nripendra Sircar :** Will my Honourable friend just indicate what questions he has in mind ?

**Mr. S. Satyamurti :** Questions of war and peace, the Abyssinian war, and other questions involving foreign policy.

**The Honourable Sir Nripendra Sircar :** The trouble is that they do not come up before the Assembly but before the Council of the League of Nations. If my Honourable friend will mention any particular case I can answer that question.

**Mr. S. Satyamurti :** Apart from labour questions on hours of work, are there any questions of first-class importance of foreign policy in the Assembly of the League of Nations, on which, even on a single occasion, the Indian delegation differed from the British delegation ?

**The Honourable Sir Nripendra Sircar :** I do not know that any such situation has arisen, or could arise. They are dealt with by the Council.

### PROTECTION TO TRADE MARK USERS IN INDIA:

468. \*Mr. S. Satyamurti : Will the Honourable Member for Commerce and Railways please state :

- (a) whether his attention has been drawn to the leading article entitled "Registered trade marks" in the *Statesman* of the 22nd July, 1937 pointing out that the trade mark users have little protection in India and that little only through costly litigation ;
- (b) whether Government propose to give the same protection to traders here as is given to them in England under the Trade Marks Act ; and
- (c) if so, when, and if not, why not ?

**The Honourable Sir Saiyid Sultan Ahmad :** (a) Yes.

(b) and (c). Government have at present under consideration the question of undertaking legislation for the statutory registration of trade marks in India. A memorandum on the subject was recently circulated for opinion to the Provincial Governments and through them to the commercial bodies in India. Copies of this memorandum have been placed in the Library.

**Mr. S. Satyamurti :** When do Government hope to be able to introduce a Bill in this House ?

**The Honourable Sir Saiyid Sultan Ahmad :** After the opinions of the commercial bodies and Provincial Governments are received they will be considered and legislation undertaken in due course.

**Mr. S. Satyamurti :** Will it be in the next Delhi Session of the Assembly ?

**The Honourable Sir Saiyid Sultan Ahmad :** It is very difficult to say.

### JUTE IMPORTS FROM INDIA.

469. \*Mr. S. Satyamurti : Will the Honourable Member for Commerce and Railways please state :

- (a) whether Government are aware that a deputation representing the Dundee Corporation, the Jute Manufacturers' Association and the Jute and Flax Workers Union recently met the Scottish members of the House of Commons and urged the need for taking steps to limit jute imports from India ;
- (b) whether it is a fact that the Calcutta mills had abandoned restriction of working hours ; and
- (c) whether Government propose to take any action in the matter ?

**The Honourable Sir Saiyid Sultan Ahmad :** (a) Government have seen press reports of such a deputation.

(b) Yes, Sir.

(c) The question of imports of jute manufactures from India into the United Kingdom is receiving consideration in the present Indo-British Trade Negotiations.

**Mr. S. Satyamurti :** Has the attention of Government been drawn to a telegram published in the *Hindustan Times* yesterday, in which it was stated *inter alia* that these jute manufacturers have given an ultimatum to the Indian delegation that they should voluntarily put a restriction on the quantity of the exports of jute manufactures from India into England ?

**The Honourable Sir Saiyid Sultan Ahmad :** I have not seen it.

**Mr. S. Satyamurti :** May I know if Government have heard otherwise from their advisers, or from anybody representing them in London just now, the latest with regard to the demand of the Dundee jute manufacturers ?

**The Honourable Sir Saiyid Sultan Ahmad :** No, Sir.

**Mr. S. Satyamurti :** May I know whether Government have given any instructions to their non-official advisers, with regard to the stand they are to take on this matter ?

**The Honourable Sir Saiyid Sultan Ahmad :** I shall want notice.

**Mr. S. Satyamurti :** May I know whether the reason for the delay or the deadlock (to use a stronger word) is due to the demand of the jute interests in England for a voluntary embargo on jute exports from this country ?

**The Honourable Sir Saiyid Sultan Ahmad :** I do not admit that there is any deadlock at all.

**Mr. S. Satyamurti :** What is the delay due to ?

**The Honourable Sir Saiyid Sultan Ahmad :** Because there was holiday in England. (Laughter.)

**Mr. S. Satyamurti :** Has my Honourable friend heard that, in spite of the holiday, tempers have not improved and, that today Indian advisers or some of them are thinking of leaving England, because of the inordinate delay in these negotiations ?

**The Honourable Sir Saiyid Sultan Ahmad :** My Honourable friend is at an advantage ; perhaps he has got letters from them, I have not.

**Mr. S. Satyamurti :** I do not get letters : I only read newspapers and I read *Hindustan Times*. I am asking my Honourable friend whether he has done the same thing, whether he has read the newspapers, or heard anything in support or refutation of that statement.

**The Honourable Sir Saiyid Sultan Ahmad :** The question does not arise. I hear many things from my Honourable friend every day, but I do not always take him very seriously. (Laughter.)

**Mr. Bhulabhai J. Desai :** Have Government been apprised of the attitude either of the textile interests in England or of the jute interests in Scotland with reference to the negotiations which are going on ?

**The Honourable Sir Saiyid Sultan Ahmad :** Negotiations are going on, and naturally proposals will be made by one party and counter proposals will be put forward by the other. There is no question of any ultimatum or anything like that. There is no deadlock in the negotiations.



**Mr. Bhulabhai J. Desai :** Have the Government been apprised of the suggestions made, if you do not like the word demand, in the course of the negotiations by these two interests ?

**The Honourable Sir Saiyid Sultan Ahmad :** Government have some information as to what is going on there. More than that I cannot say.

**Mr. S. Satyamurti :** I wish to know what information Government have, with reference to the proposal of either of these or both these vested interests ?

**The Honourable Sir Saiyid Sultan Ahmad :** This question does not arise from either the question or my reply.

**Mr. S. Satyamurti :** My friend may not take me very seriously, but I take myself very seriously, and I will go on putting questions so long as I am here. I want to know whether Government are aware of any hitch in the negotiations.

**The Honourable Sir Saiyid Sultan Ahmad :** No hitch at all.

**Mr. S. Satyamurti :** I take your word as correct. I will hold you to it, later.

**Mr. President (The Honourable Sir Abdur Rahim) :** This question (No. 470) has been asked and answered the other day.

**Mr. S. Satyamurti :** Shall I put the question or not ? I certainly know the question has been the subject of discussion the other day. There is no question about that. But Government must have considered the note of the House.

#### INADEQUATE EMPLOYMENT OF " DUFFERIN " CADETS.

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

- (a) whether his attention has been drawn to a leading article in the *Amrita Bazar Patrika* dated 28th June, 1937 under the heading " The Dufferin Cadets ", with regard to the inadequate employment ;
- (b) whether the Government of India recently issued a *communiqué* in connection with the employment of *ex-cadets* of " Dufferin " ;
- (c) whether in the course of their *communiqué* Government have stated that they have never been in a position to guarantee that all the qualified " Dufferin " *ex-cadets* would obtain employment as ships officers ;
- (d) whether the Government of India have tried to compel the British shipping companies, like the P. & O. and the B. I. S. N. Companies, which receive a large patronage in the shape of subsidies, to employ the *ex-cadets* in their ships ;
- (e) what are the names of the shipping companies which have taken the *ex*-" Dufferin " cadets as officers, and the number employed by each ; and

(f) whether the P. & O. Company have appointed a single *ex-cadet* as an officer, and if not, why not ?

**The Honourable Sir Saiyid Sultan Ahmed :** (a) Government have seen the article referred to.

(b) and (c). Yes.

(d) I would refer the Honourable Member to my speech in this House on the 10th September, 1937, wherein the whole position has been explained fully.

(e) I lay on the table a statement giving the desired information.

(f) The P. and O. S. N. Company have not so far employed any *ex-“Dufferin”* cadet as an officer, but have recently agreed to take four such cadets as officers.

*Statement showing the names of Shipping Companies, which have employed ex-“Dufferin” cadets, as officers, and the number employed by each up to the end of August, 1937.*

Names of Shipping Companies.	Number of <i>ex-“Dufferin”</i> cadets employed by each.
1. The Asiatic Steam Navigation Company ..	5
2. The British India Steam Navigation Company ..	16
3. The Mogul Line .. .. .	2
4. The Bombay Steam Navigation Company ..	1
5. Messrs. Cowasjee Dinshaw & Bros. ..	1
6. The Eastern Steam Navigation Company ..	1
7. The Scindia Steam Navigation Company ..	40
Total	66*

In addition to the above one *ex-cadet* is an officer on the S.S. “Silksworth”—Owner not known.

\*Owing to the nature of employment of these officers statistics differ from day to day and Government cannot guarantee that all of them were actually in employ at any particular moment.

**Mr. S. Satyamurti :** With reference to answer to clause (d) of the question, have Government considered the whole position, in view of the vote of the House ?

**The Honourable Sir Saiyid Ahmad :** No.

**Mr. S. Satyamurti :** With reference to answer to (f), may I know when Government hope the P. and O. to employ the four officers, whom they have promised to employ ?

**The Honourable Sir Saiyid Sultan Ahmad :** At once.

†471\*.

**Mr. Sri Prakasa :** I do not propose to ask the question as the Honourable Member is examining the trouble I am complaining of, having been a victim of it himself.

†This question was not put by the questioner.

**SEATING CAPACITY IN SECOND CLASS COMPARTMENTS OF THE EAST INDIAN AND NORTH WESTERN RAILWAYS IN PUNJAB MAIL.**

472. \***Mr. Sri Prakasa** : (a) Will the Honourable Member for Commerce and Railways state whether it is a fact that the Punjab Mail between Howrah and Lahore on the East Indian and North Western Railways consists of compartments of various classes of either railway ?

(b) Is it a fact that while second class compartments of the North Western Railway are marked to seat nine passengers, the neighbouring compartments of the East Indian Railway giving an equal amount of space, are marked to carry twelve passengers ?

(c) Do Government propose to take steps to obviate this anomaly and make a uniform rule on the subject ?

**The Honourable Sir Saiyid Sultan Ahmad** : (a) and (b). Government have no information regarding details of the coaching stock running on Punjab Mail between Howrah and Lahore. The information, however, is being called for.

(c) If the facts are as stated by the Honourable Member in parts (a) and (b) of his question, the Honourable Member's suggestion will receive consideration.

**Mr. Sri Prakasa** : May I know if when this suggestion is considered, the number of passengers fixed for the E. I. R. compartments will be reduced from 12 to 9, and not the number of passengers for the N. W. R. compartments increased from 9 to 12 ?

**The Honourable Sir Saiyid Sultan Ahmad** : It will receive due consideration.

**REDUCTION IN THE SPEED OF CERTAIN TRAINS.**

473. \***Mr. Sri Prakasa** : (a) Will the Honourable Member for Commerce and Railways state whether there is any method by which the railway authorities compute the capacity of particular engines and railway tracks to carry trains in safety at a particular maximum speed ?

(b) Is it a fact that the prescribed speed is exceeded by drivers ?

(c) Is it a fact that very often Mail and Express trains now arrive at stations before time ?

(d) What was the speed at which the train was travelling when the recent accident at Bihta on the East Indian Railway took place ?

(e) What is the maximum speed at which that particular train can in any circumstance be run ?

(f) Are Government considering the possibility of the accident having taken place owing to the speed being more than the engine or track could bear ?

(g) Do Government propose to get some competent engineers to scrutinize the speed limits and decrease the speed of various trains to ensure safety of passengers ?

**The Honourable Sir Saiyid Sultan Ahmad** : (a) Yes.

(b) Government have no reason to believe the fact that the prescribed speed is exceeded by drivers.

(c) Mail and Express trains may at times arrive at stations before the booked time of arrival in cases where the booked timings are not the limit of the prescribed speed for the engine.

(d), (e) and (f). The Honourable Member is referred to the answer given to question No. 367 on the 8th September, 1937, regarding the institution of a judicial enquiry into this accident. The subject matter of these parts of the question will come within the scope of the judicial enquiry which is to be held.

(g) The speed limits of the trains are fixed by Railway Administrations having regard to safe running under the conditions of working.

**Qazi Muhammad Ahmad Kazmi :** About (e), what is the maximum speed ?

**The Honourable Sir Saiyid Sultan Ahmad :** I do not know. \*

**REVISED SCALES OF PAY GIVEN TO CERTAIN *ex*-APPRENTICE MECHANICS OF THE EAST INDIAN RAILWAY TECHNICAL SCHOOL, JAMALPUR.**

474. \***Mr. Amarendra Nath Chattopadhyaya :** (a) Will the Honourable Member for Railways please state whether Government are aware that according to clause (iii) of East Indian Railway Agent's circular No. A.E.-2581/1, dated the 4th September, 1934, the persons who entered in the service as the result of competitive examination or of a Selection Board or Committee held before 16th July, 1931, provided that they were not specially warned before or at the time of the examination that the rates of pay of the services or posts for which they were candidates were under revision, are eligible for old scale of pay ?

(b) Are Government aware that all the apprentice mechanics of the East Indian Railway Technical School, Jamalpur, are recruited through competitive examination ?

(c) Are Government aware that some of the *ex*-apprentice mechanics of the East Indian Railway Technical School, Jamalpur, who have been re-appointed before 1st April, 1936, under the revised scale of 1934 entered service through competitive examination held before 16th July, 1931 ?

(d) Are Government aware that it has been stated in reply to starred question No. 297 (b) of 10th September, 1929, that apprentice mechanics of the East Indian Railway Technical School, Jamalpur, are not recruited in excess of the anticipated vacancies ?

(e) Are Government aware that the retrenched staff who were re-appointed before 1st April 1936, have been given the benefits of old scale of pay ?

(f) If the answers to parts (a) to (e) above be in the affirmative, will Government please state why those *ex*-apprentice mechanics of the East Indian Railway Technical School, Jamalpur, who entered in services through competitive examination on re-appointment before 1st April, 1936, have not been given the benefits of old scales of pay in strict conformity to clause (iii) of the East Indian Railway Agent's circular No. A.E.-2581/1 of the 4th September, 1934, and why the privileges imparted to the retrenched staff have not also been extended to them ?

(g) Are Government prepared to consider the point at issue sympathetically and to extend the same privileges to those *ex*-apprentice mechanics (who are few in number) who entered service before 16th July, 1931, and have been re-appointed before 1st April, 1936, the same privileges of old scales of pay as given to the retrenched staff? If not, will Government please state the reasons therefor?

(h) Will Government please state the number of *ex*-apprentice mechanics of the East Indian Railway Technical School, Jamalpur, who were re-appointed before 1st April, 1936, in the revised scales of pay (1934) in the same Railway with their names and particulars of services? If not, why not?

**The Honourable Sir Saiyid Sultan Ahmad :** (a) and (b). Yes.

(c) and (f). Apprentices who were engaged on or before the 15th of July, 1931, are entitled to the old scales of pay if appointed to service on completion of apprenticeship without a break. If, however, there be a break, they on being appointed or re-appointed after 15th July, 1931, are eligible for the revised scales of pay.

(d) The question referred to by the Honourable Member refers to Lillooah Workshops of the East Indian Railway and not to the East Indian Railway Technical School, Jamalpur and the reply stated that care was being taken not to engage apprentices much in excess of anticipated requirements.

(e) and (g). I would refer the Honourable Member to the information laid on the table of the House on the 25th January, 1937, in connection with parts (d) and (k), respectively, of starred question No. 254, asked by him in this House on the 9th September, 1936.

(h) Government have no information and they do not consider that any useful purpose will be served by obtaining it.

**Mr. Lalchand Navalrai :** With regard to clause (e), is it a fact that some railway staff were re-appointed on old scales and not on the new scales?

**The Honourable Sir Saiyid Sultan Ahmad :** I would refer the Honourable Member to the information already laid on the table.

**Mr. Lalchand Navalrai :** May I know from the Honourable Member if there is a difference between the staff re-appointed and the mechanical apprentices re-appointed?

**The Honourable Sir Saiyid Sultan Ahmad :** That is exactly the information that I have laid on the table.

#### **RAILWAY FREIGHTS ON TOBACCO FROM GUNTUR TO CALCUTTA AND BOMBAY.**

475. **\*Mr. Mathuradas Vissanji :** (a) Will the Honourable Member for Commerce and Railways please state whether Government's attention has been drawn to the disparity in railway freights on tobacco from Guntur to Calcutta and from Guntur to Bombay?

(b) Is it a fact that the freight from Guntur to Bombay per bale of three maunds is Rs. 8, while freight from Guntur to Calcutta for the same weight is Rs. 1-15-0?

(c) What is the difference in mileage from Guntur to Andheri and Guntur to Calcutta?

(d) Have Government received complaints about the disadvantage in business competition arising from such a heavy disparity in the two rates ?

(e) What action do Government propose to take to remove this disparity ?

**The Honourable Sir Saiyid Sultan Ahmad :** (a) Government have received a complaint on the disparity in Railway freights on tobacco from Guntur to Calcutta and from Guntur to Bombay.

(b) No. The freight per bale of three maunds from Guntur to Bombay is Rs. 7-6-0, and from Guntur to Calcutta is Rs. 4-10-0.

(c) The difference in mileage from Guntur to Andheri and Guntur to Calcutta is 72 miles, the distance from Guntur to Andheri being 854 miles and from Guntur to Calcutta 782 miles.

(d) Yes.

(e) The rates to Bombay and Calcutta are both special rates, quoted to meet special conditions of traffic in each case. The quotation of such special rates is a question primarily for consideration by Railway Administrations and reference is being made to Railways to consider what action, if any, may be taken in this matter.

**Seth Govind Das :** Why do you not have a uniform system of rating on the State-managed Railways for the same distance and for the same commodity ?

**The Honourable Sir Saiyid Sultan Ahmad :** I pointed out that rates are quoted to suit special conditions of traffic in each case.

**Seth Govind Das :** There is no uniform system of rating even on the State-managed Railways for the same distance and for the same commodity. Why do not Government have the same system of rating on all State-managed Railways for the same distance and for the same commodities ?

**The Honourable Sir Saiyid Sultan Ahmad :** It is not only distance that counts. For instance, from Delhi to Kalka the rate will be different from the rate in plains, because the climb is great.

**Seth Govind Das :** That is a special case, but in the plains themselves there are different rates on the different State-managed Railways.

**The Honourable Sir Saiyid Sultan Ahmad :** If the question is put in a general form, there will be difficulty, but we are pointing out to the Railway Administrations to see if they can do anything in the matter.

**Qazi Muhammad Ahmad Kazmi :** What was the disparity originally due to ? What were the considerations on account of which the disparity came into existence ?

**The Honourable Sir Saiyid Sultan Ahmad :** If you will put down a question, I will be able to give you that information.

#### PROPOSAL TO CLOSE THE ROHTAK-GOHANA-PANIPAT BRANCH RAILWAY.

476. **\*Sardar Mangal Singh** (on behalf of Mr. Sham Lal : (a) Will the Honourable Member for Commerce and Railways be pleased to state if there is any proposal to close the Rohtak-Gohana-Panipat Branch Railway ?

(b) Is it not a fact that of late the goods traffic on this line is increasing and there has been an appreciable increase in the income of the Railway ?

(c) Are Government aware that practically at all the railway stations of this Branch, *mandis* have been established and people have spent lakhs of rupees on the buildings of these *mandis* ?

(d) Are Government aware that the news of closing this Branch line has alarmed the people of Rohtak and Karnal Districts and further development of *mandis* has been stopped ?

(e) Are Government aware that if this line is closed, it would throw thousands of people out of employment and would involve heavy loss to the grain merchants of the two districts ?

(f) If there is no proposal to close the above line, are Government prepared to see the advisability of issuing a statement in order to allay the fears of the people of the two districts and encourage the development of *mandis* in that area ?

**The Honourable Sir Saiyid Sultan Ahmad :** (a)—(f). The gross earnings of the Rohtak-Gohana-Panipat line are insufficient to cover the working expenses and unless the recent revival in trade is maintained, it may be necessary to consider the closing of the line to avoid further loss. The matter is still under investigation and the views of the Provincial Government have been asked for and no decision will be taken until the results of working the line during the current financial year are known.

#### INVESTIGATION INTO THE MINOR INDUSTRIES.

477. **\*Mr. T. S. Avinashilingam Chettiar :** Will the Honourable Member for Commerce and Railways state :

(a) whether an officer of the Commerce Department has been appointed to investigate into the minor industries ;

(b) the object of this investigation ; and

(c) when his report is expected to be ready ?

**The Honourable Sir Saiyid Sultan Ahmad :** (a) An officer has been placed on special duty in the Commerce Department to investigate the case of such minor industries as claim to be suffering from Japanese competition.

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(b) The Honourable Member is referred to the Commerce Department's Press Communique, dated the 1st June, 1937, on the subject, copies of which are in the Library.

(c) The officer will not produce a comprehensive report, but a separate departmental inquiry is being conducted into the circumstances of each minor industry that puts in a claim.

**Mr. T. S. Avinashilingam Chettiar :** May I know what action they propose to take over this report ?

**The Honourable Sir Saiyid Sultan Ahmad :** There is no question of a report. As I said, departmental inquiry is being made with respect to each individual case, and when it is finished, we will then decide what action should be taken.

**Mr. T. S. Avinashilingam Chettiar :** May I know, in case they find that certain minor industries have suffered.....

**The Honourable Sir Saiyid Sultan Ahmad :** That is a hypothetical question.

**Mr. T. S. Avisashilingam Chettiar :** May I know if this inquiry is confined to Japanese competition and none other ?

**The Honourable Sir Saiyid Sultan Ahmad :** Because that is the only competition that is affecting the minor industries seriously.

**Mr. T. S. Avinashilingam Chettiar :** May I know what are the particular industries which are being investigated ?

**The Honourable Sir Saiyid Sultan Ahmad :** There is quite a large number : I think it is mentioned in the press communique : I am not sure : but I can get a list if the Honourable Member so desires.

**Mr. T. S. Avinashilingam Chettiar :** What is the reason for appointing a special officer to go into the case of the minor industries affected by the Japanese Trade Agreement ? Did Government get any complaints ?

**The Honourable Sir Saiyid Sultan Ahmad :** Yes : that is the reason why Government had to take action.

**Mr. T. S. Avinashilingam Chettiar :** May I know whether similar complaints have been received about the Ottawa Agreement ?

**The Honourable Sir Saiyid Sultan Ahmad :** No.

**Mr. S. Satyamurti :** Will the results of this inquiry be made available to Provincial Governments, for such action as they may be called upon to take, with regard to these minor industries in their provinces ?

**The Honourable Sir Saiyid Sultan Ahmad :** Certainly.

**Mr. M. Ananthasayanam Ayyangar :** May we know if the handloom industry is one of these industries ?

**The Honourable Sir Saiyid Sultan Ahmad :** I do not remember †478\*.

#### NEGOTIATIONS FOR TRADE AGREEMENTS WITH FOREIGN COUNTRIES.

479. **\*Mr. T. S. Avinashilingam Chettiar :** Will the Honourable Member for Commerce and Railways state :

(a) whether Government are negotiating trade agreements with any country other than Britain ; and

(b) if so, with which countries ?

**The Honourable Sir Saiyid Sultan Ahmad :** (a) and (b). Yes, Sir. Government are in correspondence with the Government of the Union of South Africa for the conclusion of a temporary *modus vivendi* providing for most-favoured-foreign-nation treatment for goods of either country in the other pending conclusion of a formal trade agreement in due course. Negotiations are being conducted by His Majesty's Government in the United Kingdom on behalf of India on the question of an agreement between India and the Netherland Indies regarding import quotas. Negotiations are also being conducted with Siam for a commercial agreement.

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†This question was not put by the questioner.



**Mr. T. S. Avinashilingam Chettiar :** May I know whether the interests of the Indians in South Africa will be the prime consideration in the negotiations ?

**The Honourable Sir Saiyid Sultan Ahmad :** I cannot definitely say so, but I presume it will be.

**Mr. T. S. Avinashilingam Chettiar :** When do Government expect to come to some conclusion in the matter of the agreement with South Africa ?

**The Honourable Sir Saiyid Sultan Ahmad :** I cannot give any definite answer to that.

**Mr. S. Satyamurti :** Are these negotiations confined merely to trade between the two countries, or do they include within their scope the status of Indians in South Africa ?

**The Honourable Sir Saiyid Sultan Ahmad :** I cannot definitely answer that question, but I can find out if notice is given.

**Mr. S. Satyamurti :** Will Government consider, in view of the very hard situation in which the Indians are denied franchise in the Union, whether they should come to any agreement to trade, until and unless the question of the political status of Indians in South Africa is satisfactorily settled ?

**The Honourable Sir Saiyid Sultan Ahmad :** I regret that it is a very big matter, and I cannot give definitely any assurance or undertaking.

**Mr. T. S. Avinashilingam Chettiar :** Are these trade agreements being negotiated directly by the Government of India or by His Majesty's Government ?

**The Honourable Sir Saiyid Sultan Ahmad :** By the Government of India, so far as South Africa is concerned.

**Mr. T. S. Avinashilingam Chettiar :** For Siam, Sir ?

**The Honourable Sir Saiyid Sultan Ahmad :** I think directly by the Government of India. The only case where the negotiations are being conducted by His Majesty's Government is in respect of the Netherlands Indies.

**Mr. S. Satyamurti :** Why is it done by His Majesty's Government, and not by the Government of India directly ?

**The Honourable Sir Saiyid Sultan Ahmad :** Because it is a matter of very little importance : it is really a distribution of quotas only.

**Mr. T. S. Avinashilingam Chettiar :** May I know whether it is only small matters that are negotiated through His Majesty's Government and big matters are dealt with directly by the Government of India ?

**The Honourable Sir Saiyid Sultan Ahmad :** That question does not arise. I have only said in the particular case of the Netherlands Indies.

**Mr. K. Santhanam :** Why are not these negotiations with the Netherlands Indies conducted through the High Commissioner for India ?

**The Honourable Sir Saiyid Sultan Ahmad :** Because I understand we have no representative in the Netherlands.

**Mr. K. Santhanam :** Cannot the High Commissioner proceed to the Netherlands ?

**Mr. President** (The Honourable Sir Abdur Rahim) : That is arguing.

#### DEBARRING INDIA FROM EXPORTING SUGAR EXCEPT TO BURMA.

480. **\*Mr. C. N. Muthuranga Mudaliar :** (a) Will the Honourable Member for Commerce and Railways please state if it is a fact that an agreement was arrived at at the International Sugar Conference to the effect that India should prohibit sea-borne exports of sugar except to Burma ?

(b) Was this agreement arrived at with the approval and consent of the Government of India ?

(c) Who represented India at that Conference ? Was any non-official representative of India present at that Conference ?

(d) Are Government aware that with the increased production of sugar in India, she would require markets across the seas ?

**The Honourable Sir Saiyid Sultan Ahmad :** (a) to (c). I would refer the Honourable Member to the reply given by me on the 23rd August, 1937, to Mr. Satyamurti's question No. 12 on the same subject.

(d) No.

**Mr. C. N. Muthuranga Mudaliar :** If I remember aright, I remember to have seen the report of the 23rd August, wherein it was said that the question was not put and so I am requesting the Honourable Member to repeat the answer.

**The Honourable Sir Saiyid Sultan Ahmad :** I lay the answer on the table.....

**Mr. President** (The Honourable Sir Abdur Rahim) : That is quite enough.

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“ 12. **\*Mr. S. Satyamurti :** Will the Honourable the Commerce Member be pleased to state :

(a) who was the representative of the Government of India at the recent World Sugar Conference, held in London, and what the terms of his appointment were ;

- (b) whether any non-official opinion, commercial, industrial or agricultural, was taken in connection with the agenda before the World Sugar Conference, and if not, why not ;
- (c) whether the representative of the Government of India was a party to the recommendation, that there should be no export of sugar from India by sea, except to Burma, and if so, on what grounds ; and
- (d) whether the recommendation is subject to the vote of the Assembly, and if so, when the subject will be placed before the Assembly ?

*The Honourable Sir Saiyid Sultan Ahmad* : (a) Owing to the absence of the High Commissioner in America, the Indian Trade Commissioner, Sir David Meek, was appointed as sole delegate.

(b) Mr. Noel Deerr, late of Messrs. Begg Sutherland and Company, Cawnpore, a well-known sugar expert, was appointed as technical adviser, but beyond this it was not considered necessary by the Government of India to appoint other non-official advisers.

(c) The Honourable Member's attention is invited to Article 16 of the Sugar Agreement, which has its origin in instructions from the Government of India to the Indian Delegate.

(d) No. I would, however, refer the Honourable Member to the reply just given to parts (b) and (c) of Mr. Avinashilingam Chettiar's question No. 7."

#### PROTECTION TO THE GLASS INDUSTRY.

481. **\*Mr. C. N. Muthuranga Mudaliar** : (a) Will the Honourable Member for Commerce and Railways be pleased to state if it is a fact that Government rejected the recommendation of the Tariff Board for protection to glass industry on the ground that soda ash, one of the raw materials for the manufacture of glass, is not produced in India ?

(b) Is it a fact that Government allowed a rebate of duty on imports of soda ash from British Empire countries for use in the glass industry ?

(c) Is it a fact that the Industrial Research Bureau has published a bulletin, pointing out that Nepheline syenite rock, which is abundantly available in India, can be utilised as a partial substitute for soda ash in glass batches and that glass makers need not depend upon foreign soda ash to such a great extent as before ?

(d) Are Government now prepared to consider the advisability of granting protection to the glass industry ?

**The Honourable Sir Saiyid Sultan Ahmad** : (a) I would refer the Honourable Member to the Government of India, Commerce Department Resolution No. 458-T. (14), dated the 22nd June, 1935.

(b) A refund of the entire duty paid on soda ash is granted to glass manufacturers in India in respect of imports from the United Kingdom or Colonies, and of the duty paid in excess of ten per cent. on imports of other origin.

(c) Yes, Sir.

(d) Representations have been received from the industry for assistance against Japanese competition and a questionnaire has been sent to all those who have represented in the matter. The case of the glass industry will be examined on receipt of the replies to the questionnaire.

**Mr. Mohan Lal Saksena** : When was this questionnaire sent ?

**The Honourable Sir Saiyid Sultan Ahmad :** It must have been a month or two ago.

**Mr. S. Satyamurti :** Do Government propose to appoint a fresh Tariff Board for the purpose, or do they propose to come to a decision themselves, on the receipt of the answers to the questionnaire, in view of the facts mentioned in clause (c) of the question and admitted by the Honourable Member ?

**The Honourable Sir Saiyid Sultan Ahmad :** Government have come to no conclusion about it ; they will come to conclusions after the receipt of replies to the questionnaire.

**Mr. S. Satyamurti :** May I take it that Government have come to no conclusion not only on the question of giving any protection, but even on the question of appointing a fresh Tariff Board for this purpose ?

**The Honourable Sir Saiyid Sultan Ahmad :** Government have come to no conclusion about anything ; they propose to consider the whole matter after receipt of the replies to the questionnaire.

**Mr. M. Ananthasayanam Ayyangar :** Is it not a fact that the Tariff Board have already sat over this matter very recently and recommended that protection may be granted for this industry, year before the last ?

**The Honourable Sir Saiyid Sultan Ahmad :** That was perhaps six years ago in 1931.

**Mr. M. Ananthasayanam Ayyangar :** Is it not a fact that orders were passed only the year before the last or last year by the Government ?

**The Honourable Sir Saiyid Sultan Ahmad :** As far as I understand, the answer is " no ".

**Mr. M. Ananthasayanam Ayyangar :** May we know when Government passed orders ?

**The Honourable Sir Saiyid Sultan Ahmad :** I cannot say : I cannot give any information offhand.

**Mr. M. Ananthasayanam Ayyangar :** Is it not a fact that because soda ash was not prepared in this country, protection was refused ?

**The Honourable Sir Saiyid Sultan Ahmad :** I cannot give an answer to that, because I have not got the papers here.

**Mr. M. Ananthasayanam Ayyangar :** Are Government taking any steps to have soda ash prepared in this country, which is a very small proportion of the materials required for glass manufacture ?

**The Honourable Sir Saiyid Sultan Ahmad :** I do not think so : we have not considered that point.

**Mr. M. Ananthasayanam Ayyangar :** May we know if Government are taking any steps in that direction ?

**The Honourable Sir Saiyid Sultan Ahmad :** I do not know ; but most likely not.

**Mr. M. Ananthasayanam Ayyangar :** Are Government considering a substitute for soda ash so that protection might be given ?

**The Honourable Sir Saiyid Sultan Ahmad :** All these matters to which attention has been drawn by the Honourable Member will have to be considered on receipt of the replies to the questionnaire. What action should be taken will be finally decided when we consider the whole matter then.

**Mr. M. Ananthasayanam Ayyangar :** May we know on what basis and for what purpose the questionnaire has been issued ?

**The Honourable Sir Saiyid Sultan Ahmad :** Part (d) of the question is :

“ Are Government now prepared to consider the advisability of granting protection to the glass industry ? ”

and my answer was :

“ Representations have been received from the industry for assistance against Japanese competition and a questionnaire has been sent to all those who have represented in the matter. The case of the glass industry will be examined on receipt of the replies to the questionnaire.”

**Mr. Mohan Lal Saksena :** Will the Honourable Member lay on the table a copy of that questionnaire ?

**The Honourable Sir Saiyid Sultan Ahmad :** Yes, certainly.

#### ALLEGED INJUSTICE TO MUSLIMS ON THE NORTH WESTERN RAILWAY.

482. **\*Maulana Zafar Ali Khan :** Will the Honourable the Railway Member please state whether :

- (a) it is a fact that in view of the overwhelming preponderance of the Hindu community in all the departments of the North Western Railway, it was decided by the Railway Board that the Musalmans should get 60 per cent. share in all the above departments in order that the glaring communal inequality under which they are suffering might be removed ;
- (b) it is also a fact that five vacancies which have recently occurred in the Bridge Department of the North Western Railway have not been filled in accordance with the above decision of the Railway Administration, in as much as only one Muslim, who was already employed as a checker, was promoted to the post of a clerk, whereas four vacancies were filled up by newly appointed Hindus ;
- (c) he is aware that when the retrenchment policy of the Railway Administration is carried into effect, it is the Musalmans who suffer in the majority of cases, while in the case of new appointments preference is invariably given to Hindu candidates ; and
- (d) he is further aware that a Muslim Checker in the Jhelum Bridge Department of the North Western Railway was brought under reduction along with two Hindu Checkers, and when he appealed for reappointment his appeal was rejected on the plea that the staff brought under reduction on the 12th October, 1936, could not be re-employed, but the two Hindu Checkers who were retrenched along with him were reappointed ?

**The Honourable Sir Saiyid Sultan Ahmad :** (a) The orders regarding the reservation of 60 per cent. for Muslims in direct recruitment to the North Western Railway Subordinate Services were issued with a view to improving the position of Muslims in these services. In this connection I would refer the Honourable Member to the Home Department Resolution No. F. 14/17-B.33, dated the 4th July, 1934, and to the Government of India, Railway Department (Railway Board) letter No. E-34-C.M.-113, dated the 12th December, 1934, addressed to the Agent, North Western Railway, copies of both of which are in the Library of the House.

(b) and (d). These are matters of detailed administration within the competence of the Agent, North Western Railway, to deal with. I may, however, add that Government have no reason to believe that the orders regarding communal representation in services are not being followed on the North Western Railway.

(c) Government have no reason to believe that the facts are as stated by the Honourable Member.

**Maulana Zafar Ali Khan :** With regard to clause (d) of the question, I should like to draw the attention of the Honourable Member to the glaring inequality in the case of a clerk who was refused re-employment, whereas under similar circumstances two others were appointed.

**The Honourable Sir Saiyid Sultan Ahmad :** I have only to give information to questions. If the Honourable Member will address the Administration, or the matter comes up before the Government of India in due course, it will certainly be considered.

**Maulana Zafar Ali Khan :** Will the Honourable Member please put himself in communication with the authorities and obtain an answer, because it is found that whenever such communications are addressed to the authorities, the stereotyped answer is received that the man is inefficient or the authorities could not do anything, and unless therefore the Honourable Member takes the lead himself in this matter, there is no chance of getting our grievances remedied.

**The Honourable Sir Saiyid Sultan Ahmad :** I will send the question to the Railway Administration and ask them to consider the matter.

#### ALLEGED INJUSTICE TO MUSLIMS ON THE NORTH WESTERN RAILWAY.

483. **\*Maulana Zafar Ali Khan :** Will the Honourable Member for Railways give an assurance to the House that the promises made to the Musalmans as regards their percentage in all departments of the North Western Railway will be fulfilled with scrupulous care, and that in all cases in which injustice has been done to the Musalmans, effective steps would be taken to redress their just grievances ?

**The Honourable Sir Saiyid Sultan Ahmad :** I would refer the Honourable Member to the Government of India, Railway Department (Railway Board) letter No. E-34-C.M.-113, dated the 12th December, 1934 addressed to the Agent, North Western Railway, dealing with the subject of the reservation of certain percentages to direct recruitment to Railway Subordinate Services for Muslims and members of other minority communities, a copy of which is in the Library of the House. Government have no reason to believe that these orders are not being followed.

I may add that the operation of these orders is being watched by the Government of India by means of statements which the railway administrations are required to submit quarterly and annually.

**Maulana Zafar Ali Khan :** May I point out to the Honourable Member that from bitter experience we have found that the orders of the Government are not being carried out, and will he assure us that some effective steps would be taken to see to it that the orders of Government are carried out ?

**The Honourable Sir Saiyid Sultan Ahmad :** I have already given the answer that the Railway Administrations submit their reports quarterly and annually, and they are carefully considered.

**Mr. Sri Prakasa :** Will the Government also fix the percentage of the communities, so far as travelling is concerned ?

(No reply.)

#### TRAFFIC CANVASSERS ENGAGED BY THE BENGAL NAGPUR RAILWAY.

484. **\*Seth Govind Das :** Will the Honourable Member for Commerce and Railways be pleased to state :

- (a) the number of Traffic Canvassers engaged by the Bengal Nagpur Railway for their whole Railway ;
- (b) their functions ;
- (c) whether their duties include research work of market rates to advise the administration for reduction or increase of Railway freight rates suiting the conditions ;
- (d) whether the present number of Traffic Canvassers engaged is sufficient for the whole Railway ;
- (e) whether the Bengal Nagpur Railway gives the Traffic Canvassers of that Railway an opportunity to meet once a year to exchange ideas and study each other's conditions prevailing within their jurisdictions ;
- (f) whether their recommendations for the reduction or increase of freight rate on any commodity is accepted by the Railway and given effect to ;
- (g) the minimum qualification required for the appointment of a Traffic Canvasser ;
- (h) the remunerations paid to a Traffic Canvasser on the Bengal Nagpur Railway including travelling allowances, etc.; and
- (i) the officer under whose direct supervision they work ?

**The Honourable Sir Saiyid Sultan Ahmad :** (a) to (i). These are matters of detailed administration on which Government have no information. I may also add for the information of the Honourable Member that the staff employed on this Railway are not Government servants but are the servants of the Bengal Nagpur Railway Company.

**Seth Govind Das :** Is the staff employed on other State-managed railways ?

**The Honourable Sir Saiyid Sultan Ahmad :** I do not know.

**OFFICIAL MEMBERS FROM THE PROVINCES NOMINATED TO THE INDIA LEGISLATIVE ASSEMBLY.**

485. **\*Mr. Mohan Lal Saksena :** (a) Will the Honourable the Leader of the House be pleased to state whether in view of the decision of the Government of India that the official members of the Assembly from the various Provinces shall have to be bound in respect of speech and vote by the instructions of the Leader of the House, what useful purpose is likely to be served by their presence in the House from the point of view of the Provincial Government ?

(b) Is it not a fact that the various official members from the Provinces have to carry on their respective duties from Delhi and Simla, entailing additional expense to the Provincial Governments and to themselves ?

(c) Is it not a fact that of the two alternatives given to the Provincial Governments as stated by the Honourable the Law Member in the Assembly on the 26th August, 1937, the second will be economical both to the Provincial and the Central Governments ?

(d) What will be the likely amount of savings to the Government of India by adopting the second alternative ?

(e) Have Government considered the feasibility of having no official member from the Provinces ? If so, with what result ?

**The Honourable Sir Nripendra Sircar :** (a) This is a question for Provincial Governments, but it may be assumed that those Provincial Governments who have elected to make officials available see advantage to themselves in the enlarged experience accruing to a provincial officer from nomination to the Central Legislature and in the opportunity afforded to such officer of establishing informal contacts with the Central Government.

(b) It is for the Provincial Government concerned to decide whether an officer nominated to the Central Legislature should continue during the period of his nomination to discharge the duties of his provincial appointment. Where the decision is in this sense the Provincial Government incur no extra expenditure in connection with the nomination and the additional expense in which the officer himself is involved is designed to be covered by the travelling and daily allowances admissible to him as a Member of the Central Legislature.

(c) and (d). In respect of each provincial officer replaced by a headquarters central officer a saving would accrue to the Central Government of the allowances payable to the provincial officer, the amount of which varies in accordance with the length of a Session and the distance between the officer's ordinary station and the place at which the Session is held. Against this direct saving must be set the increased dislocation of work in the Central Secretariat which would result from the nomination of additional central officers whose presence in the Assembly would be required only for the purpose of making up the statutory quota of nominated officials.



(e) Government have considered all aspects of the question and propose to continue to receive officers for nomination from those provinces of which the Government elect to make officers available for that purpose.

**Mr. Mohan Lal Saksena :** When was this choice given to the Provincial Governments ? Was it in April or in July ?

**The Honourable Sir Nripendra Sircar :** I answered the question once, and I informed the House that when it was done and that when Congress Ministers took charge of the provinces, they were given a chance to express their own opinion. All that I have answered in this House.

**Qazi Muhammad Ahmad Kazmi :** Will the Government consider the advisability of engaging temporary hands for the Assembly Sessions ?

**The Honourable Sir Nripendra Sircar :** No, Sir.

**Mr. M. Ananthasayanam Ayyangar :** Is it a fact, Sir, that officers from the provinces are nominated just on the eve of their retirement ?

**The Honourable Sir Nripendra Sircar :** They don't look like that.

**Mr. Thirumala Rao :** What is the sort of experience these officers are expected to gain from the Centre ?

(No reply.)

#### ADVERTISEMENT FOR POSTS CREATED ON CERTAIN RAILWAYS.

486. **\*Maulvi Muhammad Abdul Ghani :** (a) Will the Honourable Member for Commerce and Railways be pleased to state whether four additional posts of leave reserve junior scale posts on the Bombay, Baroda and Central India Railway have been created ?

(b) Have the said posts been advertised and appointments made ? If so, will Government please state the names and educational qualifications of the persons appointed and the amount of their salary and allowances, if any ?

(c) Has any additional senior scale post been created over Eastern Bengal Railway ? If so, has the post been advertised ? If not, when will it be advertised and when will the appointment be made ?

(d) Have the posts of one Chief Commercial Manager and three junior scale posts been created on the Madras and Southern Mahratta Railway ? If so, when will these appointments be made ?

(e) Does the Honourable Member propose to see that Muslims with minimum qualifications are appointed to posts mentioned in parts (a) to (d) above, as laid down in the Home Department Resolution No. F. 14/17-B. 33, dated the 4th July, 1934, and also the Resolution No. E.-34-C.M.-113, dated the 12th December, 1934, of the Government of India. Railway Department (Railway Board) ?

(f) If so, will the Honourable Member for Commerce and Railways get the abovementioned posts advertised in India and see that applications by Indians are not kept back ?

**The Honourable Sir Saiyid Sultan Ahmad :** (a) Yes.

(b) Government have no information.

(c) The reply to the first part is in the negative, the latter parts do not arise.

(d) The reply to the first part is in the affirmative. As regards the second part, Government have no information.

(e) The Bombay, Baroda and Central India, and the Madras and Southern Mahratta Railways, like other Company-managed Railways, have full powers in regard to recruitment of their staff and Government do not interfere. I would, however, add for the information of the Honourable Member that these Railways have agreed to apply the communal percentages laid down by Government in the Resolutions referred to by him in making direct recruitment to Superior Services on these Railways.

(f) Does not arise.

**Maulvi Muhammad Abdul Ghani :** Has† the Honourable Member for Railways seen the statements issued by the Railway Companies for the years ending the 31st March, 1935, 1936 and 1937, in respect of communal composition of the Superior Railway Services ?

**Mr. President (The Honourable Sir Abdur Rahim) :** Since the Honourable Member has been able to follow the answer in English, I should ask him to put the supplementary question in English. I cannot allow him to ask supplementary questions in Urdu.

(The Honourable Member again put the question in the vernacular.)

**Mr. M. S. Aney :** May I ask whether an Honourable Member who can follow the reply in English can put a supplementary question in the vernacular ?

**Mr. President (The Honourable Sir Abdur Rahim) :** I will not allow the Honourable Member to put the question in Urdu when he can follow the answer in English.

**Seth Govind Das :** May I ask a ruling on one point ? An Honourable Member may understand English, but it may be difficult for him to speak in English.

**Mr. President (The Honourable Sir Abdur Rahim) :** I am not going to answer such a hypothetical question.

‡487\* and 488\*.

#### TERMS FOR THE PRINCES FOR JOINING THE FEDERATION.

489. **\*Mr. T. S. Avinashilingam Chettiar :** Will the Honourable the Law Member state :

- (a) whether the final terms for the Princes for their joining the Federation have been reached ;
- (b) if not, when they expect to reach them ; and
- (c) if they have been reached, whether Government will give this Assembly an opportunity to express their opinions in the matter ?

†Translation of the supplementary question put in the vernacular.

‡For these questions and replies thereto, see page 1576 of these debates.

**The Honourable Sir Nripendra Sircar :** (a) No.

(b) It is not possible to forecast this.

(c) The attention of the Honourable Member is invited to the reply which I gave to part (b) of starred question No. 211 on the 31st August last.

**Dr. Ziauddin Ahmad :** Is the Honourable Member aware that the speech which was delivered by His Excellency the Viceroy this morning contained the reply to this question ?

**Mr. S. Satyamurti :** With reference to the answer to part (b) of the question, may I know whether the announcement this morning by the Governor General that the life of this Assembly has been extended up to the 1st October, 1938, is intended to throw any light on the date when the Federation is coming into existence ?

**The Honourable Sir Nripendra Sircar :** No. The obscurity remains the same as it was. (Laughter.)

#### CORRESPONDENCE WITH CERTAIN PROVINCIAL GOVERNMENTS REGARDING FEDERATION.

490. **\*Mr. Ram Narayan Singh :** Will the Honourable the Leader of the House be pleased to state whether, on the question of the proposed Federation of India as laid down in the Government of India Act, 1935, there has been any correspondence between the Government of India and the Provincial Governments after the Congress Members of six Provincial Legislatures have taken the responsibilities of the Governments in those six provinces and, if so, with what result and if not, why not ?

**The Honourable Sir Nripendra Sircar :** No.

**Mr. S. Satyamurti :** May I know the reasons why the Provincial Governments which are *ex-hypothesi* the most important units of the Federation are not being consulted even at this stage when conclusions are about to be reached on the terms of accession and Instruments are to be sent to the Princes for their assent ?

**The Honourable Sir Nripendra Sircar :** Because the Government of India have reserved the right to themselves to decide as to the time when any one should be consulted.

**Mr. S. Satyamurti :** May I know whether the Government propose to consult the Provincial Governments, but have not made up their minds only as to the time when they should consult them ?

**The Honourable Sir Nripendra Sircar :** It does not follow.

**Mr. S. Satyamurti :** What is the attitude of the Government at present—whether they intend consulting the Provincial Governments or not ?

**The Honourable Sir Nripendra Sircar :** They have no attitude one way or the other. (Laughter.)

## EMPLOYMENT OF BIHAREES IN THE RAILWAY DEPARTMENT.

491. \***Mr. Ram Narayan Singh** : Will the Honourable the Railway Member be pleased to state whether he has received a copy of the Bihar Unemployment Committee's Report and, if so, whether his attention has been drawn to the Committee's suggestion with regard to the employment of Biharees in the Railway Department by the Railway Board ?

**The Honourable Sir Saiyid Sultan Ahmad** : Government have received an extract from the report of the Bihar Unemployment Committee and their attention has been drawn by the Government of Bihar to the Committee's suggestion regarding the employment of Biharees in the Railway Department.

**Mr. Sri Prakasa** : Were members of this Bihar Unemployment Committee themselves unemployed, or were they over-employed ? (Laughter.)

**The Honourable Sir Saiyid Sultan Ahmad** : Neither. (Laughter.)

## RAILWAY ACCIDENT AT BIHTA ON THE EAST INDIAN RAILWAY.

492. \***Mr. Ram Narayan Singh** : Will the Honourable Member for Commerce and Railways be pleased to make a full statement with regard to the recent Bihta disaster with special reference to the following points :

- (a) Is it a fact that just after the accident no medical aid was immediately available on the spot, otherwise many more lives would have been saved ?
- (b) Is it a fact that the news of the disaster having spread, congressmen from the Sadakat Ashram, the residents of the Sitaram Ashram at Bihta, the employees of the Bihta Sugar Mills, the students of the Medical College and the University at Patna, the Government officials of Patna and many more members of the public had rushed to the spot for help to the sufferers and if so, did the Railway staff take any step or steps to inform the people mentioned above of this calamity and if so, what ?
- (c) How many of the dead persons are women, children, Europeans, and Railway servants ?
- (d) Were all the dead persons identified before they were buried or burnt and, if so, were all these identifications recorded ?
- (e) What arrangement, if any, was made by the authority to send all those people to their homes or destinations who had lost all their wealth with them ?
- (f) Has any arrangement been made by the authorities to compensate the injured and the relatives of the dead for the losses suffered due to the disaster and if so, what ?
- (g) Is it a fact that for want of sufficient precautions, much of the property of the dead and the invalids has been either looted or stolen ?

**The Honourable Sir Saiyid Sultan Ahmad :** (a) and (b). The accident occurred at some 600 yards from Bihta Station which is situated at some eleven miles from Dinapore. Medical aid was not, of course, available immediately on the spot. The accident occurred at about 3-55 hours and by 5-40 hours a special train had arrived at the site of the accident with medical assistance. In the meantime, first aid was given by the guard and valuable assistance was rendered by a local doctor to whom information had been given by the Bihta Station staff. Valuable assistance was also rendered by Seva Samiti Boy Scouts and Congress volunteers, but at present Government have not full information of all who rendered valuable assistance. By 8-30 A.M. all the injured had been extricated and despatched to Hospitals at Dinapore and Patna.

(c), (d), (e) and (g). Government have no information, but this will be obtained and laid on the table of the House in due course.

(f) The Honourable Member is referred to part (e) of the answer given to question No. 304 on the 3rd September, 1937. The matter of the Railway's liability to pay compensation will be considered when a conclusion has been reached as to the cause of the accident.

**Mr. S. Satyamurti :** With reference to the answer to clause (a) of the question, may I know whether the Government have since obtained any information, on which either to accept or to refute the suggestion, that many more lives might have been saved, had medical aid been available more promptly on the spot ?

**The Honourable Sir Saiyid Sultan Ahmad :** I have personally made enquiries into that and that is without foundation.

**Mr. S. Satyamurti :** With reference to the answer to clause (g) of the question, may I know whether the Government have any information as to the stealing or looting of property of the dead and of invalids, owing to the absence of adequate protection ?

**The Honourable Sir Saiyid Sultan Ahmad :** I answered that question on the 3rd September, 1937.

**Mr. S. Satyamurti :** I am asking specifically if Government have made enquiries and satisfied themselves, that no property was stolen or looted for want of prompt and adequate police protection.

**The Honourable Sir Saiyid Sultan Ahmad :** I had made enquiries myself along with the officials in the province and I was satisfied that no such thing happened.

#### TEA ESTATES APPLYING FOR EXPORT QUOTA.

493. **Mr. Kuladhar Chaliha :** Will the Honourable Member for Commerce and Railways please state :

(a) how many tea estates applied for export quota in 1933-34, 1934-35, 1935-36, 1936-37 and 1937-38 ?

(b) how many tea estates which applied for export quota during the period are Indian-owned and how many European-owned ?

- (c) how many Indian-owned tea estates were granted export quota, and how many were refused during the above period ?
- (d) how many Indian-owned tea estates appealed to the Governor General in Council, and how many were granted relief and how many rejected during the above period ?

**The Honourable Sir Saiyid Sultan Ahmad :** (a) to (d). The information is being collected and will be laid on the table of the House in due course.

**QUARTERS FOR MEMBERS OF THE INDIAN LEGISLATIVE ASSEMBLY AT SIMLA.**

494. **\*Mr. Ram Narayan Singh :** Will the Honourable the Leader of the House be pleased to state :

- (a) the number of quarters built or set apart at Simla exclusively for the use of the Members of this House for their residence during the Sessions of the Assembly here at Simla ;
- (b) the number of petitions submitted jointly or severally for quarters this year as well as the number of quarters allotted to the Members who have arrived for this Session of the Assembly ; and
- (c) whether the Department is or is not bound to provide each and every Member of this House with quarters for his residence at Simla during the Sessions of the Assembly ?

**The Honourable Sir Nripendra Sircar :** (a) There are 43 quarters set aside exclusively for Members of the Legislative Assembly in Simla as follows :

12 rooms in Longwood Hotel.

- 4 rooms in Longwood Hotel (for Members living in European style).

7 rooms in Longwood Range.

4 cottages in Longwood.

16 quarters on the Cart Road.

In addition to this number four quarters at Summer Hill have been placed at the disposal of the Legislative Assembly Department this year for allotment to Members, being the residue of unallotted assistants' and clerks' quarters. Of these 47 quarters, 43 are for Members living in orthodox style and four for Members living in European style.

(b) Sixty-five applications for quarters were received this year and 43 orthodox and three unorthodox quarters have been allotted to Members either jointly or severally.

(c) Government is not bound to provide accommodation for each and every Member of the Legislative Assembly.

**Mr. Sri Prakasa :** In view of the fact that the chairs and tables and other furniture supplied in the quarters meant for orthodox people are exactly the same as those in quarters meant for persons living in European style, where is the difference between the two types of quarters and why are they classed separately ?

**The Honourable Sir Nripendra Sircar :** I do not suggest that a Hindu table is different from a Muslim table, I do not suggest that. But there are differences particularly in the matter of certain unmentionable places. (Laughter.)

(b) WRITTEN ANSWERS.

**INSTALLATION OF LOUD-SPEAKERS IN THE INDIAN LEGISLATIVE ASSEMBLY CHAMBER.**

487. **\*Mr. Muhammad Anwar-ul-Azim :** Will the Honourable the Leader of the House be pleased to state whether Government are aware that there are twenty loud-speakers in the Chamber of the Madras Legislative Assembly for the convenience of the Members ? If so, are Government prepared to put similar loud-speakers here in the Assembly Chamber for the convenience of the Members ?

**The Honourable Sir Nripendra Sircar :** With regard to the first part of the question the position is as follows :

Only eight microphones have been installed at present in the various parts of the Madras Assembly Chamber. Members have to walk to the nearest microphone and speak through it. Several members do not use the microphone at all while some others are not very distinct. The experiment, however, cannot be said to be unsuccessful.

With regard to the latter part of the question, the matter is under consideration and the reply will be laid on the table of the House in due course.

**POSTRUM USED BY THE MEMBERS OF THE FRENCH CHAMBERS FOR DELIVERING SPEECHES.**

488. **\*Mr. Muhammad Anwar-ul-Azim :** Will the Honourable the Leader of the House be pleased to state whether Government are aware that the Members of the French Chambers speak from a rostrum for the convenience of the House ?

**The Honourable Sir Nripendra Sircar :** Government have no information as to the practice obtaining in the French Chamber.

**UNSTARRED QUESTIONS AND ANSWERS.**

**APPOINTMENT OF MUSLIMS AS ENGINEERS ON THE NORTH WESTERN RAILWAY.**

74. **Dr. Ziauddin Ahmad :** (a) Will the Honourable Member for Commerce and Railways please state how many temporary Engineers were appointed by the North Western Railway during the last 12 years and how many of them were Muslims ?

(b) How many of these Engineers have been taken in the Lower Gazetted Service and how many of them were Muslims ?

(c) How many Engineers were promoted from the Lower Gazetted Service to the Indian Service of Engineers during the past five years and how many of them were Muslims ?

**The Honourable Sir Saiyid Sultan Ahmad :** (a) The information available with Government is that from 1925, 41 temporary engineers were appointed on the North Western Railway according to requirements. Of these, five were Muslims.

(b) Of these temporary engineers one Muslim has been appointed to the Indian Railway Service of Engineers, two non-Muslims have been taken permanently into the Lower Gazetted Service, and two non-Muslims are officiating in that Service.

(c) During the past five years one Lower Gazetted Service Engineer—a Non-Muslim—has been promoted to the Indian Railway Service of Engineers on the North Western Railway.

#### SELECTION OF ENGINEERING STAFF IN THE QUETTA DIVISION OF THE NORTH WESTERN RAILWAY.

**75. Dr. Ziauddin Ahmad :** (a) Will the Honourable Member for Commerce and Railways please state whether it is a fact that the Divisional Superintendent of Quetta, North Western Railway, invited applications for appointment in the Engineering staff as Inspector of Works and Sub-Inspector of Works, etc. ?

(b) Is it a fact that several persons presented themselves before the Selection Committee and about twenty-four persons were selected ?

(c) Is it not a fact that these persons after selection were asked to go home at their own expense ?

(d) Was any post given to any of these persons who were selected in this manner ?

(e) Is it not a fact that appointment was also made before the Selection Committee met, on the strength of recommendation alone ?

**The Honourable Sir Saiyid Sultan Ahmad :** I am obtaining information and will lay a reply on the table of the House in due course.

#### PAY OF DAILY-RATED STAFF IN CERTAIN DEPARTMENTS OF THE NORTH WESTERN RAILWAY.

**76. Mr. Ram Narayan Singh :** Will the Honourable Member for Commerce and Railways please state the scales of pay of daily rated staff employed in loco, carriage, electric, engineering, workshops, etc., on the North Western Railway, who are Government servants in superior service, in inferior service and in menial service, respectively ?

**The Honourable Sir Saiyid Sultan Ahmad :** I propose to reply to questions Nos. 76 and 77 together.

I would refer the Honourable Member to Schedule 'C' of the North Western Railway Gazette Extraordinary, dated the 6th August, 1934, a copy of which is in the Library of the House, which gives the information available with Government.



### DESIGNATION OF DAILY-RATED STAFF IN CERTAIN DEPARTMENTS OF THE NORTH WESTERN RAILWAY.

†77. **Mr. Ram Narayan Singh** : Will the Honourable Member for Commerce and Railways please state the designation of the daily rated staff employed in loco, carriage, electric, engineering, workshops, etc., on the North Western Railway, who are Government servants in superior, inferior and menial services, respectively ?

### DIFFERENCE IN THE SCALES OF PAY OF THE ELECTRIC AND TRAIN LIGHTING STAFF ON THE NORTH WESTERN RAILWAY.

78. **Mr. Ram Narayan Singh** : Will the Honourable Member for Commerce and Railways please state the reasons for treating differentially the Electric Staff of the Power and of the Train Lighting in respect of their scales of pay on the North Western Railway, and are Government prepared to remove the anomaly of monthly and daily rates ? If not, why not ?

**The Honourable Sir Saiyid Sultan Ahmad** : These are matters of detailed administration within the competence of the Agent, North Western Railway, to deal with. I am, however, sending a copy of the question to the Agent for such action as he may consider necessary.

### RACIAL DISCRIMINATION IN FACILITIES OFFERED TO DINING CAR CONTRACTORS ON THE NORTH WESTERN RAILWAY.

79. **Mr. Ram Narayan Singh** : With reference to the statement placed on the table of this House in reply to starred question No. 368, asked on 3rd February, 1937, will the Honourable Member for Commerce and Railways please state the reasons for treating Indian Dining Car Contractors differentially from the European Dining Car Contractors in respect of payments made by the administration for cleaners and for the supply and maintenance of utensils and whether these are not an essential implements for an Indian Dining Car ? And what action do the Government of India propose to take for not giving similar help to Indians ? If not, why not, and when will this racial discrimination cease on the North Western Railway ?

**The Honourable Sir Saiyid Sultan Ahmad** : I am having enquiries made and will lay a reply on the table in due course.

### RACIAL DISCRIMINATION IN THE GRANT OF PASSES TO VENDORS AND CATERING CONTRACTORS ON STATE RAILWAYS.

80. **Mr. Ram Narayan Singh** : Will the Honourable Member for Commerce and Railways please state the policy of the grant of passes to Vendors and Catering Contractors on Eastern Bengal, East Indian, Great Indian Peninsula and North Western Railways and the reasons if any, for the racial discrimination and differential treatment between Indian and European Catering Contractors ?

**The Honourable Sir Saiyid Sultan Ahmad** : I am calling for the information from the Railways concerned and will lay a reply on the table in due course.

†For answer to this question, see answer to unstarred question No. 76.

**RACIAL DISCRIMINATION IN THE GRANT OF PASSES TO CATERING CONTRACTORS ON THE NORTH WESTERN RAILWAY.**

81. **Mr. Ram Narayan Singh** : Will the Honourable Member for Commerce and Railways please state :

- (a) whether it is a fact that the policy of the present Agent, North Western Railway, is to treat the Indians in all respects inferior to Europeans *cum* Anglo-Indians ; if not, to lay a statement of the grant and withdrawal of passes to Catering Contractors along with the names of the Contractors and the stations on which they are operating and the reasons for not granting passes to Indians where they are operating over more than one station ;
- (b) the name of the Indian Contractors who are catering European Refreshment and Tea Rooms along with the names of stations ; and
- (c) why the Agent considers the European Catering Contractors superior to Indian Catering Contractors of the same nature ?

**The Honourable Sir Saiyid Sultan Ahmad** : (a) Government have no reason to believe that there is any ground for the assumption in the first part. The information required in the second part is being collected and will be laid on the table when received.

(b) I have called for the information and will lay it on the table when received.

(c) I cannot see that the Honourable Member has established this assumption.

**DEDUCTION OF SUBSCRIPTIONS OF CERTAIN SOCIETIES FROM THE WAGES OF EMPLOYEES ON THE GREAT INDIAN PENINSULA RAILWAY.**

82. **Mr. N. M. Joshi** : Will the Honourable Member for Commerce and Railways be pleased to state :

- (a) whether on the Great Indian Peninsula Railway there are two societies by name " The Great Indian Peninsula Railway Mutual Benefit Fund " and " The Great Indian Peninsula Railway Death Benefit Fund " ;
- (b) whether deductions of subscriptions to the said societies are made from the wages of the employees ;
- (c) the object and nature of the work done by these two societies ;
- (d) whether these societies are co-operative societies approved of by the Local Government and, if so, on what date and by what order such approval was given by the Local Government ;
- (e) if the answer to part (d) be in the negative whether Government have issued an order authorising recoveries to be made from wages of the employees under clause (j) of subsection (2) of section 7 of the Payment of Wages Act, 1936, and if so whether such exemption has been considered to be legal by their legal experts ?

**The Honourable Sir Saiyid Sultan Ahmad :** This question should have been addressed to my colleague, the Honourable Member for Industries and Labour Department.

### STATEMENTS LAID ON THE TABLE.

*Information promised in reply to part (b) of starred question No. 457 asked by Mr. Sami Vencatachelam Chetty on the 26th February, 1937.*

#### STRENGTH OF OPERATORS SANCTIONED FOR THE CENTRAL TELEGRAPH OFFICE, MADRAS.

(b) On the 31st January, 1937, the strength on the rolls of the Madras Central Telegraph Office was 158 telegraphists, including three lent to the Engineering Branch and four officiating as Telegraph Masters. The actual number of telegraphists available for operative duties was 124.

*Information promised in reply to starred question No. 820 asked by Seth Sheodass Daga on the 31st March, 1937.*

#### BAJRI QUARRIES IN THE NEW DELHI CANTONMENT.

(a) Yes.

(b) Yes. This was necessary because the area from which the contractor was permitted to dig stone, bajri, *kankar* and sand was varied and considerably reduced for anti-malarial reasons.

(c) The period was not the only important factor. The area also considerably affected the compensation.

(d) The application passed through the normal channel to the Cantonment authority.

(e) Yes, but the insinuation that this had anything to do with the matter is baseless.

(f) There was no irregularity.

*Information promised in reply to starred question No. 53 asked by Mr. S. Satyamurti on the 24th August, 1937.*

#### INSULT TO NATIONAL FLAG BY BRITISH SOLDIERS NEAR POONA.

The extract from the *Eastern Times* of the 9th of June, 1937, is as follows :

*“ Tricolour Flags snatched by Soldiers.*

*Congress Complaint.*

Poona, June 7th.

The Secretary of the Reception Committee of the Poona District Political Conference, in the course of a statement says, that two tricolour flags in the hands of volunteers, stationed at the roadside to direct visitors to the conference holding at Charholi twelve miles from Poona off the main road, were forcibly removed by a party of soldiers who passed that way in a car yesterday noon. A complaint is being filed with the authorities.”

2. The complaint was duly made to the District Superintendent of Police at Poona, on the 14th of June. It was made by the Chairman of the Reception Committee of the Charholi Conference and in his letter to the Superintendent of Police, he stated as follows :

\* \* \* In order to point out the Charholi Road to the delegates and visitors to the conference, volunteers were posted at the spot where that road branches forth from the Poona Alandi Road. These boys had a couple of tricolour national flags in their hands. At about 9-30 A.M. on that day two European military soldiers or police sergeants (the volunteers being very young cannot distinguish between the two) seated in a motor car, went past the volunteers in the direction of Alandi. But after proceeding about a furlong, they backed to the spot where the boys stood and snatched away the national flags from their hands. \* \* \* I know the act was not done in pursuance of an official policy and that it was due to mischievous irresponsibility of certain persons acting on their own initiative. \* \* \* I know in the particular circumstances of the case it is difficult to trace the culprits, but if those persons belonged to the police force, it may be possible to identify them from the postings of the day for duty. \* \* \*

3. Both the police and the military authorities have investigated the case. The police authorities state that no police were involved in this alleged incident. The military authorities report that no troops were under training in this distant locality on the date in question and that owing to the meagre evidence available, it is not possible even to assert that soldiers were implicated.

*Information promised in reply to starred question No. 69 asked by Sardar Mangal Singh on the 24th August, 1937.*

#### INDIAN NATIONALS KIDNAPPED BY THE FRONTIER TRIBESMEN.

(a) and (b). An up-to-date statement is laid on the table.

(c) There is reason to believe that in some cases ransom has in fact been privately paid by individuals, but Government are not in possession of the details.

(d) No.

*List of persons kidnapped by tribesmen from the beginning of the Present Disturbances in the North West Frontier Province.*

Item No.	Date and place of kidnapping.	Names and other particulars.
1	18th February, 1937. Mobali Barak-zai, 6½ miles S. W. of Bannu on the Mirian Road.	Tehl Ram and Asa Nand, sons of Bhawans Dass, Gold Smith. Asa Nand was returned through the Jani Khel on 19th May, 1937, and Tehl Ram released on the 20th/21st June, 1937. One Devi Dayal, son of Tehl Ram was wounded in the course of the struggle with the dacoits.
2	17th March, 1937. Bannu-Kohat Road, 6 miles from Bannu near Domel.	Three Muslims named Bahadur Sher, Muhammad Hassan and Muhammad Din and one Hindu Bogha Ram were kidnapped. All three Muslims were subsequently released and Bogha Ram retained. He is still in captivity.
3	19th March, 1937. Bhart, Police Station Saddar, Bannu District.	Parmanand, Hindu, uncle of one Rama Nand was kidnapped. He was released as a result of Military operation on the night of the 20th/21st June, 1936, near Baramand Shaktu.

Item No.	Date and place of kidnapping.	Names and other particulars.
4	19th March, 1937. Lakki Bazar, Bannu District.	Five Hindus named (1) Naubat Rai, Booking clerk, Lakki Station, (2) Sadhu Ram, (3) Wishan Dass, (4) Milap Chand and (5) Khan Chand were kidnapped. Babu Naubat Rai was returned on the 19th May, 1937, and Wishan Dass was released in early May, Milap Chand and Sadhu Ram were returned on the 24th May, 1937. Khan Chand is still in captivity.
5	23rd March, 1937. Two miles from Bannu on the Tochi Road. Raid on Mamash Khel Bannuchi Village.	Two Hindus, Guli Chand and Gopi Chand, were kidnapped. Both subsequently escaped.
6	6th April 1937. Two miles north of Razmak, Tochi Agency.	A lorry was looted on the Razmak Road and 2 Hindus named Ganisham and Lorinda and one Sikh Attma Singh were kidnapped. Ganisham and Lorinda were released on the 18th June, 1937, and Attma Singh on the 10th April, 1937.
7	8th April, 1937. Nikori Khassadar Post, Jani Khel 18 miles S. W. of Bannu.	One Muslim District Board Overseer named M. Abdullah Khan and one Hindu Uttara Chand, Agent of Diwan Jodharam contractor were kidnapped. Both were returned on 13th May, 1937. The Jani Khels were charged with complicity in this case and on threat of severe action it is understood they themselves paid ransom of Rs. 1,500 for the release of these persons.
8	16th April, 1937. Behram Khel, village near Tajori, Lakki Talsil, Bannu District.	One Hindu Nirmal Dass kidnapped. He was returned on the 29th April, 1937.
9	23rd/24th April, 1937. Gul Imam village, Tank Sub-Division.	Two Hindus Duni Chand alias Tala Ram, son of Note Ram and Tara Chand, son of Karam Chand, were kidnapped. They were recovered on the 31st May, 1937.
10	26th April, 1937. Nari Wala Narai, Tochi, Agency.	Two drivers, Harnam Singh, Sikh, and Topan Ram, Hindu, were kidnapped on the 26th April 1937. They were released on the 11th June, 1937.
11	2nd May, 1937. Paharpur, D. I. Khan District.	One Hindu Gokal Chand and Harnam Singh were kidnapped. Both were handed over to the Political Agent at Sararogha on the 24th May, 1937.
12	19th May, 1937. Umar Tittar Khel, Bannu District. 10 miles east of Bain Pass.	Four Hindu girls daughters of Mussammat Puni Bhai. Names (1) Mussammat Lekar Bai, (2) Mussammat Bensar Bai, (3) Mussammat Makhan Bai, (4) Mussammat Gupal Bai were kidnapped. Mussammat Bensari Bai returned on the 24th May, 1937, and remaining three girls on the 20th June, 1937.

Item No.	Date and place of kidnapping.	Name and other particulars.
13	10th May 1937. Bragi village, Bannu District.	Eight Muslim boys named (1) Abdul Karim, son of Ghulam Haider, (2) Said Khan, son of Lal Khan, (3) Begu Khan, son of Sher Jangi, (4) Almar Gul, son of Sher Gul, (5) Sardar Khan, son of Akbar Ali, (6) Gul Wali, son of Sarmast, (7) Said Khan, son of Gul Khan and (8) Ismail Khan, son of Khan Muhammad, were kidnapped. All returned by 15th June, 1937.
14	3rd July, 1937. Village Passanai, Bannu District.	One Hindu boy named Devi Dayal was kidnapped. He is still in captive.
15	13th/14th July, 1937. Darraka Sulaiman Khel, 4 miles N. W. of Police Station Tajori, Bannu District.	Remaldaas, Hindu, was kidnapped. He is still in captivity.
16	1st/2nd August, 1937. Village Pai, Tank Sub-Division.	One Hindu woman wife of Chabil Dass and daughter of Tehl Ram was kidnapped. She is still in captivity.
17	10th August, 1937. Near Haved, Bannu District.	One Muslim girl and one Muslim boy names not known were kidnapped. They were returned on the 18th August, 1937.
18	13th/14th August, 1937. Umar Khel, Tank Sub-Division.	Two Hindus Asa Ram and Kotu Ram and one Hindu girl Mussammat Janni were kidnapped. They are still in captivity.
19	11th August, 1937	One Adam Khan of Umar Khel a tracker was kidnapped. He is still in captivity.
20	16th August, 1937. Sheikh Uttar, Dera Ismail Khan District.	Two girls, two boys and one man, all Hindus, were kidnapped. They are still in captivity. Names not known.

*Information promised in reply to starred question No. 355 asked by Mr. Mohan Lal Saksena on the 7th September, 1937.*

#### UNEMPLOYMENT PROBLEM.

*Statement indicating the progress made with the examination of the Sapru Committee's Report.*

[Note.—“ Paragraph ” denotes a paragraph of the Committee's Report.]

Conclusions and Recommendations of the Committee.

Results of examination.

#### *Statistics of Unemployment.—Paragraph 28.*

It should not be beyond the competence of universities, educational institutions, Government departments and local bodies to keep regular statistics of unemployment.

The question of compilation of statistics of the educated unemployed by universities and other educational institutions has been considered. After consultation with the

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Conclusions and Recommendations of the  
Committee.

Results of examination.

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Central Advisory Board of Education the Government of India addressed Local Governments and Administrations on the subject. The general conclusion was that the obvious difficulties in the way of collecting reliable statistics of unemployment could not be minimised and that statistics of employment were more easily securable. They recommended that colleges and universities should attempt as far as possible, to keep in touch with their students after they had left the institutions. The Government of India accordingly suggested that provincial Governments should request universities and colleges to maintain records of past students, which would be co-ordinated by the revived Bureau of Education.

The Government of India also examined the question with special reference to middle-class employment in industries, and after consulting the Director General of Commercial Intelligence and Statistics and the Standing Advisory Committee attached to the Department of Industries and Labour circularised Provincial Governments on the subject. The Government of India felt that in the absence of a scheme of unemployment insurance or some other substantial inducement to the unemployed to register, reliable statistics of unemployment could not be collected, except by universities and colleges maintaining personal contact with their alumni. The collection of statistics of middle class employment, besides being a practical proposition, would be of value to reveal misdirection of educational activities and the potentialities for absorption offered by industry and commerce, and to meet the demand for a statistical material to guide policy. They thus invited Provincial Governments to advise whether (1) the collection of such statistics was desirable, (2) Central legislation should be introduced for the purpose, (3) Provincial Governments would be prepared to co-operate in collecting and tabulating statistics, and (4) if their proposal received general support, Provincial Governments would be prepared to place a resolution before their Legislature to meet the requirements of section 103 of the Government of India Act.

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**Conclusions and Recommendations of the Committee.**
**Results of examination.**


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**CHAPTER III.—The Professions—Civil Engineering—Paragraph 73.**

With a view to reducing unemployment amongst Civil Engineers— This is not a matter concerning the Central Government directly, but certain aspects of it are being examined.

- (1) the policy adopted in the U. P. in connection with Buildings and Roads in 1922 should be reconsidered and revised to secure adequate supervision of all Government buildings and roads ;
- (2) stringent rules and regulations should be laid down to make it compulsory for Municipal and District Boards to have qualified engineers and overseers to maintain the roads and buildings under their control in efficient condition ;
- (3) in order to secure reliability and efficiency of execution of contract work it should be ruled that A and B class contractors must have qualified engineers as employees or partners and all C class contractors should similarly have overseers as partners or employees ;
- (4) to secure compliance with these recommendations, the existing laws and rules may be amended, if necessary.

**Mechanical and Electrical Engineering.—Paragraphs 76 and 81 (3) and 82.**

- (a) Arrangements should be made for more practical training for mechanical and electrical engineers (trained in Roorkee, Benares or abroad) ; for instance, while placing Government orders with firms it may be stipulated that subject to other terms and prices being the same, preference will be given to firms that will afford facilities for practical training of Indian engineers recommended by Government. Under consideration.
- (b) A well-thought-out system for imparting such practical training to civil, mechanical and electrical engineers should be provided after consultation with and with the co-operation of Departments of Government, factories and big industries, so that they be fit for immediate employment by the Government and industrial concerns.



Conclusions and Recommendations of the  
Committee.

Results of examination.

*Mining and Metallurgy.—Paragraph 81.*

There is scope both in British India and Indian States for the employment of men trained in Mining and Metallurgy.

The passage of evidence quoted at page 32 of the Report to the effect that 90 per cent. of those trained at Dhanbad do not find employment is incorrect. This profession appears to be one of the most satisfactory, and figures supplied by the Chief Inspector of Mines suggest that a slight increase in the enrolments of Indian School of Mines—which are now much smaller than in its initial years—might be allowed as conditions in the coal industry improve.

*Chemists.—Paragraph 92.*

While graduates in Chemistry succeed more than others in getting employment they are not always fairly treated by their employers. The remedy for these trained scientific employees is to organize themselves to enable them to deal effectively with unsatisfactory and unsympathetic employers.

The recommendation is for trade unionism and does not concern the Government of India. But it would tend to diminish rather than increase the number of chemists in employment.

*Bachelors of Commerce.—Paragraphs 105  
and 106.*

The utility of B. Coms. is considerably discounted partly because of a certain prejudice among Indian businessmen and partly because their education is almost wholly theoretical and does not fit in the standard required by commercial houses or business offices.

All universities which provide for instruction in the B. Com. course should make arrangements for some practical training being given to their students in consultation with the possible employers of such men.

Indian businessmen usually reserve posts for those who have family or other connections with them and generally speaking the career is not an open one. The Sapru Committee are undoubtedly right in believing that the degree of B. Com. is not a passport to business. Commercial houses used to attach importance to the old Government Diploma in Accountancy of Bombay. In some Provinces there is a lower qualification, viz., the Commercial Diploma which is known as the Intermediate of Commerce in the United Provinces. Business men in that Province frequently keep their sons in Intermediate Colleges until they have passed this examination before admitting them to the family business. The question is being considered further with reference to the recommendation under Accountancy.

*Medicine.—Paragraph 124.*

(1) There is a considerable amount of unemployment prevailing in the medical profession in these provinces due to the tendency of the medical practitioners to congregate in big towns and cities where the remuneration is higher than in the rural areas, though precise figures are not available.

(2) The system of medical relief in hospitals maintained by Government or district boards or municipal boards requires reorganization and the strengthening of the staff employed.

Various suggestions have been made by the Government of India to Local Governments within whose competence all legislative and executive action lies. There is adequate employment for all medical practitioners, but it is insufficiently remunerative or attractive in the rural areas. The system of subsidizing practitioners in rural areas was successful in Madras, and the nature of their system, together with the rules they had framed to regulate the employment of honorary medical officers in public hospitals, were brought to the notice of Local Governments.

### Conclusions and Recommendations of the Committee.

### Results of examination.

- (3) It is necessary that medical men should be persuaded to settle down in rural areas in larger numbers and for this purpose it is necessary to subsidize them on a more generous scale than has hitherto been done.
- (4) Investigation should be made into the efficiency of the indigenous drugs according to modern methods and after the recognition of such medicines by the medical profession and their standardization, industries for the manufacture of such and other drugs should be started and, if necessary, subsidized at the initial stages. If this is done, it should provide employment for a sufficiently large number of qualified medical men.
- (5) There is room for the complaint that the system under which a single man is appointed to treat patients for all sorts of diseases cannot be treated as a very modern or an up-to-date system. The attachment of private practitioners to hospitals, maintained by Government or local boards, should be encouraged so as to give the private practitioners a chance of becoming more efficient.

### *Public Health and Local Self-Government - Paragraphs 134 and 207 (5) (e).*

- (1) This Department can provide scope for the employment of a fairly large number of educated men.
- (2) Posts of assistant superintendents of vaccination which have hitherto been given to men who are not even Matriculates should in future be given to men who possess some medical or scientific knowledge.
- (3) The number of medical officers employed in municipalities admits of an increase and such municipalities as have no medical officers of health of their own should be asked to employ qualified men.
- (4) New schemes of sanitary improvement both in the towns and the villages should be taken in hand and qualified medical men possessing some diploma or degree in sanitation should be employed by district boards.
- (5) More adequate provision should be made for medical inspection and treatment of schoolgoing children in the Province and for that purpose the strength of the medical staff should be increased.

The Government of India agree with the observations of the Committee and particularly with their observations in paragraph 207 (5) (e). They have consulted the Central Advisory Board of Health and propose to address provincial Governments suggesting an extension of the public health organization in rural areas, and recommending to them the system prevailing in Madras, where the cadre of Health Officers is provincial, a percentage of their pay, etc., being recovered from the Municipal (but not the District) Boards to which they are attached. The security of tenure thus offered to medical men would be an attraction which, especially in rural areas, would meet the peculiar circumstances of unemployment in this profession, while provincialization of recruitment would ensure the appointment of those who had trained themselves best for a medical vocation.

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**Conclusions and Recommendations of the Committee.**
**Results of examination.**


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- (3) If the district boards have not got sufficient funds to employ qualified medical officers they should be helped as far as possible by Government with financial assistance, unless by a re-arrangement of their budget or by fresh taxation specially for this purpose it is possible for the district boards to find the necessary funds.

*Paragraph 207 (5) (e).* There must be a local self-government service created, and appointments, which are at the present moment made by municipal and district boards and in regard to which it is notorious that there is very unhealthy canvassing, should in future be filled up out of a waiting list of candidates maintained by the Ministry of Local Self-Government. When a board, municipal or district, desires to fill up a certain appointment, it must apply to the Ministry concerned and the Ministry concerned may, in the case of each appointment, suggest three names out of which the board may select any. Rules and regulations with regard to such service, their emoluments, security of tenure, promotions, etc., should be framed, and in the event of dismissal, a member of such service should have a right of appeal to the Ministry of Self-Government or the Public Service Commission.

This is being brought to the notice of Provincial Governments.

***Subsidiary branches of Medicine—(1) Pharmacy***  
*Paragraph 145.*

- (1) The system which has been in vogue for the training of compounders is wholly inadequate ;
- (2) Provision should be made for the training of men in Pharmacy and the necessary qualifications should be prescribed by rules and regulations for those who may seek such education, and that after an examination held by a duly constituted authority the successful candidates should be granted a diploma ;
- (3) In future Government should employ exclusively in their hospitals and dispensaries such qualified men as Pharmacists ;
- (4) Suitable legislation should be passed organising this profession, providing for education, examination, and the grant of diploma, and penalising the employment by private agencies of unqualified men.

The first recommendation concerns the U. P. only. The remaining were examined in connection with the question of implementing the recommendations of the Drugs Enquiry Committee, and Provincial Governments were invited to report what steps they proposed to take as regards the manufacture and sale of drugs, and the education and control of pharmacists. As a result of further examination of the question the Director General, Indian Medical Service, has furnished a Bill which is under examination before it is circulated to Provincial Governments for consideration. Its main object is to set up Pharmaceutical Societies in Provinces for the control of the profession.

## Conclusions and Recommendations of the Committee.

## Results of examination.

(2) *Dentistry.—Paragraph 148.*

A School of Dentistry should be established at King Georges' Medical College, Lucknow, and suitable legislation modelled on the English Act of 1921 should be passed prohibiting in future the practice of dentistry by persons other than those on the Dentists' register kept by the Dental Board of the provinces to be created by that Act.

Legislation under the new constitution would have to be provincial.

*Law—paragraph 177.*

(1) (s) The subject of legal education at the universities must receive greater attention than it has hitherto done, provision being made for adequate instruction in subjects which have hitherto not received due attention ;

(ii) a Council of Legal Education should be created consisting of representatives of (a) the teachers of Law and Civics, (b) some Judges, and (c) some eminent lawyers whose function must be to promote higher legal education ;

(2) The course of study for a Law degree should not be of less than three years ;

(3) There must be a liaison established between the Faculty of Law and the Bar Council and the work of teaching should be divided between the two ;

(4) A large number of teachers, more adequately paid than they are at present, should be employed for legal education ;

(5) Concerted action must be taken by all the universities ;

(6) If the lengthening of the course of study should affect the candidates for judicial service adversely in respect of the age qualification, the rules should accordingly be changed.

*Other Professions—(a) Accountancy—Paragraph 180.*

With the growth of industries and banking institutions there should be demand for trained and qualified accountants. Intermediate Colleges and universities can easily with some extra cost, for which no doubt they should be helped, make special provision for education in those subjects which are usually taught to accountants.

The recommendations, if adopted, would have the effect rather of improving the quality of legal practitioners than of reducing the volume of unemployment in the profession. Paragraphs 161 to 164 of the Report contemplate a separation of the profession into two distinct classes of Advocates and Solicitors. It is doubtful however whether the profession of drafting and conveyancing would ever be sufficiently remunerative, and the saving in litigation, due to the efficiency of the latter class, would do nothing to reduce unemployment among advocates. The Government of India do not propose to take any action.

Under consideration.

Conclusions and Recommendations of the  
Committee.

Results of examination.

(b) *Architecture—paragraph 181.*

While it is no doubt true that the ordinary engineer or overseer and very frequently the mistri is supposed to do the work of an architect, no attempt has hitherto been made to provide separate and special education in Architecture except a short course at Roorkee College. For the present a small beginning may be made in this direction. There being no system of pupilage and there being no possibility of entry into office as junior assistants, the only course left for developing this profession is by the establishment of a School of Architecture at some convenient centre.

Under consideration.

(c) *Insurance—Paragraph 182.*

In England, the qualifying examination for Fellowship and Associateship of the Chartered Insurance Institute consist of (a) a preliminary examination, (b) an Associateship examination in two parts and (c) a Fellowship examination in two sections. There is no reason why such training should not be given in some of the schools of intermediate colleges to those who may desire to join insurance companies.

Special commercial institutes such as the Calcutta College of Insurance, Davar's College of Commerce, Bombay, and the Insurance Society of Lahore, exist for the purpose of coaching candidates for the London Chartered Insurance Institute which holds examinations in India. No action by the Central Government seems to be necessary.

(d) *Secretarial work—Paragraph 184.*

Provision should be made for training Secretaries by universities or intermediate colleges provided they, at the end of training, grant diplomas to men who succeed at such examinations as may be held from time to time.

The Government of India brought this recommendation to the notice of all Local Governments and Administrations and asked for their views whether facilities for secretarial training could appropriately be provided at the university stage. They also suggested that so far as the recommendation related to secondary education, it should be taken up in connection with the proposals for the reconstruction of secondary education initiated by the Central Advisory Board of Education. The replies of Local Governments and Administrations are not yet complete.

(e) *Librarianship—Paragraphs 183 and 197(3).*

Universities should arrange for a course of instruction in Librarianship and should institute diplomas in this subject.

The Government of India informed Local Governments that a course of instruction in Librarianship was held every alternate year at the Imperial Library, Calcutta. The Madras and the Punjab Universities also hold training classes. The facilities already available probably exhaust the demand for trained librarians.

Conclusions and Recommendations of the  
Committee.

Results of examination.

(f) *Veterinary Service.*—Paragraphs 185 and 196 (5).

The veterinary service should be re-organised and the recommendations of the Royal Commission on Agriculture in regard to veterinary training and service should be given effect to at an early date.

Since the Royal Commission on Agriculture reported the constitutional position has changed and their recommendations are mainly for Provinces to consider. So far as the Central Government is concerned the Imperial Veterinary Research Institute is in process of being strengthened and the question of establishing a Central Veterinary College is under consideration.

(g) *Journalism.*—Paragraphs 189 and 190 (3).

Universities should arrange for a course of instruction in journalism and should institute diplomas in this subject.

The conclusion reached was that the proposal would do nothing to relieve unemployment. The Central Government have, however, taken action under the Government Servants' Conduct Rules to regulate within proper limits contributions to journalism made by Government servants under their administrative control, which compete with the contributions of professional journalists.

*Government service.*—Paragraphs 205 (5) (b) and (c).

Except in regard to those appointments for which university education is necessary or useful, Government must prescribe their own standards for subordinate services, and recruit new men either through competitive examination or by selection according to the needs of each department.

In regard to the subordinate service which attract by far the largest number of our youngmen, the age-limit for entrance should be reduced.

This proposal has been considered by two inter-departmental Conferences. Active steps are being taken to lower the maximum age of recruitment to all subordinate posts, and to classify them in two categories, according as a University education is or is not required. The question of modifying the practice of demanding educational qualification is under separate examination in consultation with the Federal Public Service Commission and the Educational Commissioner.

*Agriculture.*—Paragraph 244.

(3) It is extremely doubtful whether the schemes of colonization, which have been taken in hand, will make any appeal to that section of the educated classes, which has no connection with land, though, it is likely that such schemes may be helpful in removing unemployment, in the case of those among the educated classes, who belong to the agricultural community or who have connections with village life.

The conclusions are, in part of a negative character and the recommendations are in the main a matter for provincial governments. But the question of common standards for dairy produce was examined by a Dairy Export in the cold weather, and his report, which has recently been received, is still under consideration.

Conclusions and Recommendations of the  
Committee.

Results of examination.

- (2) It is very doubtful as to whether subsidiary industries, such as fruit-growing, dairy-farming, market-gardening, floriculture, sericulture, poultry farming, canning, pieciculture spinning and weaving, carpet making, clay modelling, rope-making, pottery, cattle breeding, will attract a large number of our educated men unless they are adequately trained and financed or subsidized for such industries, though we think that several of these industries can be and should be developed with advantage to the country.
- (3) The development of dairy-farming is a possible avenue of progress, provided the law relating to the adulteration of food-supplies is stiffened, and an adequate knowledge of the subject and funds are available and the public are prepared to pay for unadulterated milk and milk products.
- (4) There is scope for the employment of educated men as farm managers and as estate managers, provided proper training is given to youngmen, and arrangements are made, for giving them opportunities to acquire practical knowledge of these subjects. In this matter, it is necessary that the point of view of the big zemindars should also undergo a change.
- (5) The possibility of educated youngmen being employed on private farms as managers would expand were agriculture to return to the more prosperous conditions of a few years ago.

*Industries.—Paragraph 302.*

- (1) That a detailed industrial and economic survey of the provinces should be made with a view to find out what industries can be developed.

The question of industrial surveys was discussed at the 8th Industries Conference at which it was generally agreed that (1) a survey of industries was desirable, (2) it should be undertaken by the Provinces and co-ordinated by a central agency, and (3) the question of cost should be the subject of correspondence with provincial Governments. Necessary action on these recommendations is being taken separately in consultation with the Chief Controller of Stores, Indian Stores Department and the Director, Industrial Research Bureau. No separate action on the recommendation of the Committee seems therefore to be necessary. The matter has been discussed by the Industrial Research Council at its third session held on the 5th and 6th July, 1937.

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**Conclusions and Recommendations of the Committee.**
**Results of examination.**

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| <p>(2) That industrial research workshops should be established at different university centres or at important industrial centres.</p>   | <p>The Government of India have already undertaken the work of co-ordination and advice relating to industrial research by the establishment of the Industrial Research Council. They are also actively contributing to such research by maintaining the Industrial Research Bureau. As regards researches carried out in provincial institutions, the view of the Government of India is that such researches should ordinarily be financed by the Provincial Governments concerned. It seems that nothing further can be done on this recommendation.</p> |
| <p>(3) That cheap electricity should be supplied for the development of big industries and also for such cottage industries as can be run more effectively and cheaply by the use of power.</p>   | <p>Provincial Governments have already realised the value of cheap electricity to industrial development and the Governments of Mysore, Madras, the United Provinces and the Punjab have carried out hydro-electric projects which have been of great benefit to industrial consumers.</p>  |
| <p>(4) That a special officer should be deputed to study the working of the scheme in Bengal for helping educated young men in starting small industries; that subject to adaptations to local needs and conditions, a similar scheme should be prepared and introduced in other provinces and that young men adopting such careers should be subsidised by Government and helped by expert advice.</p>   | <p>This item is being taken up both in Bengal and the United Provinces. The item has been included in the agenda for the next Industries Conference to be held at Lahore on the 15th and 16th December 1937, and the Government of Bengal, United Provinces and the Punjab have been asked to submit memoranda on the subject.</p>  |
| <p>(5) That Government should take steps to collect authoritative information in regard to the running of small industries in Japan and in European countries.</p>  | <p>There is no bar to Provincial Governments and Directors of Industries in the Provinces addressing the Indian Trade Commissioners abroad for such information as they might find useful. The recommendation has been brought to the notice of the local Governments for such action as they may deem expedient.</p>   |
| <p>(6) That the Department of Industries (in the United Provinces) should concentrate the greater part of its activities on the development of textile and leather industries in addition to sugar and oil industries and that if Government are called upon by private capitalists to give them any assistance in this matter it must be on the distinct understanding that they would employ a certain number of qualified educated men for technical work in their concerns.</p> | <p>This concerns the United Provinces Government.</p>   |
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Conclusions and Recommendations of the  
Committee.

Results of examination.

- (7) That the decision of the Government of India refusing to accept the recommendations of the Tariff Board for the protection of glass industry should be revised.
- The recommendation of the Tariff Board was rejected on the ground that, as satisfactory sources of soda ash were not in existence in India, the industry did not satisfy the first condition prescribed by the Indian Fiscal Commission for the grant of protection. As the position in regard to the indigenous supply of soda ash remains the same as before, a modification of Government's previous decision in the matter is not possible for the present. The Government of India are, however, endeavouring to assist the industry in other ways. Researches and investigations relating to this industry are being conducted by the Industrial Research Bureau.
- (8) That special attention should be paid to the marketing of the products of cottage industrialists, giving them expert advice and carrying on experimental research work.
- Provincial Governments are receiving financial assistance for such schemes in connection with the handloom and the small scale and cottage woollen industries. No further action seems necessary.
- (9) (a) That steps should be taken to create some agency for bringing qualified educated men into touch with commercial houses for employment.
- This is allied to the recommendation of the Committee contained in paragraph 392 of their Report where they have suggested that separate 'Appointment Boards' for the graduates of the Universities and for the products of the Secondary schools, etc., should be set up. The Central Advisory Board for Education has already addressed Provincial Governments on the desirability of constituting Employment Boards and on the need for colleges to keep in touch with their students. Action has already been taken by several provinces and Universities (e.g., Punjab, Bengal and United Provinces).
- (9) (b) That steps should be taken to foster and encourage the organisation of Co-operative stores wherever possible, employing educated men who have received proper training in salesmanship, etc.
- The recommendation concerns Provincial Governments. The question of including this item in the agenda of the next Conference of Registrars of Co-operative Societies is being considered.
- (10) That the minor industries and many of the cottage industries in the United Provinces should be provided with a better form of organisation than that provided by the Arts and Crafts Emporium to give financial help, to provide adequate marketing facilities, etc.
- This is a matter for the United Provinces Government.

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Committee.

Results of examination.

- (11) That a Committee should be appointed to examine the question of incidence of railway freight charges on the industries of the country with a view to the encouragement and development of industries and the internal trade of the country and that a permanent tribunal should be appointed to fix railway freight throughout India.

The Railways have always been prepared to consider any data put forward by trade interests with a view to co-operate in the agricultural and industrial development of the country. The general question of revising tariffs under consideration though it will take some time yet to reach a final decision. The Government to India see no sufficient ground for the appointment of a Committee.

There is a provision in the Government of India Act, 1935, for the appointment of a Railway Rates Committee to give advice to the Federal Railway Authority in connection with any dispute between the public and the Authority regarding rates or traffic facilities (Section 191 of the Act).

- (12) That the Industries Department should possess a larger number of experts to give technical advice on such industries major or cottage, that might be developed and that the Department should have a well-organised Intelligence and Publicity Branch.

This has the Provincial Industries Department in view.

*Technical, industrial and vocational education—  
Paragraph 318 (7).*

The importance and necessity of developing apprenticeship in industries and crafts should be emphasized. This will only revive a very old tradition in Indian industries and crafts.

The question of the development of schemes of apprenticeship will be discussed at the ninth Industries Conference to be held at Lahore on the 14th and 15th December 1937.

*Education.—Primary education—Paragraphs  
332 (2), (3) and (4).*

- (2) Primary education should be brought more into line with rural needs and agricultural conditions to enable boys reading at primary schools to become more efficient members of the agricultural community.

- (3) The age-limit for the purpose of primary education should be raised to 12 or 13, and every child should remain at school for at least six years.

- (4) The compulsory primary education should be extended all over the province. In this connection it is worth while considering how far the agency of broadcasting can be called in aid.

The Government of India obtained the views of the Local Governments on the recommendations of the Committee in regard to primary education and placed them before the Central Advisory Board of Education at its last annual meeting. It was agreed that the problem of primary education was mainly one of finance and that unless more money was available little could be done. The Board recommended that the matter should be referred to the Vernacular Education Committee of the Board with certain definite suggestions. This will be done shortly.

During the year 1936-37 the Government of India received from the Local Governments a large number of suggestions for the improvement of primary education. These suggestions were considered by the Central Advisory Board of Education at its last annual meeting. It was agreed that the problem of primary education was mainly one of finance and that unless more money was available little could be done. The Board recommended that the matter should be referred to the Vernacular Education Committee of the Board with certain definite suggestions. This will be done shortly.

Conclusions and Recommendations of the Committee.

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*Secondary education—Paragraph 336.*

- (1) The High School examination should have two kinds of certificates—one certifying completion of the course of secondary education and qualifying for admission to industrial, etc., schools and the other qualifying for admission to Arts and Science Intermediate colleges.
- (2) The Intermediate course, if the High School course is curtailed by one year, should be extended to three years and should be of four parallel types: (1) Industrial, (2) Commercial, (3) Agricultural and (4) Arts and Science.
- (3) Secondary schools should provide much more diversified courses of study, care being taken to give more practical than theoretical education.
- (4) The industrial courses in secondary schools should aim at giving technical training of general character designed to develop skill of hand and eye and cultivate practical aptitudes so as to predispose therein towards industrial life.
- (5) Proper agencies should be created for advising boys as to their careers.

*University education—Paragraph 347(3), (4), (6), (8) and (9).*

- (3) While no arbitrary limit to admissions of students should be prescribed, there should be greater strictness exercised in the matter of admission.
- (4) With discouraging education in what are called humanities, greater stress should be laid on scientific and vocational education.
- (6) There should be some system of co-ordination between different universities so as to secure the uniformity of standards and prevent unhealthy competition.
- (8) An Advisory Committee should be constituted to advise in regard to the grants which are made to the universities for research work and on this Committee not only the universities but also business, trade, industry and agriculture should be represented.
- (9) Governments and Indian parents should exercise greater discrimination in sending youngmen to foreign countries merely for academic education.

The recommendations of the Sapru Committee in regard to secondary education are fully covered in the resolutions of the Central Advisory Board of Education passed at its first annual meeting held in December, 1935. These have been brought to the notice of all Local Governments and Administrations and the report on Vocational Education in India by Messrs. A. Abbot and S. H. Wood—two educational experts, who were brought out from England last winter to advise Local Governments on the question of educational reconstruction in the secondary stage—has been also forwarded to all Local Governments. Their views on the recommendations in the report will be placed before the Central Advisory Board of Education at its next annual meeting.

The Government of India obtained the view of Local Governments on the recommendations of the Sapru Committee in regard to university education, and placed them before the Central Advisory Board of Education at its last annual meeting. The Board after having fully considered the matter resolved to obtain the opinion of the Inter-University Board before further discussing the matter.

## THE REPEALING BILL.

**The Honourable Sir Nripendra Sircar (Law Member) :** Sir, I move for leave to introduce a Bill to repeal certain enactments.

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

“ That leave be granted to introduce a Bill to repeal certain enactments.”

The motion was adopted.

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

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## THE CRIMINAL LAW AMENDMENT BILL.

**Mr. R. F. Mudie (Government of India : Nominated Official) :** Sir, I move for leave to introduce a Bill further to amend the Indian Penal Code and the Code of Criminal Procedure, 1898, for a certain purpose.

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

“ That leave be granted to introduce a Bill further to amend the Indian Penal Code and the Code of Criminal Procedure, 1898, for a certain purpose.”

The motion was adopted.

**Mr. R. F. Mudie :** Sir, I introduce the Bill.

## THE INDIAN MINES (AMENDMENT) BILL.

**The Honourable Sir Thomas Stewart (Member for Industries and Labour) :** Sir, I move :

“ That the Bill further to amend the Indian Mines Act, 1923, for certain purposes, be referred to a Select Committee consisting of Mr. Ram Narayan Singh, Prof. N. G. Ranga, Mr. Thirumala Rao, Seth Govind Das, Mr. Muhammad Anwar-ul-Azim, Mr. Muhammad Azhar Ali, Dr. Ziauddin Ahmad, Mr. Amarendra Nath Chattopadhyaya, Mr. A. Aikman, Mr. S. N. Roy, Khan Bahadur Sir Abdul Hamid, Rao Bahadur K. C. Manavedan Raja, and the Mover, with instructions to report on or before the 22nd September, 1937, and that the number of Members whose presence shall be necessary to constitute a meeting of the Committee shall be five.”

This Bill seeks to amend the Indian Mines Act, so as to provide still further for the safety of the lives of those who work underground in the Indian coal mines. I trust, therefore, that it will be regarded as a non-controversial measure, the more so as two of the three proposals that are herein made are proposals which have already received the approval of this House. The three proposals are independent of one another and I propose to deal with them separately. First of all, clause 2 has reference to a measure which was introduced in this House in the Delhi Session of 1936. At that time the Government of India were very much perturbed at the state of affairs in the Jharia coal field where there had been frequent collapses with consequent fires in the mines. My predecessor, therefore, brought forward a proposal which was accepted by this House that in order to prevent or at least to mitigate the danger of collapse and subsequent fire the mines inspectorate should be given powers, firstly, to

[Sir Thomas Stewart.]

control the extraction of coal from pillars in the coal mines and, secondly, to limit the dimensions of the working galleries of the mines. Sir Frank Noyce admitted that this was emergent and, indeed, hasty legislation and he sought to safeguard himself by introducing into this clause a proviso which had the effect of restricting, to a period of two years, the powers which had been given to the mines inspectorate. Another reason he gave for giving temporary effect only to those powers was that it was proposed to appoint a committee to examine matters connected with coal mining and that it would be one of the duties of that Committee to consider the necessity for the further retention of these temporary powers. The Coal Mining Committee has reported. I regret that I have not been able to place in the hands of Honourable Members the entire report which is now being reprinted but I have let them have the sections of the report which are relevant to this matter and Honourable Members will see that the Committee has recommended that those powers which were given in the first instance, temporarily, should be made permanent and in this recommendation they have the concurrence of a very large body of witnesses whom they examined. The effect of this clause 2 is to remove the proviso which limited the powers of the Mines Inspectorate to a period of two years and the result will be that these powers now become permanent.

Let me turn now to clause 3 which has reference to section 9 of the Mines Act. Section 9 of the Mines Act is one which imposes on the mines inspectorate secrecy in regard to any information which they may acquire in the course of their inspection of a mine. That, Sir, would be a very salutary provision if it were true that every Indian mine was an isolated unit. Unfortunately, that is not so, especially in the Jharia and Ranee-gunj coal fields where mines are very closely crowded together and it may well happen that a dangerous set of conditions in one mine may threaten the safety of its neighbours. Government have, therefore, thought it right to relax the restriction which is at present placed on the Mines Inspectors and to give them liberty to divulge knowledge of conditions in one mine which may threaten the safety of the lives of the workmen who are employed in a neighbouring mine. I think the House will agree that that is a very reasonable provision. The third proposal is set out in clause 4 and here again we have no new proposal. It is merely a redraft of section 30-A. which was inserted in the Indian Mines Act by the amending Bill of 1936. Section 30-A. was inserted in order to make provision for the establishment, control and finance of rescue stations in the Jharia and Ranee-gunj coal fields. In pursuance of that section, technical regulations have been drawn up in consultation with the Chief Inspector of Mines and with experts on the coal fields but when it came to giving those regulations statutory force in virtue of section 30-A. as now drafted, certain difficulties were encountered. In particular, it was found difficult to make arrangements for the distribution of cost and for recovery of the proportionate share of the cost from individual mines. We decided, therefore, that the best solution of the difficulty would be to redraft section 30-A. in a manner which would enable us to establish, control and finance the rescue stations in the simplest way possible. Sir, from what I have said, I think it is obvious that this Bill is purely in the interests of the greater safety in the coal mines and for the alleviation of human suffering. I trust, therefore, that my motion will commend itself to the House and that it will agree that the Bill should go to a Select Committee. Sir, I move.

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

"That the Bill further to amend the Indian Mines Act, 1923, for certain purposes, be referred to a Select Committee consisting of Mr. Ram Narayan Singh, Prof. N. G. Banga, Mr. Thirumala Rao, Seth Govind Das, Mr. Muhammad Anwar-ul-Azim, Mr. Muhammad Azhar Ali, Dr. Ziauddin Ahmad, Mr. Amarendra Nath Chattopadhyaya, Mr. A. Aikman, Mr. S. N. Roy, Khan Bahadur Sir Abdul Hamid, Rao Bahadur K. C. Manavedan Raja, and the Mover, with instructions to report on or before the 22nd September, 1937, and that the number of Members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

There is an amendment in the name of Seth Govind Das.

**Seth Govind Das** (Central Provinces Hindi Divisions : Non-Muhammadian) : I don't move that.

**Mr. N. M. Joshi** (Nominated Non-Official) : Mr. President, I rise to support the motion that this Indian Mining Act Amendment Bill be referred to a Select Committee. I agree with the Honourable Member in charge of the Department of Industries and Labour that this Bill may be considered as a non-controversial measure. I, therefore, hope that this Bill may be passed without much delay. This Bill is intended to make permanent the provisions of the Act passed in 1936 providing for certain measures for maintaining safety and preventing accidents. I feel that, though this Bill is a non-controversial one, in my view it is an inadequate measure for providing fully for safety in mines and for the complete prevention of accidents in mines. I feel that unless this measure is immediately followed by measures suggested by the Coal Mining Committee, which reported very recently, the object which we have in view will not be secured. That Committee has, after collecting information and examining witnesses, made various suggestions for the maintenance of safety in mines and for the prevention of accidents as well as for other important matters, such as, the conservation of coal. Besides suggesting that the Act of 1936 should be improved permanently, the Committee has suggested various other measures. In the first place, the Committee has devoted a great deal of attention to making sand stowing compulsory as a measure of safety as well as a measure for the conservation of coal and for other purposes. This Bill does not provide for that. The Committee has also suggested that certain general principles for the first working should be laid down by regulations. It also suggested that certain general principles should be laid down for section working, for rotation working and for various other matters. Unless the Government of India take steps to give effect to the recommendations of the Committee in all these matters, I feel the object which we all have in view will not be fully secured. Moreover, the Committee had devoted one full Chapter (Chapter XII) suggesting that certain additional regulations should be made in order that safety in mines should be secured and accidents prevented. The Government of India, in this Bill, do not make any provision to give effect to all the suggestions made by the Committee in order that the safety should be secured. I would like the Government of India and the Honourable Member in charge of the Department of Industries and Labour to tell us whether the Government of India propose to give effect to these recommendations without any delay. Moreover, the Honourable Member a few days ago, in reply to a question, suggested that the Government of India rejected the suggestion of the Committee that there may be some technical qualifications expected from these mineowners as is

[Mr. N. M. Joshi.]

recommended by the Committee. I do not know why the Government of India have rejected that recommendation of the Committee. If certain people want to undertake mining operations, it is necessary that they should understand something of that trade, something of the industry, and that the Committee made a very sound recommendation that these mine-owners should be expected to possess some knowledge of mining. The mining industry is a very dangerous thing. It involves great risks to the lives of the people who work there. Therefore, if any man wants to undertake an industry of this kind, it is but proper that that man should be expected to possess some knowledge of that industry. I would, therefore, like the Government of India to reconsider their decision as regards this recommendation of the Committee.

**Mr. M. S. Aney** (Berar : Non-Muhammadan) : Where did you read these recommendations of the Committee ?

**Mr. N. M. Joshi** : They are in the Coal Mining Committee's Report. The Committee has devoted a good portion for the consideration of the wages in mines and for a very good reason. If we care to maintain safety in mines and if we care for the conservation of coal in Indian mines, then it is necessary that the Indian miner should be paid well. You cannot expect efficiency and carefulness from people who are starving. The Committee, realizing this fact, has devoted some attention to this question. The Committee found out, after investigation, that the wages of Indian miners have gone down by 45 per cent. during the last ten years. At the same time, the efficiency of the Indian miner has increased. In 1925, the average production of an Indian miner, per year, was 113 tons while in 1935, the average production per year was 128 tons, but the poor fellow gets 45 per cent. less wages. Then, the Coal Mining Committee has also found out, after investigation, that, while the wages of the Indian miners have gone down by 45 per cent., the dividends in almost all cases have increased.

**Babu Baijnath Bajoria** (Marwari Association : Indian Commerce) : You do not know.

**Mr. N. M. Joshi** : My Honourable friend says that I do not know. The Coal Mining Committee is my witness and I shall read a few sentences from their report. On page 26, paragraph 56, they say :

“ Wages of labour have fallen by 45 per cent., underground labour by 43 per cent. and surface labour by 47 per cent.”

In the same paragraph, they say :

“ Speaking at the annual dinner of the National Association of Colliery Managers held towards the end of February, 1937, the President observed that the earnings of miners and colliery labour ‘ are already ridiculously low ’.”

In the same paragraph, there are a few more sentences which are interesting :

“ The efficiency of labour has not apparently deteriorated because, according to Table 21 at page 78 of ‘ Indian Coal Statistics, 1935 ’, the quantity of coal produced annually per person employed above and below ground has increased from 113 tons in 1926 to 128 tons in 1935.”

Further on, they say :

“ It will, therefore, be necessary to pay labour better in any event.”

Then, there is another very important sentence :

“ The dividends paid by these particular companies have improved in almost every instance and indicate that, whatever may have happened to the property or the machinery or the labour force, the advisability of keeping the shareholders content has not been lost sight of.”

I, therefore, feel that the Government of India will give serious consideration to the question of wages of the Indian miners. It is wrong to leave the matter of wages to the tender mercies of capitalists. As regards the attitude of these people who invest capital in the mining industry, their attitude towards the question of wages and welfare of labour, their attitude towards safety in mines, etc., the report very aptly describes on page 30. I shall read paragraph 58 on page 30 :

“ In short to use a sporting metaphor, the coal trade in India has been rather like a race in which profit has always come in first,”

that is the horse named profit comes in first,—

“ safety, a poor second. Sound methods, an ‘ also ran ’ and national welfare, ‘ a dead horse ’ entered perhaps, but never likely to start. Neither the landlords nor the Government can escape responsibility for allowing this state of affairs to prevail for so long, but this does not alter the facts nor, still less, will it justify further inaction on the part of all concerned.”

This report recommends that the Government of India should be active and give up their policy of inaction in these matters. I hope, Sir, the Government of India will give serious attention to these paragraphs of the report. Mr. President, a minority of the committee appointed to go into this matter has made certain recommendations for nationalising coal mines. I do not wish to discuss this question today, but at the same time, I would like to say this that if safety in mines is to be secured, if accidents are to be prevented, if Indian coal is to be conserved, then, Sir, the recommendations made by the minority of the Committee consisting of Mr. Nag and Mr. Krishnan should be given effect to as early as possible.

Sir, I do not wish to speak more on the question of the report and of the measures for safety, but I should like to say one word as to clause 4 (d) regarding the administration of rescue stations. Sir, this clause gives power to the Government of India to make regulations regarding the administration of rescue stations. I would very much like that these rescue stations should be under the full control of the Government of India. I do not know what the proposals of the Honourable Member are, but my suggestion is that if the rescue stations are to be worked properly, if all the mines are to get the advantage of rescue stations, then the rescue stations should be under the full control of the Government of India. But if the Government of India have no confidence in their own capacity to do good to the miners, and if they insist upon the rescue stations being in the hands of representative committees, then I insist that any committee appointed for the administration of rescue stations and the fund provided for it—that committee or that organisation should have full representation of Indian miners on it. I hope that the Government of India will take my suggestions into consideration and I also hope that the Assembly will pass this motion.



**Seth Govind Das :** Sir, the Bill which has been brought before this House, as has been pointed out by my Honourable friend, Mr. Joshi, is a very imperfect Bill and I doubt very much whether much improvement can be made in this Bill in the Select Committee. Now, Sir, it is a well-known fact that the entire Act IV of 1923 is to be overhauled if we want really a good law for mines. My Honourable friend, Mr. Joshi, said much about labour and other points. Sir, besides these there are several other important questions relating to our mines which are to be properly tackled if real improvement is to be effected to our mining industry and mines law. The reason why I wanted the Bill to be circulated is that Government at long and unfrequent intervals bring in legislation to improve anything, and it is very difficult for us to press them for bringing a further measure any too soon to improve the very legislation. It generally happens that when we ask for a certain improvement on any legislation they say that, since reform has been done lately in this respect, further reforms can wait and there is no hurry to it. In my opinion this piecemeal legislation, in respect of these important and pressing matters, cannot be of real benefit to us. Besides that, now-a-days we have in the provinces the real representative Governments who are competent to deal with these matters so far it concerns them, the reason why I wanted the Bill to be circulated so that we could hear from various provinces what their opinion is in respect of this legislation and at the same time we could hear from them such of the other recommendations on the matter of immediate importance concerning mines that they may feel is of urgent requirement. My Honourable friend, Mr. Joshi, referred to nationalisation of mines. It is mentioned in the minority report of the Indian Coal Mines Enquiry Committee, pertaining to his suggestions. There are many other recommendations in this report. They are all to be found from pages 189 to 201 and these recommendations are 132 in number. Statutory changes have been suggested in regard to some.

Now, Sir, the Bill which has been brought before us for the reform of mines law has four clauses only and I wish to submit that even these four clauses are not perfect ones, they fall short of our needs. With regard to clause 3 it is said that : " the Inspector shall not disclose to any person other than a Magistrate or an official superior unless the Chief Inspector or the Inspector considers disclosure necessary to ensure the safety of any person ".

Well, Sir, I do not understand why these disclosures should not be made to owners of mines, be they managing agents or managing directors or managers or other authorised persons. As far as the dangers are concerned, the people who manage these mines are the proper persons to whom these disclosures should be made. Regarding the recommendations of this Coal Committee, I shall only read before this House two or three recommendations and from that it could be seen how imperfect this Bill is. On page 199, it is said : " Changes in the Act and Regulations considered necessary " are found in paragraphs 290—328.

If we go through these paragraphs, we find that the recommendations, one after another, are made and all of them are most important recommendations. I want to point out to the Honourable Member

that in this Bill should be incorporated at least ninety per cent. of the recommendations suggested by the Committee for legislation. The Committee was set up for that purpose. If we ignore their recommendations—important recommendations as they were, I cannot find the justification of the Committee being set up at all.

Then, Sir, on page 200 of the Committee's report it is said :

“ The statutory authority should be empowered to adjust regular boundaries on equitable terms, and transfer areas which cannot be worked from the parent property to an adjoining property from which they can be worked.”

We find nothing in this respect in this Bill and the Honourable  
4 P.M. Member knows that as far as accidents are concerned, much depends upon fixing of the boundaries and other things which are recommended in this report.

Again in paragraph 120 on the same page it is said :

“ Appeals under section 19 (5) of the Indian Mines Act should be heard by an appellate tribunal consisting of a Chairman nominated by Government, a representative of the Mines Department nominated by the Chief Inspector of Mines and three mining engineers nominated by the Government of India one of whom will be suggested by the appellant.”

No action has been contemplated to meet these recommendations as could be seen from the Bill.

Further, in paragraph 126 on page 201 it is said :

“ The statutory authority might function as a mining education board and obtain the necessary funds, partly from Government, partly from local authorities and partly from cess funds.”

Sir, I have read only some of the recommendations at random. What I want to point out is that a thorough overhauling is required as far as the Mining law is concerned. And the reason why I wanted the Bill to be circulated was that I do not think that any real reform can be effected by this kind of piece-meal legislation which does not fall within the expectations arising out of the recommendations made. If some real good is to be done in this respect, I would again request that a thorough overhauling be made of the mining law and a comprehensive Bill be brought before this House. It should be circulated for public opinion and we should invite the opinion of Local Governments also on this subject. But I thought that my motion would delay even the little reform which has been proposed, although I do not see what substantial reform it gives, and since I find that it is the desire of some sections of the House to expedite its going to the Select Committee—I do not wish to move my motion for circulation. I only wish to point out to the Honourable Member that if he wants some real reform he should bring in a fresh and comprehensive Bill.

**Mr. Mohan Lal Saksena** (Lucknow Division : Non-Muhammadan Rural) : Sir, I rise to bring to the notice of this House certain portions of the Mining Committee's Report and I do so because, as was pointed out by the Industries Member, it was not possible to circulate copies of the report to all the Members here. I was fortunate enough to get a copy from his department and I thank him for it. Sir, as the Honourable Member has pointed out, there is no controversy as to the object

[Mr. Mohan Lal Saksena.]

of the Bill. We are all agreed that we must incorporate such measures by legislation as may be conducive to the safety of the lives of miners. The amending Act which was introduced in the House was not passed in the Simla Session of 1936 but in the Delhi Session of 1936, and that Act has been in force. The Honourable Member has, by this Bill, sought only to make the provisions of that Act permanent. But what I want to submit before this House is that while that Act was in force there have been accidents and there has been loss of life. In 1936 in one disaster only as many as 200 persons were killed, and out of these, 50 women were working in the mines. And, as the members of the Committee themselves have said :

“ It is known, however, that over 50 women were killed who should not have been down in the mine at all.”

Similarly, the Honourable Member has certainly circulated an extract from this report, but I want to draw the attention of Honourable Members to paragraph 203 which the Honourable Member has not circulated. It says :

“ The extent to which the law and regulations now in force require to be strengthened as well may be considered with reference to (i) first or whole working, and (ii) pillar extraction or broken working. Unsound first working is a kind of over-draft on future production because subsequent working is made more difficult and dangerous and also more costly in money and life.”

So it is in regard to this that I want to know from the Honourable Member what steps he has taken or proposes to take to lay down rules and regulations for prescribing the first principles regarding the working of the mines. Then, the Committee pointed out further :

“ It can, therefore, be asserted that expert opinion is overwhelmingly in favour of general principles of first working being laid down by regulation, some witnesses being convinced that such general principles are essential if mining methods are to be improved generally.”

So I think some provision should have been made either in the present Bill or by means of regulations, if it is within the competence of the Government to do so under any other provision of the Mining Act.

Then, Sir, as regards the qualification of the owner of the mine or the managing agents, the Committee have laid special stress on it and they have said :

“ Firstly, the legal liability of owners and agents for methods of working should be made clear, and secondly, agents should be required to have at least the qualifications of the managers working under them.”

I think, Sir, for the safety of the lives of the miners these two recommendations are absolutely necessary. The other day I happened to see the film “ *Anath Ashram* ”. In that there is a scene regarding a colliery. The manager, who was no other than the son-in-law of the proprietor himself, had given orders that the labourers should not be allowed to work in a particular portion of the colliery but the owner who was there said that he was the owner and his orders must be carried out. The result was that the labourers were made to work in that particular portion of the colliery. The son-in-law, as the manager, was simply surprised when he came there, but he could not help it and there was disaster, and even the

manager who was the son-in-law of the owner lost his life in it in his effort to save the lives of the labourers. And I think the Committee have done very well in pointing out that :

“ It is generally admitted in this connection that the greed, incompetence or thoughtlessness of some mine-owners has added apparently to the difficulties, dangers and obligations of others.”

So, I think, there should be some provision regarding the qualifications of the owners or the managing agents, and unless their liability is fixed legally regarding the loss of life, I think there are bound to be accidents as they are bound to work the mines because of the motive of profit.

Sir, I do not want to refer to the other recommendations of this Committee. The Committee, as Honourable Members are aware, was appointed with a two-fold object and to suggest measures, namely, to enquire into the working of mines, for the safety of the miners and for the conservation of minerals or coal. And they have recommended certain measures for both, and the Committee came to the conclusion that there is a lot of waste and a considerable portion of it could be avoided. And they have suggested certain measures and I hope the Honourable Member will take this House into confidence as to what Government propose to do with regard to those recommendations. The majority of the members of the Committee have recommended that a statutory authority should be constituted, or some other steps taken, while the dissentients, Messrs Nag and Krishnan have recommended that it is high time that this industry which is vital for the welfare and prosperity of the country should be nationalised. This is the right time when steps should be taken in that direction.

If this Bill had not been introduced, the present Act would have continued till April, 1938. I think it would be much better if at least to secure the safety of the lives of those working in the mines, Government had brought another Bill which not only made the provisions of the present Act permanent, but also provided or incorporated some of the very important suggestions which this Committee had made. I hope the Honourable Member will not only concern himself with seeing that this motion is passed by this House, but will try to take the House into confidence as regards the Government's intentions in respect of the other recommendations of this Committee as it is something with which the whole country is concerned, and the Members, I think, will naturally be anxious to know the future intentions of the Government rather than merely making the present provisions permanent.

**Mr. T. Chapman-Mortimer** (Bengal : European) : I welcome the Bill now before the House. I am very glad to see that there is a unanimity of opinion in the House that this Bill is urgently necessary. As the Honourable Member in charge of the Bill has dealt fully with the reasons for it, I do not propose to waste the time of the House by going over these reasons again. We know this Bill is to make permanent provisions which will help to increase the safety of the working miners and it is very necessary that these provisions and regulations should be made permanent. The other provisions of the Bill suggesting certain alterations in regard to the working of the regulations and more particularly in regard to the disclosure of certain information are matters that seem to be necessary and will I have no doubt, be fully and adequately dealt with by the Select Committee. Sir, I support the motion.

**Prof. N. G. Ranga** (Guntur *cum* Nellore : Non-Muhammadan Rural) : Sir, I always understood that it was the duty of Government to circulate a copy of the report to every Member of this House. I do not know why Government thought it fit to depart from that practice and to place us in a very difficult position because most of the Members are really not in a position to understand the significance of this Bill and also to follow the debate on it in the House. Then, Sir, coming to the recommendations of the Mines Committee, I find that they have dismissed the most important recommendation to be not worth the immediate consideration of the Government of India for some political reasons. Sir, I refer in this connection to their proposal for the nationalisation of mines in the near future. The only relevant and important objection they raise is that it is not the wisest policy at present, more particularly in the existing state of her political evolution. I do not know why her present stage of political evolution debars nationalisation of her mines if such a policy were considered to be really profitable and useful for the nation. As you are aware, a large portion of our Railways has today been nationalised and is being managed by the State, and we have had a certificate from the Wedgwood Committee that our Railways, on the whole, have shown better results than those of either England or South Africa or even the United States of America. Then, again, Sir, when we look into the manner in which these mines are being managed and exploited by our own mine-owners we find here the third great terror of which the Honourable the Law Member was so much afraid, of managing agents. These are prevalent on a very large scale as far as these mines-owners are concerned, and these managing agents have very little really to commend themselves to us even according to this report which does not say very much against them. I am asked by a friend of mine if I have ever been into a mine. I am afraid I have not been into any mine in India, but I have visited a number of mines in Lancashire and Derbyshire in England, and I know the working conditions in the mines there. I can also assure you, Sir, that I am personally acquainted with a large number of miners and their trade unions in Yorkshire, Lancashire and also South Wales. Therefore, I can claim to know just a little to be able to talk about the necessity for looking after the welfare of our miners. I find that our managing agents have not been very economical over the use that they have been making of our natural resources in these mines. During 1927 they were wasting 7.25 per cent. of the coal available of the first grade and 11.48 per cent. of the second grade just because of their uneconomic way of exploitation. Again between 1928 and 1936 they have lost 10.70 per cent. of the first grade and 20.70 of the second grade owing to their bad working. Then they have not been very economical of the lives of the people who have placed themselves at their disposal. Five thousand two hundred and forty-four lives have been lost in our mines out of which 384 are due to explosions alone. This is the way in which our mines are being managed by our people. I do not know why we should accept the recommendation of this Committee that our mines should not be nationalised if we want proper exploitation and conservation of our mineral resources, if we want the safety of our workers in the mines. Then, Sir, I may be asked whether it is going to be profitable at all for the Government to nationalise the mines. We hear a good deal from these mine-owners that they are not able to

make any profits, whatsoever, from their mines, but the fact, Sir, is this : there are three companies mentioned by this Committee whose profits have gone up in the last ten years from  $12\frac{1}{2}$  to  $22\frac{1}{2}$  per cent. from  $12\frac{1}{2}$  to  $22\frac{1}{2}$  in another case ; from  $3\frac{1}{2}$  to 15 per cent. in a third case ; and in the fourth case there was no profit ten years ago and now there was a profit of five per cent. Therefore, it is clearly seen that even if the State were to take over the management of these mines, it will not be a losing proposition. On the other hand it will be a very profitable proposition and I recommend that the Government should take up this question for early consideration and try to rid the country of these managing agents and their bad management and the wasteful manner in which they have been exploiting the lives of our people who are losing their lives and limbs.

Then, coming to the three proposals that are placed before us, I find that the last one is much the most important one for the time being. It almost seeks to make a sort of departure from the recommendations made by this Committee. This Committee has recommended that a duty of eight annas per ton on coal and twelve annas per ton on hard coke should be levied in order to insist upon compulsory stowing in the mines, so that accidents may be prevented. Government now does not propose to give effect to this, one of the most important recommendations of the Committee at all. On the other hand they have come forward with this piecemeal proposal whereby we are to have a cess of not more than one anna per ton only for the purpose of financing these rescue stations. I do not know why Government has thought it fit to come forward with this very small proposal which, after all, does not seek to meet any of the important recommendations of this Committee. If it is merely because they want to make these temporary regulations permanent, there is really speaking no hurry for Government to do that because these regulations will be valid for another year to come and during the course of the next year it would have been possible for Government to have prepared a more comprehensive and more helpful and useful Bill covering most of the recommendations of this Committee, which should be accepted by Government and the House given an opportunity of considering the whole matter at one stretch.

We find that five lakhs of people are either directly or indirectly employed in our mines, in British India as well as in the States ; and out of these, 1,22,000 are being employed both underground and above ground every day and they are receiving lower and lower wages, all because of the rapacity of these employers. It is not because these workers are becoming less and less efficient that they are being paid lower and lower wages. On the other hand the coal produced by these workers in the Jharia mines alone has gone up from 126.33 tons to 138.91 tons per head, and that shows that these people are being paid less for working harder and producing more coal and exerting themselves to their greatest capacity. I would like to have an assurance from the Honourable the Industries Member, when he is going to introduce the next Bill which really will be the most important thing and by which alone we can really seek to implement most of the recommendations made by this committee. If such an assurance is not forthcoming, I can only say that this Bill is not really worth much and cannot commend itself to the House as even a mere half-way house.

[Prof. N. G. Ranga.]

Coming to the administration of these rescue stations my Honourable friend, Mr. Joshi, has suggested that these stations should be kept directly under the management and supervision of the Government of India. I do not know whether such a proposal is going to improve matters, but it may be better than leaving these rescue stations under the management and supervision of these employers. If, on the other hand, these rescue stations are not going to be kept under the control of the Government of India, then I would like that there should be a properly constituted committee on which the representatives of workers also are directly represented.

Coming to the second most important recommendation of this committee, about which my Honourable friend, Sir Thomas Stewart, is so discreetly silent, that is the establishment of the statutory authority for administering the mines and their working, I have to lodge a protest against the recommendation made by the committee itself. This committee itself is not expert one and yet it has made a very useful report consisting of many necessary recommendations. If it was possible for them to have gone through the whole question, examine it and come to very useful recommendations, I do not know why there should be an expert statutory authority and not a representative statutory authority. The only ground on which they dismiss the plea that there should be a representative statutory authority is that there are so many interests involved which have got to be represented and to give them an opportunity to be represented will make this committee an unwieldy one and even unanimity on some important questions may not be obtainable from the deliberations of such a committee. Even a superficial examination of that plea will be enough to show that it is not really tenable and they were somehow or other hard pressed to plead for the appointment of this expert committee, for what reason God only knows. I, therefore, strongly commend to the attention of the Government of India that they should not accept this particular recommendation, but, on the other hand, they should try, if there is to be a statutory authority at all, to make it a representative one, so that all the interests concerned would have an opportunity of getting themselves represented and seeing that their interests did not suffer and also contributing their best towards the growth of safety in our mines.

Then, coming to that recommendation of the committee that the managing agents should also try to learn something of mining and possess some qualification for administering these mines which the Government has thought it fit to dismiss, I would like to lodge a protest. It is only fair that these managing agents, who have been so very inefficient in the working of the mines, who have been so very callous in failing to look after the lives of the people who have placed themselves at their disposal for a pittance of a living, and who have, at the same time, not even tried to assure security of service to their managers for managing these mines, should be compelled to pass some examination or other to obtain some technical qualification or other so that they would never feel inclined to give wrong orders to their managers and arbitrary orders and dangerous orders causing great risk for their lives. As long as managers have not got security of service as long as managing agents continue to be as ignorant as they are today and to be as callous as they are today, there can really be no adequate

safety for the workers who are employed in these mines. I would, therefore, like the Honourable Member in charge of this Bill to give a categorical assurance to this House that he would take the earliest possible opportunity to give a chance to this House by bringing forward a resolution or any other motion to discuss the recommendations of this committee and ascertain the views of the House. If he does not take that opportunity and if he does not take the House into his confidence, then we can only say that the Honourable Sir Thomas Stewart is really trying to shirk his own responsibility towards labour and to try and get some sort of a half-hearted Bill passed by this House in order to suit his own purposes, in order to absolve him from performing his duties towards labour in the near future.

**Mr. B. Das** (Orissa Division : Non-Muhammadan) : Sir, I was very much disappointed at the shortness of the draft Bill and at the very short speech . . . .

**Dr. P. N. Banerjea** (Calcutta Suburbs : Non-Muhammadan Urban) : It was also sweet ; it was both short and sweet.

**Mr. B. Das** : It was not sweet to me, but it was sweet to my friend, Professor Ranga.

Sir, it would appear that my Honourable friend, the Industries Member, ignored the promise that his predecessor gave to this House. Sir Frank Noyce, in concluding his speech when referring the Bill to the Select Committee, said :

“ I hope that we shall shortly be in a position to review the whole situation and to take more comprehensive measures for ensuring the safety of those who labour in this industry.”

Then, in another passage, while he was talking of the Bagdigi Court of Inquiry, he said :

“ But I may say that I think it is likely that it will be asked also to deal with the general and very important and complex problem of coal conservation. As recent events have emphasised, this is bound up to a certain extent with this question of safety.”

Sir Frank Noyce said last year that the question of safety was bound up with the question of the conservation of coal, and this House permitted the 1936 amendment to the Mines Act to stand for two years. I do not see, therefore, the necessity for bringing in this Bill. My Honourable friend could have waited for another year and brought in a more comprehensive Bill giving effect to some of the important recommendations of the Coal Mining Committee. Sir, I have read many reports, and I was rather pleased to read this report which contains such technical and statistical data that would prove very useful to mining and geological students. I do hope that this Book will form a text-book to the students of the Mining College at Dhanbad and to other university students who learn mining and geology. I did not hear one word as to what was the opinion of the Provincial Governments concerned on this Coal Mining Committee ; we do not know what was the opinion of the Government of Bengal, the Government of Bihar, and of the Government of the Central Provinces. I find from this Report that all the three Coal Associations, the Indian Mining Association, the Mining Federation and the Indian



[Mr. B. Das.]

Colliery Association were consulted, and I wish the Honourable Member in charge had taken us into his confidence and told us what was the view of these three bodies on the Report of the Coal Mining Committee. They want that the Government should introduce a comprehensive measure for the safety of the mines and of the people who work in the mines, and also for the conservation of coal, and, as the Report rightly points out, coal is running short in India, and it is high time that coal is conserved properly. Nothing was said by the Honourable Member, and my friend, Dr. Banerjee, said that he talked sweetly. Sir, it is a very simple thing to ask the House to pass a certain measure or to refer it to a Select Committee and to pass it, but it seems my friend, being new to the department, is not alive to the danger with which the coal industry is threatened, nor do I think that he is aware of the agitation that took place in 1935-36 over the frequent fires that were then taking place, and this Report has definitely laid down that most of the fires that then took place occurred in the old mines. Simply opening rescue stations will not free these mines from danger.

In this connection, I should like to ask one question. I want to know if Government started any rescue stations after the 1936 Bill was passed? I believe not. Why is it that in April, 1936, Sir Frank Noyce was in such a great hurry to pass this measure and why did he tell us that he would start rescue stations in Dhanbad and Jharia area in coal mines, and how is it that no rescue stations have been started? Is it the plea of the Industries Member that he could not get proper contributions from the coal mine owners, and, therefore, his department could not devise means, and that is the urgency for his coming to this House and get its approval to clause 4 of the Bill whereby the mine owners could pay one anna cess per ton of coal? If that is so, then, I submit, Sir, it is a very lame excuse. If the Honourable Member wants to have permanent rescue stations in the light of the recommendations of this Committee, he has still got another year under the 1936 Act to carry on the work till he brings out a comprehensive measure. He could have examined the recommendations for the formation of this statutory authority for conservation of coal. Sir, I have given this question my close attention, and I think that some such authority is needed to control coal. May I ask my friend, who will control the central rescue station fund? Will it be left to the Chief Mining Engineer? Why should it be so? Why should the Government be in a hurry to proceed with this measure? Why can't they wait for another year?

Sir, I am not one of those who talk loudly about the nationalisation of industries. I do not know if the Government of India can afford to have the coal industry nationalised, but I do believe that coal happens to be the chief material on which the industries of the nation depend, that there should be coal conservation and control incidentally, so that there may be less wastage, fewer fires and accidents, and that coal may be conserved in the already exhausted coal mines in the Jharia and other coal fields to which this Committee has made reference. Most of the fires that took place last time were in the Jharia coal mines, and they were all old mines. I do hope that the Select Committee will consider and introduce suitable legislation whereby steps will be taken to see that all these old fields in the Jharia area submit a report to the Govern-

ment every year showing what steps they have taken to avoid fires, to stop coal dust flying about and other means taken to stop fires and other accidents in the mines. But I have no confidence in the Government, because even that much they will expect the Chief Inspector of Mines to look after, and naturally he will forget in the course of his usual duties, and he will not pay that much attention to the safety regulations as the Legislature expects him to do. I suggest that the Select Committee should so amend the Bill as to compel the framing of regulations so that every year the Industries Department may submit a report to this House showing that those old mines which have hitherto defied the Chief Inspector have taken such measures as experience had suggested and such a report should be laid on the floor of the House. I have not received any opinions from the Mining Federation or the Collieries Association, but last night I received this note from the Secretary of the Collieries Association. He objects to the levying of a cess for starting rescue stations, and the view of the Indian Collieries Association is that the Government should provide the cost. But my personal view is that the situation is so difficult and so big that Government are bound to levy a cess ; but that cess does not come from the owners of collieries, it will come from the consumers who will be poor people like myself or the Government who buy a large amount of coal. It is the only suggestion I have received, but, as for the other two, they approve. I hope that my Honourable friend will make clear in his reply what the Government's view is about the recommendations of the Coal Mining Committee—whether it is not a subterfuge to evade the control of this House and to throw this report into the waste paper basket. I would very much like to know what are the views of the three Associations on the main recommendations and also the views of the three Governments which I mentioned.

**Mr. Ram Narayan Singh** (Chota Nagpur Division : Non-Muhamadan) : I welcome this measure as this concerns mainly, if not wholly, my constituency. We hear sometimes from the Giridih colliery, sometimes from the Jharia colliery, and sometimes from somewhere else that a great mine disaster has taken place and a large number of people have lost their lives. From the scathing criticism of the Coal Mining Committee it is quite evident that up till now Government have done almost nothing for the people working underground. I have personally seen the working of the coal mines and I know how difficult and dangerous it is to work underground. However, I am glad that the Government have at last realised their responsibility, as is evident from the submission of this measure. My Honourable friend, Mr. Joshi, has raised the question of wages. I have personally talked to the labourers and I know from them that some of the labourers are paid six pice a day, some are paid two annas a day and some three annas a day. The reason is that the labourers are not organised and the mine owners get their work done according to their sweet will. But if the labourers are organised I am sure that sort of thing will not continue. Wherever public workers make any attempt to organise the labourers they meet with opposition from the colliery owners, and when the matter is reported to the authorities they also take no notice of it. If the Government are anxious to improve the condition of the miners they should attend to their organisation also. As regards sub-clause (d) of clause 4, as has been suggested by my Honourable friend,

[Mr. Ram Narayan Singh.]

Mr. B. Das, it appears that the Government are going to levy a tax on the colliery people. But as he has suggested, this ought to be met from Government resources, but if that is not done, I think the suggestion is that the tax will be levied only in the area where this experiment will begin. As it is an experimental measure, supposing this experiment is a success, then it will be for the good of the whole mining area. I suggest that if the Government are not going to meet the expenses the tax ought to be levied from the whole industry. I join my Honourable friends in the chorus of condemnation against the Government that they have done up till now nothing for the miners. There has been a Coal Mining Committee. I do not know what Government means by appointing a committee. So many committees are appointed by Government, so many people are employed, and so many lakhs of rupees are spent. But, so far as the recommendations of the Committees for the good of the people are concerned, nothing is done. I submit that a comprehensive measure ought to be brought forward so that all the grievances of the mining labour are removed. With these words I support the measure.

**The Honourable Sir Thomas Stewart :** Sir, it is extremely gratifying to find that Members from all parts of the House have agreed that this is a non-controversial matter and that they have lent it their support. I have, however, been subjected to a certain amount of criticism on the ground that the measure which we have brought forward is inadequate. Had I been prepared to say that this amending Bill is the sum total of Government's action after consideration of the Coal Mining Report,—if I had said that,—then I should have had to plead guilty to the charge that the measure is wholly inadequate. But, I have made no claim that this Bill represents Government's decisions on the Coal Mining Report, and I may inform my Honourable friend, Mr. B. Das, that I regret I cannot take him or the House into my confidence and tell him what have been the decisions of Government on the Coal Mining Report. Had I been in a position to do so, then I should also have been in a position to meet the charge that this measure was inadequate, because having taken a decision on the main Report we should have introduced a comprehensive measure, should such a measure have been necessary. But I believe that even so, the charge of inadequacy, leaving out the fact that we have made no reference to important issues like sandstowing or nationalisation, has been overpressed. A few days ago, in answer to a question by my Honourable friend, Mr. Satyamurti, I gave a list of the actions that had been taken in pursuance of the recommendations of the Committee. We had made permanent, as they recommended, certain temporary regulations. We had framed on the basis of their recommendations a fresh batch of regulations which admittedly had not yet been put into operation, since, by virtue of the Act, it was necessary that they should be sent for the consideration of the Mining Boards. Mr. Joshi and one other Honourable Member complained that no action had been taken on the very strong recommendation of the Committee that regulations should be framed regarding first working and section working. We have a set of such regulations in draft, which of course are not required to be included in any legislative measure, and, in the very near future, they too will go out for the consideration of the Mining Boards. My friend, Mr. Saksena, is disappointed that we have not accepted the recommendation of the Commit-

tee to impose certain obligations upon the owners of coal mines and I think he has been left with the impression that the owners have no liabilities and no responsibilities. That is not so. There is section 16 of the Act which lays down the responsibilities of owners in respect of matters happening in the mine.

**Mr. Mohan Lal Saksena :** The Committee wanted something more than that.

**The Honourable Sir Thomas Stewart :** I was just going to mention that. The Committee, I think, suggested that the owners should have properly qualified agents. In view the liabilities which already subsist in regard to owners, we thought that the only effect of that extra recommendation would, especially in the case of a small owner, simply mean a double obligation. It would require a manager's certificate for himself and on top of that, quite uselessly, the employment of an agent with a manager's certificate and we thought that was an inequitable imposition upon the small owner. Reference has been made to the administration of the rescue stations and some anxiety has been expressed lest there should not be proper representation of all interests. I may state for the information of the House that in the draft regulations we have provided for a certain amount of supervision by Government and for the representation of all interests including those of labour.

**Mr. Mohan Lal Saksena :** Will the Honourable Member lay on the table a copy of the regulations for the information of Members ?

**The Honourable Sir Thomas Stewart :** When the regulations have assumed their final form, they will be published in the form of a notification in the Gazette of India, in which case they will be available to all Members of the House.

Finally, reference has been made to the levy which it is proposed to make. Some anxiety has been expressed as to whether it would not be an unfair tax on the coal industry. I hardly think that the maximum of one anna per ton can be regarded as excessive but if it is, it may be some consolation to those who are apprehensive to know that in the first instance it is not proposed to levy the maximum. We estimate that a rate of two pies per ton will suffice for our immediate needs and the levy will, of course, only be made on coal coming from the areas which will be served by the rescue stations. I think, Sir, that, even if I have been too brief for my Honourable friend, Mr. B. Das, I have, to an adequate extent, answered the criticisms that have been put forward and I ask again that this House should support my motion that this Bill do go to a Select Committee.

**Prof. N. G. Ranga :** Will the Honourable Member give an early opportunity to this House to consider this report and express its opinion ?

**The Honourable Sir Thomas Stewart :** I should be very reluctant to say that it would be an early opportunity, as I do not think that Government will have time to frame even its preliminary conclusions and to consult other interested parties before the 2nd October.

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

“ That the Bill further to amend the Indian Mines Act, 1923, for certain purposes, be referred to a Select Committee consisting of Mr. Ram Narayan Singh, Prof. N. G. Ranga, Mr. Thirumala Rao, Seth Govind Das, Mr. Muhammad Anwar-ul-Azim, Mr. Muhammad Azhar Ali, Dr. Ziauddin Ahmad, Mr. Amarendra Nath Chattopadhyaya, Mr. A. Aikman, Mr. S. N. Roy, Khan Bahadur Sir Abdul Hamid, Rao Bahadur K. C. Manavedan Raja, and the Mover, with instructions to report on or before the 22nd September, 1937, and that the number of Members whose presence shall be necessary to constitute a meeting of the Committee shall be five.”

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 14th September, 1937.