

COUNCIL OF STATE DEBATES

WEDNESDAY, 15th SEPTEMBER, 1937

Vol. II—No. 3

OFFICIAL REPORT



CONTENTS

Member Sworn

Questions and Answers

Resolution re Enquiry into the working of the E. I. R. Press—Withdrawn

Resolution re Political exiles—Negatived

**Resolution re Recruitment to the Public Services by examinations to be held in India only—
Negatived**

Resolution re Local Advisory Committees of the B. N. R.—Withdrawn

Resolution re Protection of Indian interests in Fiji, British Guiana and Trinidad—Moved

PUBLISHED BY THE MANAGER OF PUBLICATIONS, DELHI
PRINTED BY THE MANAGER, GOVERNMENT OF INDIA PRESS, SIMLA
1937

Price Five Annas

CONTENTS.

	PAGES.
Monday, 13th September, 1937—	
Address by His Excellency the Viceroy to the Members of the Council of State and the Legislative Assembly	1—7
Tuesday, 14th September, 1937—	
Members Sworn	9
Questions and Answers	9—35
Information promised in reply to questions laid on the table	35—42
Agreements between the Reserve Bank of India and certain Local Governments laid on the table	42—73
Message from His Excellency the Governor General	74
Committee on Petitions	74
Death of Mr. Bijay Kumar Basu and Mr. Jatindra Chandra Banerjee	74—76
Governor General's Assent to Bills	76—77
Bills passed by the Legislative Assembly laid on the table	77
Standing Committee on Emigration	77
Congratulatory to recipients of Honours	77—79
Resolution <i>re</i> Report of the Indian Railways Enquiry Committee—Moved	79—80
Wednesday, 15th September, 1937—	
Member Sworn	81
Questions and Answers	81—121
Resolution <i>re</i> Enquiry into the working of the E. I. R. Press—Withdrawn	121—20
Resolution <i>re</i> Political exiles—Negatived	126—51
Resolution <i>re</i> Recruitment to the Public Services by examinations to be held in India only—Negatived	151—63
Resolution <i>re</i> Local Advisory Committees of the B. N. R.—Withdrawn	163—66
Resolution <i>re</i> Protection of Indian interests in Fiji, British Guiana and Trinidad—Moved	166
Monday, 20th September, 1937—	
Member Sworn	167
Questions and Answers	167—211
Bill passed by the Legislative Assembly laid on the table	211
Standing Committee on Emigration	212
Resolution <i>re</i> Protection of Indian interests in Fiji, British Guiana and Trinidad	212—25
Indian Succession Act (Amendment) Bill—Motion to introduce and circulate, adopted	225—27

	PAGES.
Monday, 20th September, 1937—<i>contd.</i>	
Resolution <i>re</i> Pay of the I.C.S.—Negatived	227—55
Shebaity Bill—Introduced	255
Resolution <i>re</i> Nomination of members of the U.T.C. to the Indian Military Academy, Dehra Dun—Moved	255
Wednesday, 22nd September, 1937—	
Member Sworn	257
Questions and Answers	257—80
Information promised in reply to questions laid on the table	280
Agreement between the Reserve Bank of India and the Gov- ernment of the North-West Frontier Province laid on the table	281—84
Library Committee of the Indian Legislature	285
Resolution <i>re</i> Nomination of members of the U.T.C. to the Indian Military Academy, Dehra Dun—Negatived	285—300
Cutchi Memon Bill—Introduced	301—02
Resolution <i>re</i> Cadet Corps in schools, etc.—Negatived	302—13
Resolution <i>re</i> Taxes on excessive profits of protected industries— Withdrawn	313—21
Control of Coastal Traffic of India Bill— <i>To be continued</i>	322—25
Thursday, 23rd September, 1937—	
Member Sworn	325
Motion for Adjournment <i>re</i> Appointment of a non-Indian as Economic Adviser to the Government of India—Disallowed	325—27
Resolution <i>re</i> Report of the Indian Railways Enquiry Committee— Adopted	327—83
Statement of Business	383
Tuesday, 28th September, 1937—	
Member Sworn	385
Statement <i>re</i> Supplementary Questions	385—89
Questions and Answers	389—94
Statement <i>re</i> Insurance Bill	395
Statement of Business	395—96
Petroleum (Berar Extension) Bill—Considered and passed	396—97
Rules and Regulations Continuance Bill—Considered and passed	397—98
Federal Court Bill—Considered and passed	398—99
Wednesday, 29th September, 1937—	
Questions and Answers	401—05
Control of Coastal Traffic of India Bill—Motion to refer to Select Committee, negatived	405—62

	PAGES.
Saturday, 2nd October, 1937—	
107 Questions and Answers	463—80
108 Draft Conventions and Recommendations of the International Labour Conference laid on the table	480—505
607 Agreement between the Governor of Bengal and the Reserve Bank of India laid on the table	505—09
Cutchi Menon Bill—Motion to circulate, adopted	509—10
VI ^{1/2} Muslim Personal Law (Shariat) Application Bill—Considered and passed	510—11
81 Resolution <i>re</i> Ratification of the International Agreement for the regulation of production and marketing of sugar—Adopted	511—64
Bills passed by the Legislative Assembly laid on the table	564
61 Statement of Business	565
Tuesday, 5th October, 1937—	
12 Questions and Answers	567—94
2 Information promised in reply to questions laid on the table	594—98
1 Bill passed by the Legislative Assembly laid on the table	598
Indian Tariff (Second Amendment) Bill—Considered and passed	598—99
Indian Securities (Amendment) Bill—Considered and passed	599—600
Monday, 15th November, 1937—	
Members Sworn	601
Death of Mr. Ramsay MacDonald	601—02
VI ^{1/2} Questions and Answers	602—19
Congratulations to Rai Bahadur A. L. Banerjee on his appointment as Assistant Registrar in the Federal Court	619
65 Information promised in reply to questions laid on the table	620—26
66 Agreements between the Reserve Bank of India and the Government of Bombay laid on the table	626—30
13 Bill passed by the Legislative Assembly laid on the table	630
81 ^{1/2} Insurance Bill—Motion to consider— <i>To be continued</i>	631—65
Tuesday, 16th November, 1937—	
10 Questions and Answers	667—68
Insurance Bill—Motion to consider— <i>To be continued</i>	668—708
Wednesday, 17th November, 1937—	
Questions and Answers	709—20
Insurance Bill—Motion to consider, adopted— <i>To be continued</i>	721—40
Friday, 19th November, 1937—	
Member Sworn	743
Questions and Answers	743—58
Motion for Adjournment <i>re</i> Report of the Wheeler Committee on the reorganization of the Secretariat—Allowed	759—61

	PAGE.
Friday, 19th November, 1937—contd.	
Information promised in reply to question laid on the table	761
Insurance Bill—Consideration of clauses— <i>To be continued</i>	761—94
Motion for Adjournment <i>re</i> Report of the Wheeler Committee on the reorganization of the Secretariat—Talked out	794—815
Monday, 22nd November, 1937—	
Member Sworn	817
Questions and Answers	817—18
Motions for Adjournment <i>re</i> (1) Ratification of the International Sugar Agreements and (2) Contribution made by His Majesty's Government towards mechanization of the Army in India—Disallowed	818—19
Insurance Bill—Consideration of clauses— <i>To be continued</i>	819—82
Tuesday, 23rd November, 1937—	
Questions and Answers	863
Information promised in reply to question laid on the table	863—65
Insurance Bill—Consideration of clauses— <i>To be continued</i>	865—911
Wednesday, 24th November, 1937—	
Information promised in reply to questions laid on the table	913—14
Insurance Bill—Consideration of clauses— <i>concluded</i>	914—58
Thursday, 25th November, 1937—	
Short Notice Question and Answer	957
Motion for Adjournment <i>re</i> Appointment of Mr. Salt as Entomologist to the Imperial Council of Agricultural Research—Disallowed	957—60
Information promised in reply to questions laid on the table	960
Insurance Bill—Motion to pass	961—74
Statement <i>re</i> Motion for Adjournment <i>re</i> Appointment of Mr. Salt as Entomologist to the Imperial Council of Agricultural Research	975
Insurance Bill—Motion to pass, adopted	975—97
Indian Mines (Amendment) Bill—Considered and passed	987—91

COUNCIL OF STATE.

Wednesday, 15th September, 1937.

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

MEMBER SWORN :

The Honourable Rai Bahadur Sir Satya Charan Mukherjee (Bengal : Nominated Non-Official).

QUESTIONS AND ANSWERS.

PRICE OF COAL.

39. THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY : Will Government be pleased to state whether any representation has been made by the Bengal National Chamber of Commerce about the shortage of coal supply and the consequent sharp rise of price of coal? If so, what, and what steps have been taken to prevent such rise by way of abolition of surcharge on coal, or proper supply of wagons or better supply of labour?

THE HONOURABLE MR. A. G. CLOW : A telegram was received from the Bengal National Chamber of Commerce in June last stating that a coal famine was apprehended and urging Government to take necessary steps to ensure a normal and steady supply of coal. A press communique was issued by Government on the 14th June, which details the steps taken to alleviate the situation. There is, and has been, during the recent rise in coal prices an adequate supply of wagons for the loading of coal. The surcharge on railway coal freights is not a cause of the recent rise in prices. The surcharge was introduced in January, 1932 and was reduced from 15 per cent. to 12½ per cent. with a maximum of one rupee per ton from 1st April, 1935. The abolition of the surcharge is not contemplated at present.

REPRESENTATIONS FROM MINOR INDUSTRIES FOR PROTECTION AGAINST FOREIGN COMPETITION.

40. THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY : Will Government be pleased to state whether any representation has been made by the Bengal Glass Manufacturers' Association and other minor industries about Japanese competition? If so, what, and what steps have been taken to meet such competition?

THE HONOURABLE MR. H. DOW : Yes, Sir. Representations have been received from certain minor industries including one from the Bengal Glass

Manufacturers' Association for assistance against Japanese competition and Government have placed an officer on special duty to enquire into these cases. A questionnaire was sent to the Bengal Glass Manufacturers' Association in June last asking for detailed information regarding the industry. A reply to this is still awaited. The cases of industries which have replied to the questionnaire are under examination at present.

THE HONOURABLE MR. HOSSAIN IMAM : Is the officer still on duty ?

THE HONOURABLE MR. H. DOW : Yes, Sir.

THE HONOURABLE MR. HOSSAIN IMAM : Will the Government give the name of the officer ?

THE HONOURABLE MR. H. DOW : The officer is Mr. R. K. Nehru, I.C.S.

THE HONOURABLE MR. HOSSAIN IMAM : He is no longer on this duty ?

THE HONOURABLE MR. H. DOW : That is not the case.

THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY : When is he expected to submit his report ?

THE HONOURABLE MR. H. DOW : The officer is not expected to produce a comprehensive report on all industries. There are a very large number of these industries—over 50 in number—and each one is being made the subject of a separate departmental examination in order that the giving of relief to a particular industry may have to wait comprehensive orders on the whole number.

THE HONOURABLE MR. HOSSAIN IMAM : Will the Government lay on the table the report of the officer ?

THE HONOURABLE MR. H. DOW : No, Sir.

THE HONOURABLE MR. HOSSAIN IMAM : Will the report be published ?

THE HONOURABLE MR. H. DOW : I am not able to say, but probably not.

IMPORTS OF BEHRAIN OIL INTO INDIA.

41. THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY : Will Government be pleased to state whether Behrain oil is being imported into India in large quantities and with what effect upon the price of oil in India ?

THE HONOURABLE MR. H. DOW : The reply to the first portion is in the negative. As regards the second portion, the imports are too small to produce any effect upon the market in India.

IMPORT DUTY ON NEWSPRINT.

42. THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY : Will Government be pleased to state what tax was levied on newsprint imported into India and whether it has been recently reduced and to what extent ?

THE HONOURABLE MR. A. J. RAISMAN : The import duty on newsprint in reels has been reduced from 25 per cent. *ad valorem* to Rs. 1-8-0 per cwt. for unglazed and Rs. 1-12-0 per cwt. for other sorts, from the 10th of July, 1937.

THE HONOURABLE MR. HOSSAIN IMAM : What will be the *ad valorem* incidence of this approximately ?

THE HONOURABLE MR. A. J. RAISMAN : The position is that the prices of newsprint had gone up by something like 30 or 40 per cent. and what we did was to fix a specific duty which corresponded to the duty leviable at 25 per cent. *ad valorem* on the prices as they were before the rise.

TELEGRAPHIC RATES BETWEEN INDIA AND BURMA.

43. THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY : Will Government be pleased to state whether telegraphic rates between India and Burma have been raised since the separation of Burma ? If so, by how much and whether they will be reduced at an early date ?

THE HONOURABLE MR. A. G. CLOW : Yes. The telegraphic rates between India and Burma have been doubled from April, 1937.

I see little prospect of any substantial reduction in the near future.

MARKETING BOARDS, ETC.

44. THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY : Will Government be pleased to state whether and, if so, how many marketing boards, co-operative sale societies and warehouse establishments have been established by the Central Government in India and with what results ?

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : The Government of India have set up a Central Organisation called the Office of the Agricultural Marketing Adviser to deal with the marketing scheme launched in January, 1935. A summary of the progress made with this scheme is given in the annual reports of the Imperial Council of Agricultural Research for 1935-36 and 1936-37, copies of which are available in the Library of the House. Information regarding sale societies and warehouses under the control of co-operative societies in the Centrally administered areas is being collected and will be supplied to the Honourable Member in due course.

THE HONOURABLE MR. HOSSAIN IMAM : Will the Honourable Member lay it on the table of the House so that it may be available to all of us ?

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : Yes, certainly.

FREE PASSES ON RAILWAYS.

45. THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY : Will Government be pleased to state whether the grant of free passes to mothers of railway servants has been discontinued ? If so, why ?

THE HONOURABLE SIR GUTHRIE RUSSELL : Under the Railway Board's latest Pass Rules applicable to State Railway employees, free passes are allowed to the mothers of railway servants when they are dependent on their sons and the sons are unmarried or are widowers. Free passes are not allowed to mothers of railway servants in other cases.

The reasons for the revision of the Pass Rules are contained in item (d) of the answer to starred question No. 159 asked by Mr. Lalchand Navalrai in the Legislative Assembly on 25th January, 1937.

RATIFICATION OF THE INTERNATIONAL SUGAR AGREEMENT, 1937.

46. THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY : Will Government be pleased to state whether they have ratified the sugar convention by which India is prevented from exporting sugar to other countries except Burma ?

THE HONOURABLE MR. H. DOW : No, Sir.

THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY : Do you propose to ratify it ?

THE HONOURABLE MR. H. DOW : I submit that there is no ambiguity in my answer which requires elucidation by further supplementary questions.

THE HONOURABLE THE PRESIDENT : You are not bound to reply. If you do not wish to reply, please sit down.

CLOVE TRADE IN ZANZIBAR.

47. THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY : Will Government be pleased to state the actual terms of the various measures adopted by the Zanzibar Government for the protection of their clove trade and what effect will they have upon the Indian traders and whether the Government contemplate adopting similar measures with regard to the protection of jute or any other trade of India ?

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : An account of the main provisions of the Clove (Purchase and Exportation) Decree which was passed by the Zanzibar Legislative Council in July last, and an appreciation of its effect on Indian traders as visualised by the Government of India, are contained in a press communique, dated the 23rd July, 1937, copies of which have been placed in the Library of the Central Legislature. The answer to the latter part of the question is in the negative.

NAMES OF SHIPPING FIRMS WHICH HAVE EMPLOYED CADETS TRAINED ON THE "DUFFERIN" AND NUMBER EMPLOYED BY EACH.

48. THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY : Will Government be pleased to state what firms have given employment to the "Dufferin" cadets and in what numbers and on what terms ?

THE HONOURABLE MR. H. DOW : I presume the Honourable Member's question is intended to be limited to shipping firms that have employed "Dufferin" ex-cadets as officers. The firms are :—

- (1) The Scindia Steam Navigation Co.,
- (2) The British India Steam Navigation Co.,
- (3) The Asiatic Steam Navigation Co.,
- (4) The Moghul Line,
- (5) Messrs. Cowasjee Dinshaw and Bros.,
- (6) The Eastern Steam Navigation Co., and
- (7) The Bombay Steam Navigation Co.

Government are not aware of the terms on which individual officers have been employed, and they do not think it necessary to enquire.

THE HONOURABLE MR. HOSSAIN IMAM : What is the number, Sir ?

THE HONOURABLE MR. H. DOW : The numbers are as follows :—

- The Asiatic Steam Navigation Co.—5,
- British India Steam Navigation Co.—16,
- The Mogul Line—2,
- The Scindia Steam Navigation Co.—40,
- The Bombay Steam Navigation Co.—1,
- Messrs. Cowasjee Dinshaw and Bros.—1,
- The Eastern Steam Navigation Co.—1,

making a total of 66. I should state that owing to the nature of the employment of these officers statistics vary from day to day and Government cannot guarantee that all these cadets were actually employed at any moment. For example, out of the 40 which I have assigned to the Scindia Steam Navigation Co., at least 15 have left the Company, and have either joined other Companies or are working for higher examinations or they may have gone back to the Scindia Steam Navigation Co. Out of the 16 which I have shown against British India, two, I understand, have left the Company and whether they have gone back to the Company or not at the present moment I cannot say.

THE HONOURABLE SIR PHIROZE SETHNA : These figures are of what date, Sir ?

THE HONOURABLE MR. H. DOW : These figures are, I think, to the end of August. They are practically up to date.

THE HONOURABLE MR. P. N. SAPRU : What is the number of those who are unemployed ?

THE HONOURABLE MR. H. DOW : The number who are unemployed, as far as we have been able to ascertain at present, is two or three.

STOWING OF COAL MINES.

49. **THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY :** Will Government be pleased to state whether Government have considered the stowing of coal mines with any other articles that may be of future use before advising their stowing with sand ?

THE HONOURABLE MR. A. G. CLOW : I am afraid that I am not clear as to the meaning of the Honourable Member's question. Any articles used for stowing would have to be left underground and consequently could not be used for other purposes afterwards. It is of course possible to use other materials than sand for stowing, but I am not aware that Government has ever advised against the use of such materials.

EMPLOYMENT OF WOMEN RELIEVED FROM WORKING IN COAL MINES IN COTTAGE INDUSTRIES.

50. **THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY :** Will Government be pleased to state whether they have received any representation from the Bihar Government for grants both recurring and initial

for the employment of women relieved from working in coal mines in cottage industries? If so, what has been their response to the representation?

THE HONOURABLE MR. A. G. CLOW : The attention of the Honourable Member is invited to the discussions at the Eighth Industries Conference on page 75 of the Bulletins of Indian Industries and Labour, No. 59, copies of which are available in the Library of the House. The Government of India accepted the conclusion of the Conference that the scheme, put forward by the Bihar Government at their instance, should not be financed from the grant for the development of the handloom industry. Since then they have offered to make certain initial grants from other sources to the Governments of Bihar and Bengal towards approved schemes for the same purpose. The schemes are now awaited.

THE HONOURABLE MR. HOSSAIN IMAM : What is the amount of the grant which has been sanctioned?

THE HONOURABLE MR. A. G. CLOW : The grant would depend on the scheme, Sir. There are certain maxima stated, but it will depend on the merits of the scheme.

RESULT OF DELIBERATIONS OF THE RESEARCH COMMITTEE OF THE CENTRAL BOARD OF IRRIGATION.

51. THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY : Will Government be pleased to state the result of deliberations of the annual meeting of the Research Committee of the Central Board of Irrigation held on 21st to 24th June last?

THE HONOURABLE MR. A. G. CLOW : I am afraid that I cannot venture, in answer to a question, to summarize these deliberations. But they will be printed in due course and will appear in the Annual Report of the Board, copies of which will be placed in the Library of the House.

RESOLUTIONS PASSED BY THE E. B. R. EMPLOYEES' ASSOCIATION.

52. THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY : Will Government be pleased to state whether their attention has been drawn to the resolutions of the 16th Annual Conference of the E. B. R. Employees' Association? If so, what consideration has been given to them?

THE HONOURABLE SIR GUTHRIE RUSSELL : The reply to the first part of the question is in the affirmative. As regards the second part, the Railway Board have not recognised any labour unions as such and do not therefore have any direct dealings with individual labour unions or associations in existence on the Railways. I may however add that orders regarding more important matters referred to in the resolution were issued after careful consideration and the Railway Board see no reason to make any change.

CONTOUR TRENCHING.

53. THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY : Will Government be pleased to state whether their attention has been drawn

to the experiment conducted by the Forest Department in selected areas of Chota Nagpur of contour trenching designed to arrest the run off waters on hill slopes? If so, do they advocate adopting similar measures elsewhere?

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD: Yes. The system is well known and has been used both in the United Provinces and in the Punjab. Such a system has not been found necessary in the Centrally administered areas. It is for Provincial Governments to take such action as they think suitable in their own forests.

IMPORTS OF IMPURE DRUGS INTO INDIA.

54. THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY: Will Government be pleased to state what steps, if any, do they propose to take to prevent the import of impure drugs in India?

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD: A Bill to regulate the import into British India of drugs and medicines has been introduced in the Legislative Assembly.

VILLAGE COMMUNITIES AMENDMENT ORDINANCE, CEYLON.

55. THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY: Will Government be pleased to state whether their attention has been drawn to the measure recently introduced into the Ceylon Legislature seeking to prevent Indians from acquiring rural franchise in Ceylon? If so, what is the measure and what steps do they propose to take upon it?

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD: Government have examined the proposed Village Communities Amendment Ordinance introduced in the Ceylon State Council. The Bill is principally designed to assimilate as far as possible the powers, duties and functions of village committees to those of district councils. Indians as such are not prevented from acquiring the franchise under the Ordinance, the restriction applying only to Indian estate labourers. Suitable representations have been made to the Ceylon Government.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: May we expect that the Ceylon Government, before taking any final decision in the matter, will give the Government of India again an opportunity of pressing their views?

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD: Correspondence is going on between the Government of India and the Ceylon Government. I have no doubt that before they take any final decision, they will let us know and give us an opportunity of making further representations, if necessary.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: I take it that the Honourable Member is aware that the Indians concerned are quite prepared to pay the necessary taxes in order to get the franchise rights and that there is considerable agitation on the part of the Indian community there.

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD: The Government of India are fully aware of the feelings both in Ceylon and in India with regard to this subject.

APPOINTMENT OF A NON-INDIAN AS DIRECTOR OF PUBLIC INFORMATION.

56. THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY : Will Government be pleased to state whether a non-Indian has been appointed as the Director of Public Information instead of an Indian ? If so, why ?

THE HONOURABLE MR. R. M. MAXWELL : Government have appointed Mr. Hennessy as Director of Public Information, because having regard to all the qualifications required, they consider him the most suitable selection.

THE HONOURABLE MR. HOSSAIN IMAM : What are the special qualifications possessed by this gentleman ?

THE HONOURABLE MR. R. M. MAXWELL : If the Honourable Member has read the communique issued by Government on the 25th June, 1937, he will see the kind of qualifications, which we were on the lookout for, for this appointment.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Does the communique merely refer to this gentleman's journalistic experience ?

THE HONOURABLE MR. R. M. MAXWELL : Yes, that is the kind of qualification we wanted.

THE HONOURABLE MR. P. N. SAPRU : What is his experience of Indian conditions ?

THE HONOURABLE MR. R. M. MAXWELL : He has been getting into touch with Indian requirements during a preliminary period at the India Office.

THE HONOURABLE MR. P. N. SAPRU : Had he ever been to India before ?

THE HONOURABLE MR. R. M. MAXWELL : No, Sir, not so far as I am aware.

THE HONOURABLE MR. P. N. SAPRU : Do Government regard it as a qualification for the Director of Public Information that he should never have been in the country before ?

THE HONOURABLE MR. R. M. MAXWELL : That, Sir, is an entirely minor qualification. The main thing is to have some one who has wide journalistic experience, a knowledge of the requirements, and wide experience of agency work.

THE HONOURABLE MR. P. N. SAPRU : Was there no one in the Department who had any journalistic experience ?

THE HONOURABLE MR. R. M. MAXWELL : Not journalistic experience comparable to that of Mr. Hennessy.

THE HONOURABLE MR. P. N. SAPRU : Who is the Assistant Director at present ?

THE HONOURABLE MR. R. M. MAXWELL : I think there are three, Sir.

THE HONOURABLE MR. P. N. SAPRU : What has been Mr. Jafri's record ? Are Government satisfied that he was a competent Assistant Director ?

THE HONOURABLE MR. R. M. MAXWELL : Government have no fault to find with him as an Assistant Director, but it cannot be argued that his qualifications and journalistic experience are of the same class as those of Mr. Hennessy.

THE HONOURABLE MR. P. N. SAPRU : Obviously not, because he is an Indian !

THE HONOURABLE THE PRESIDENT : Please do not argue.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : What efforts did the Government of India make to obtain a man with the necessary experience in India ?

THE HONOURABLE MR. R. M. MAXWELL : They were making inquiries in India, Sir, as well as at home. But if the Honourable Member will realise the kind of qualifications wanted, he will see that it is not extremely easy to find a journalist of such experience, willing to leave his journalistic work and come into a Government office.

THE HONOURABLE MR. P. N. SAPRU : Are there no competent journalists in India ?

THE HONOURABLE MR. R. M. MAXWELL : I do not think it would be easy to find a journalist in India who has the kind of qualifications which Mr. Hennessy has got.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : What are the special qualifications that are needed ? The Honourable Member evidently is not satisfied with merely journalistic qualifications. He has some special qualifications in view. What are those special qualifications that the Government of India expect the Director of Public Information to possess ?

THE HONOURABLE MR. R. M. MAXWELL : I referred the Honourable Gentleman to the qualifications which Mr. Hennessy possesses as mentioned in the Government communique and I said that those were the kind of qualifications that we wanted—journalistic qualifications and a wide experience of journalistic work and agency work.

THE HONOURABLE SIB PHIROZE SETHNA : Was the post advertised or only inquiries made ?

THE HONOURABLE MR. R. M. MAXWELL : Inquiries were made.

THE HONOURABLE MR. P. N. SAPRU : Would a knowledge of Indian languages be considered a qualification.

THE HONOURABLE MR. R. M. MAXWELL : No, Sir.

THE HONOURABLE THE PRESIDENT : I think a sufficient number of supplementary questions have been asked.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : One more question, Sir. Why was not the post advertised in India ?

THE HONOURABLE MR. R. M. MAXWELL : Because it was not thought that advertisement would produce a larger selection than our knowledge of the field for selection went.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : What reason had the Government of India to suppose that if they advertised the post they would not get applications ?

THE HONOURABLE MR. R. M. MAXWELL : We did not suppose that we would not get applications but that it was not likely they would be applications from persons as well qualified as we have been fortunate enough in securing.

THE HONOURABLE MR. HOSSAIN IMAM : Will the Honourable Member lay the communique on the table.

THE HONOURABLE MR. R. M. MAXWELL : It is not usual to lay on the table a communique which has been published for public information.

APPOINTMENT OF A NON-INDIAN AS NEWS EDITOR OF ALL-INDIA RADIO.

57. THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY : Will Government be pleased to state whether a non-Indian has been appointed as the News Editor of All-India Radio instead of an Indian ? If so, why ?

THE HONOURABLE MR. A. G. CLOW : A British subject of non-Indian domicile has been appointed to the post. The post was simultaneously advertised in England and in India. The Federal Public Service Commission reported that they were disappointed with the quality of candidates who appeared before them and could recommend only two as being possibly suitable for the appointment. The Selection Committee in the High Commissioner's Office interviewed seven candidates and strongly recommended Mr. C. J. Barns. After full consideration, the Government of India decided to appoint Mr. Barns to the post.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Were any qualifications prescribed for the holder of this post ?

THE HONOURABLE MR. A. G. CLOW : I have not the advertisement here but I am willing to send the Honourable Member a copy if he so desires.

STOPPAGE OF MAIL STEAMERS IN THE MANIKGANJ SUB-DIVISION OF THE DACCA DISTRICT.

58. THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY : Will Government be pleased to state whether a mail steamer stops at any place in Manikganj sub-division of the Dacca district ? If not, why not ?

THE HONOURABLE MR. A. G. CLOW : I am informed that two of the four daily mail steamer services stop at four places in the Manikganj sub-division of the Dacca district.

THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY : Will the Government be pleased to state what are those stations ?

THE HONOURABLE MR. A. G. CLOW : I would require notice of that question.

EXCLUSION OF ONE RAJANI KANTA PATEL FROM THE I. C. S. EXAMINATION HELD IN LONDON IN 1937.

59. THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY : Will Government be pleased to state whether one Rajani Kanta Patel was prevented from sitting for the I. C. S. examination in London ? If so, on what grounds ?

THE HONOURABLE MR. R. M. MAXWELL : Mr. R. M. Patel was excluded from the recent I. C. S. examination held in London under Regulation 9 of the Regulations for the admission of candidates to the I. C. S. by examination in the United Kingdom, which provides that no person will be admitted to the examination whose employment in the I. C. S. would, in the opinion of the Secretary of State, acting with the advice and assistance of the Civil Service Commissioners, be detrimental to the public interest.

THE HONOURABLE MR. SUSIL KUMAR ROY CHOWDHURY : What was the report against him ?

THE HONOURABLE MR. R. M. MAXWELL : The report consists of information in the possession of the Secretary of State and I cannot give it to the House without the permission of the Secretary of State.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Surely, Sir, in a case like that we expect the Government to satisfy the House that there were adequate reasons for taking this action.

THE HONOURABLE MR. R. M. MAXWELL : The Regulations were made and are administered by the Secretary of State and not by us.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : So long as Members of this House have a right to put questions it is expected that the Government of India will obtain adequate information on any points to which they may relate.

THE HONOURABLE THE PRESIDENT : Members of the House have no right to usurp the powers of the Secretary of State and the Civil Service Commissioners.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : We do not question the Secretary of State's powers.

THE HONOURABLE THE PRESIDENT : The Government of India are not bound to divulge the information.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : The Honourable Member does not say the Secretary of State refuses to divulge the information. He says the Government of India does not know the grounds.

THE HONOURABLE THE PRESIDENT : Because it is no business of theirs.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : But I suggest it is their business to ask the Secretary of State for this information. They cannot just of their own accord assume that if they ask the Secretary of State for information he will decline to give it.

THE HONOURABLE THE PRESIDENT : If the Honourable Member thinks fit he will ask for that information.

THE HONOURABLE MR. R. M. MAXWELL : I have the information. What I said was that I was not prepared to disclose it without the express permission of the Secretary of State.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : Will the Honourable Member get the Secretary of State's permission ?

THE HONOURABLE MR. R. M. MAXWELL : If the Honourable Member desires it I will make a reference on the subject.

RECOGNITION OF THE MEDICAL DEGREES OF THE CALCUTTA UNIVERSITY BY THE GENERAL MEDICAL COUNCIL OF GREAT BRITAIN.

60. THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY : Will Government be pleased to state whether they propose to press for giving retrospective effect from 1924 to the General Medical Council of Britain's recognition of the Indian medical degrees of the Calcutta University ? If not, why not ?

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : No. The Medical Council of India, who are concerned with the recognition of medical degrees, have already taken up this matter with the General Medical Council of Great Britain.

THE HONOURABLE MR. HOSSAIN IMAM : (Inaudible.)

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : Recognition has not been given with retrospective effect and it is with regard to that the Medical Council here is in correspondence with the Medical Council of Great Britain.

THE HONOURABLE MR. P. N. SAPRU : What was the objection to the Calcutta University on the part of the Medical Council ?

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : Well, Sir, it is rather a long story. There were two inspections in 1936. At the first inspection the Inspectors of the Medical Council here decided that the instruction was not such as would justify recognition. There was a subsequent examination in October, 1936, when they found that the instruction given there was of a quality which would justify recognition, and it was on the basis of that second report that correspondence is now going on.

THE HONOURABLE MR. HOSSAIN IMAM : Is the Government also considering the case of the Prince of Wales's Medical College in Patna ?

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : I am afraid I must ask for notice of that question.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : Have apothecaries in Government service the same qualifications as medical graduates of the Calcutta and other Universities ?

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : I must ask for notice of that question also.

COMMERCIAL ADVISER TO THE RAILWAY BOARD.

61. THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY : Will Government be pleased to state whether a Commercial Adviser to the

Railway Board will be engaged from outside India? If so, from where and on what terms, and why is not an Indian appointed to the post?

THE HONOURABLE SIR GUTHRIE RUSSELL: The reply to the first part of the question is in the negative, the latter parts do not arise.

BROADCASTING.

62. THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY: Will Government be pleased to state whether Broadcasting will be transferred to a corporate body independent of Government control? If so, whether such corporation is to be an Indian body and what is its constitution?

THE HONOURABLE MR. A. G. CLOW: There is no such proposal under the consideration of Government. The second part of the question does not arise.

IMPORTS INTO INDIA OF COTTON FROM EAST AFRICA.

63. THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY: Will Government be pleased to state whether East African cotton is imported into India in large quantities? If so, to what extent and what effect has it upon cotton prices in India?

THE HONOURABLE MR. H. DOW: Imports of East African cotton into India during the years 1935-36 and 1936-37 amounted to 43.6 and 41.2 thousand tons, respectively. I am unable to estimate precisely the effect of these imports on cotton prices in India.

CRIMINAL ASSAULT ON A LADY PASSENGER BY A CREWMAN OF THE EASTERN BENGAL RAILWAY.

64. THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY: Will Government be pleased to state whether a Punjabi Muhammadan crewman of the E. B. R. criminally assaulted a third class woman passenger travelling in a female compartment by the 21-Up Siliguri Passenger about 3 A.M. on the 24th July between Haldibari and Mandalghat stations? If so, what steps have been taken in the matter?

THE HONOURABLE SIR GUTHRIE RUSSELL: I understand that a Muhammadan crewman (a native of Aligarh) has been prosecuted by an Indian lady who was travelling in a third class female compartment by the 21-Up Siliguri Passenger on the 24th July last for criminally assaulting her. The case is still *sub judice*.

DEVELOPMENT OF THE SALT INDUSTRY IN BENGAL.

65. THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY: Will Government be pleased to state what part of the salt duty granted to the Bengal Government has been spent for the development of the salt industry in Bengal during the last two years and in what way?

THE HONOURABLE MR. A. J. RAISMAN: The Government of Bengal have not spent anything beyond nominal amounts during the last two years on the development of the salt industry in the province.

THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY: Why not?

THE HONOURABLE MR. A. J. RAISMAN: Because the Government of Bengal after having various inquiries made do not see that they could profitably employ anything more than nominal amounts.

SALT PREVENTIVE WORK IN BENGAL AND ORISSA AND MANUFACTURE OF SALT AS A COTTAGE INDUSTRY.

66. THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY: Will Government be pleased to state the reports of Mr. T. R. Ayengar and Dr. R. L. Dutt with regard to the possibilities of salt production in Bengal?

THE HONOURABLE MR. A. J. RAISMAN: Mr. T. R. Ayengar was deputed to Bengal not to enquire into the possibilities of salt manufacture in Bengal, but to examine the possibilities of a more economical arrangement for conducting salt preventive work in Bengal and Orissa.

Mr. Dutt was deputed by the Government of Bengal in 1934 to make an enquiry into the processes followed by the Premier Salt Manufacturing Co., Ltd., and also into the possibilities of salt manufacture as a cottage industry. His conclusions were—

- (i) that the processes followed by the Premier Salt Manufacturing Co., Ltd., were not suitable and that experimental investigation should be made for developing a method for Bengal by combining the Karachi and Burma methods, and
- (ii) that there was no possibility of the manufacture of salt on comprehensive lines as a cottage industry in Bengal.

EXAMINATION FOR THE RECRUITMENT OF TELEPHONE OPERATORS.

67. THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY: Will the Honourable Member in charge of the Industries and Labour Department of the Government of India kindly state:—

(a) Whether it is a fact that an examination for the recruitment of telephone operators was held in August, 1936, in the Dacca Division?

(b) Whether some candidates were selected by the Divisional Engineer, Telegraphs, Dacca?

(c) Whether the names of the above candidates were registered in the approved list and whether they underwent a practical training?

(d) Whether these candidates were duly informed by the Department that they would be appointed according to seniority?

(e) Whether these candidates held officiating appointments and worked temporarily against permanent posts?

(f) Whether these approved candidates who held officiating appointments during the years 1936 and 1937 have again been asked to sit for another open competitive examination?

(g) Whether the approved candidates who had already passed one competitive examination and held officiating appointments have exceeded the age limit which has been fixed from 19 to 21 years ?

(h) Whether it is in the contemplation of Government to bar the approved candidates from getting any post in the Postal Department ?

THE HONOURABLE MR. A. G. CLOW : (a) No. One of the examinations which were held in August and December, 1935, is probably the one to which the Honourable Member refers.

(b) and (c). Yes.

(d) No. On the contrary they were informed that the fact of their passing the examination would not give them any claim for appointment.

(e) Yes.

(f) The position is that of the candidates selected from the two examinations four could not be appointed permanently. They were accordingly told that if they still desire to join the Indian Posts and Telegraphs Department and fulfil the conditions prescribed they might sit for the open competitive examination which has been instituted. The previous examinations were not competitive but qualifying tests.

(g) As I have just stated, the candidates had not previously passed a competitive examination. I understand that of the four candidates who could not be appointed permanently two have exceeded the age limit prescribed for the competitive examination.

(h) As approved candidates had no right to an appointment, there is no question of imposing a bar. But the possibility of making provision for specially deserving men who are ineligible for the competitive examination will be considered.

PATENTING OF " ASCU " PROCESS.

68. THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY : Will Government be pleased to state whether the officer in charge of the wood preservation section of the Dehra Dun Forest Research Institute has invented an antiseptic for the preservation of wood named " Ascu " and whether any monopoly of its production has been given to Messrs. Callender's Cable and Construction Co. ? If so, why, and on what terms ?

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : Yes, but the officer concerned is no longer in charge of the wood preservation section. He was allowed to take out a patent and as patentee entered into a contract with the firm mentioned. The terms of the contract are confidential.

THE HONOURABLE MR. HOSSAIN IMAM : Will the Honourable Member tell us whether this enquiry and this research was made at the cost of Government or at the private cost of the officer concerned ?

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : I should like to have notice of that question. I am not sure whether it was done at Government cost or at the cost of the person concerned.

THE HONOURABLE MR. HOSSAIN IMAM : Will the Government state what is their policy? If any researches are made by their officers, should they be treated as private property or the property of the State?

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : There are rules in regard to how researches made by officers in Government employment should be treated.

THE HONOURABLE MR. HOSSAIN IMAM : Will the Government lay those rules on the table of the House?

THE HONOURABLE MR. A. G. CLOW : If the Honourable Member is referring to patents there are two rules embodied in the Fundamental Rules.

THE HONOURABLE MR. HOSSAIN IMAM : Are researches made by Government officers the property of the State or the property of the individual officer?

THE HONOURABLE MR. A. G. CLOW : Property does not arise until there is a patent, as anybody can manufacture.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : The Government of India must first give permission to allow a particular process invented to be patented. What is the policy of the Government of India in this matter?

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : In regard to this particular case the patent was taken out in 1933. At that time, I understand that under the rules this was possible. It was not contrary to the rules. It was in accordance with the rules existing in 1933 that the patent was taken out.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : Do Government take any share out of the profits made by such patentee?

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : As far as I know they do not.

THE HONOURABLE MR. G. S. MOTILAL : Will the Government enquire into the terms of the contract and inform the House or lay a statement on the table?

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : As I have said, the terms of the contract are confidential. Government know what they are, but I am afraid they cannot disclose them.

THE HONOURABLE MR. HOSSAIN IMAM : Do Government get any share out of it?

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : As far as I know in regard to this particular patent they do not.

THE HONOURABLE MR. HOSSAIN IMAM : Did the Government receive something out of the Hayman-Mohendra Punch?

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : I must ask for notice of that question. I cannot give information in regard to all patents since the Government of India was constituted.

ACCIDENT AT BIHTA STATION, E. I. R.

69. THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY: Will Government be pleased to state the cause and effect of the railway disaster at Bihta and what relief has been given to the victims or their dependents?

THE HONOURABLE SIR GUTHRIE RUSSELL: As regards the first part, I would refer the Honourable Member to my reply to question No. 38 answered yesterday. As regards the latter part, no relief beyond prompt medical aid and free treatment in hospital afforded to the injured, has so far been given to the sufferers or to the relations and dependents of those who died. The question of relief will depend on the final conclusion to be arrived at by Government on the judicial enquiry.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: May I ask what is the object of this judicial enquiry? Is the object to find out whether the Railway were responsible for some defect in the track or whether the accident was due to some other cause?

THE HONOURABLE SIR GUTHRIE RUSSELL: The object of the judicial enquiry is to find out the true facts of the case.

HUNGER-STRIKE IN THE ANDAMANS.

70. THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY: Will Government be pleased to state the cause of the hunger-strike of a large number of prisoners in the Andaman Jail and the steps taken to remove it and to meet the grievances of the prisoners?

THE HONOURABLE MR. R. M. MAXWELL: I would refer the Honourable Member to the Home Department communiques, dated the 30th July and 11th August, 1937. As the Honourable Member is no doubt aware the hunger-strike has been discontinued by all except eight prisoners. These insist on all their original demands.

THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY: What is the condition of the eight prisoners now? Are they still on hunger-strike, and, if so, what is their present state of health?

THE HONOURABLE MR. R. M. MAXWELL: They are still on hunger-strike, but the last I heard about them was that their health was not unduly suffering.

THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY: What was the date of the last information?

THE HONOURABLE MR. R. M. MAXWELL: The report about their health was four or five days ago, but I received information yesterday that they were still on hunger-strike.

RECOMMENDATIONS OF THE WEDGWOOD COMMITTEE ON RAILWAYS.

71. THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY: Will Government be pleased to state what effect they propose to give

to the recommendations of the Wedgwood Committee on Railways and whether they propose to place them before the Central Legislature for discussion before taking any action on them?

THE HONOURABLE SIR GUTHRIE RUSSELL: I would refer the Honourable Member to the discussion which has already taken place in the Legislative Assembly on 27th August. As the Honourable Member is aware Government have made arrangements to allot a day for the discussion of the Report in this House.

PURCHASE OF ROLLING STOCK.

72. THE HONOURABLE MR. V. V. KALIKAR: (a) Has the Railway Enquiry Committee given a finding that the stock of locomotives, carriages and wagons is excessive?

(b) Do Government propose to spend four crores of rupees on the purchase of rolling stock? If so, why?

THE HONOURABLE SIR GUTHRIE RUSSELL: (a) The Railway Enquiry Committee has expressed that opinion.

(b) I would refer the Honourable Member to the Proceedings of the Standing Finance Committee for Railways at their meetings held in Calcutta on June 28th and 29th last, a copy of which is available in the Library of the House.

IMPOSITION OF AN EMBARGO ON CLOVES FROM ZANZIBAR.

73. THE HONOURABLE MR. V. V. KALIKAR: (a) Has the attention of Government been drawn to the Associated Press news appearing in the Press regarding the decision of the Indian clove merchants in Zanzibar to resort to passive resistance to redress their grievances?

(b) Do Government propose to adopt the proposal of the Zanzibar Indian Association to impose an embargo on cloves without delay? If not, why not?

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD: (a) Yes.

(b) No, Sir. As explained in a press communique, dated the 23rd July, 1937, the Government of India consider that the new scheme introduced by the Government of Zanzibar deserves a fair trial by the local Indian community.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Are Government aware that there is a strong feeling in India itself on the question and that steps have been voluntarily taken by clove merchants and the public to stop the import of Zanzibar cloves into India?

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD: Yes, Sir, they are.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: What steps do they propose to take in this connection, so that there may be no estrangement of feeling between them and the Indian public?

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD: Sir, as I stated in another place, the Government of India have taken all the steps that they

would and they have come to the conclusion that the arrangements that have been come to between the Government of India and the Zanzibar Government deserve a fair trial.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Is it possible for the Government of India to reconsider the matter and make any further representations to His Majesty's Government in view of the exacerbation of feeling in India and the estrangement of feeling between the public and the Government which will be disastrous both to the Indians in Zanzibar and the best interests of the Government of India?

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD: I regret that at present it is not possible for the Government of India to take any further steps. As I stated in another place, the scheme should be given a trial and if it is found that it is not working properly then it will be open, as we stated then and which I repeat here, it will be open to the Government of India to take up the matter again. But until the scheme has had a trial it is not possible for the Government of India at this stage to take any further steps in the matter.

RESULT OF CORRESPONDENCE WITH LEADING SHIPPING COMPANIES ON THE EMPLOYMENT OF CADETS TRAINED ON THE "DUFFERIN".

74. THE HONOURABLE MR. V. V. KALIKAR: With reference to the answer to question No. 38 (e) asked in the Council of State on the 4th March, 1937, will Government be pleased to state the result of correspondence between Government and the leading shipping companies regarding the employment of ex-"Dufferin" cadets and the number of cadets employed by them in the year 1936 and, if any, in the year 1937?

THE HONOURABLE MR. H. DOW: Most of the shipping companies have agreed to employ as officers duly qualified ex-"Dufferin" cadets as vacancies occur. The B. I. S. N. Co. have agreed to increase their annual intake of officers from five to eight. The P. and O. Co. have also agreed to employ four ex-"Dufferin" cadets.

The total number of officers employed by the various shipping companies up to 1936 was 53, and up to the end of the first eight months of 1937, 66. I may however add that in view of the nature of their employment statistics differ from day to day and Government cannot guarantee that all of these officers were actually in employ at any particular moment.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Will the Honourable Member tell us what is the number of recruits taken annually by the different shipping companies?

THE HONOURABLE MR. H. DOW: Obviously they vary from year to year according to the demand. Many of these companies are comparatively small affairs and they cannot recruit regularly the same number of officers. They have to go by vacancies.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Will the Honourable Member give us this information with regard to the principal shipping companies, leaving out the smaller concerns which cannot be certain as to how many men they may be able to employ from year to year?

THE HONOURABLE MR. H. DOW : Sir, I think I have already given that information on another question. Perhaps the Honourable Member was not in the House. But the only two companies that are really large enough to say what they can do from year to year are the B. I. S. N. Co. and the Scindia Co. I do not think the Scindia Co. have agreed to take any regular figure year by year. The B. I. S. N. Co. started by taking four and increased it to five and they have recently increased it to eight.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Have the P. and O. Co. agreed to take any number of Indian cadets year by year ?

THE HONOURABLE MR. H. DOW : No, Sir. The position is that the P. and O. Co. had never agreed until very recently to take ex-“Dufferin” cadets at all. In fact, they said they would not. They have recently been prevailed on to abandon that attitude and for the present they have agreed to take one cadet on each of their four ships which are based on India.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : Can the Honourable Member give us the average number of cadets annually employed by the shipping companies ?

THE HONOURABLE MR. H. DOW : I am afraid I shall require notice of that question. But I can give him year by year, since the cadets have been fully trained, the number employed year by year.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : My question was in regard to total recruitment, Indians and non-Indians both.

THE HONOURABLE THE PRESIDENT : How do you expect him to remember that ? He has said he wants notice.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Sir, may I ask whether Government are considering the desirability of pressing the P. and O. Co. to recruit a certain number of cadets annually ?

THE HONOURABLE MR. H. DOW : No, Sir, we are not considering that. We do not consider it necessary to do so.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Why do you not consider it necessary to do so ? Is it not an important Company ? It is not your desire to develop an Indian mercantile marine ?

THE HONOURABLE MR. H. DOW : The primary object of the “Dufferin” is to train officers for the Indian mercantile marine. The object of the ship is not the Indianisation of the British mercantile marine.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Sir, pending the development of the Indian mercantile marine, owing to the monopolisation practically of the coastal trade by non-Indian shipping companies, is it not the duty of the Government of India to press for the employment of Indian cadets even in British companies that are deriving profits from the business they are carrying on in India and the contract they have with the Government of India ?

THE HONOURABLE MR. H. DOW : I am afraid that question was too long for me to follow to the end. Would the Honourable Member mind repeating it ?

THE HONOURABLE THE PRESIDENT: I cannot allow an excessively lengthy question.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: I will shorten it though it can be easily understood. In view of the fact that there is no adequate mercantile marine in India and the fact that the P. and O. Co. have a contract with the Government of India for the carriage of mails, will not the Government of India press on the P. and O. Co. the desirability of employing a certain number of Indian cadets annually?

THE HONOURABLE MR. H. DOW: Sir, I do not accept the Honourable Member's premises. It is not true that there is no mercantile marine in India.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: What I said was that there was no adequate mercantile marine in India.

THE HONOURABLE RAO BAHADUR SIR A. P. PATRO: May I ask how many applications there are for training in the "Dufferin," whether there has been an increase or a fall?

THE HONOURABLE MR. H. DOW: I should require notice in order to give the actual figures. They vary very considerably from year to year, and have done so ever since the "Dufferin" was started.

THE HONOURABLE MR. RAMADAS PANTULU: Is it a fact that out of 60 men, about 40 men are employed in the Scindia Co. alone?

THE HONOURABLE MR. H. DOW: No, Sir. I hoped I had made it clear that as far as I am aware 40 is the total number of men that had been taken in by the Scindia Co. I explained that 15 of them as far as I am aware have left the Scindia Co. Whether some of them are back again with the Scindia Co. I cannot say.

THE HONOURABLE MR. RAMADAS PANTULU: When the time comes for the renewal of the postal contracts will the Government consider and press for the employment of some of these men? Companies who do not employ these cadets are given privileges like carrying the mails?

THE HONOURABLE MR. H. DOW: As one of the conditions of the mail contract? No, Sir.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Sir, is it the policy of the Government of India not to ask British shipping companies to employ Indian cadets?

THE HONOURABLE MR. H. DOW: No, Sir, I have made that clear.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: I think when the mail contract is renewed there should be a clause as regards the compulsory recruitment of so many "Dufferin" cadets in British companies?

THE HONOURABLE MR. H. DOW: Sir, I am afraid that question should be addressed to the Honourable Member in charge of the Industries and Labour Department.

THE HONOURABLE MR. A. G. CLOW: Well, I am not sure what companies the Honourable Member is referring to?

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: The P. and O. Co., as far as I know, have got the mail contract.

THE HONOURABLE MR. A. G. CLOW: Speaking from recollection, the P. and O. Co. has got no contract with the Government of India for the carriage of mails. As regards the B. I. Co., when certain contracts were altered or renewed about a year ago, the matter did receive consideration and the question was as far as I recollect satisfactorily adjusted.

THE HONOURABLE MR. P. N. SAPRU: Sir, will the Government of India take up this matter with His Majesty's Government?

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Is the contract with the Secretary of State for India or with His Majesty's Government?

THE HONOURABLE MR. A. G. CLOW: It is a combined arrangement—it is not made with the Secretary of State.

THE HONOURABLE MR. HOSSAIN IMAM: Are foreign mails carried on these conditions everywhere?

THE HONOURABLE THE PRESIDENT: That is too wide a question.

THE HONOURABLE MR. P. N. SAPRU: Sir, what is the amount of benefit that the P. and O. Co. receive from India? How much do they make over the carriage of mails?

THE HONOURABLE MR. A. G. CLOW: I am afraid I do not carry those figures in my head! But I think I have answered that question before now.

RESULT OF EXAMINATION OF THE SAPRU EMPLOYMENT COMMITTEE REPORT.

75. **THE HONOURABLE SIR PHIROZE SETHNA:** Will Government be pleased to state:—

(a) Whether they have completed their examination of the Sapru Unemployment Committee's Report?

(b) If the reply is in the affirmative, will they place on the table a statement embodying their conclusions on the same?

THE HONOURABLE MR. A. G. CLOW: (a) and (b). Some of the recommendations of the Committee are still under consideration. But I place on the table of the House a statement indicating the progress made with the examination of the recommendations.

NOTE: "Paragraph" denotes a paragraph of the Committee's Report.

Conclusions and Recommendations of the Committee.	Results of examination.
<p><i>Statistics of Unemployment—Paragraph 28.</i></p> <p>It should not be beyond the competence of universities, educational institutions, Government departments and local bodies to keep regular statistics of unemployment.</p>	<p>The question of compilation of statistics of the educated unemployed by universities and other educational institutions has been considered. After consultation with the 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</p>

Conclusions and Recommendations of the
Committee.

Results of examination.

could not be minimised and that statistics of employment were more easily ascertainable. 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 the 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.

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

With a view to reducing unemployment amongst Civil Engineers—

- (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;

This is not a matter concerning the Central Government directly, but certain aspects of it are being examined.

Conclusions and Recommendations of the Committee.

Results of examination.

- (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—
Paragraph 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.
- (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.

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.

Under consideration.

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.

Conclusions and Recommendations of the Committee.

Results of examination.

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 unympathetic 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.

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. Businessmen 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.

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.

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 re-organization and the strengthening of the staff employed.
- (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.

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.

- (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.

**Conclusions and Recommendations of the
Committee.**

Results of examination.

- (6) 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.

Para. 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.

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 organizing this profession, providing for education, examination, and the grant of diploma, and penalising the employment by private agencies of unqualified men.

This is being brought to the notice of Provincial Governments.

The first recommendation concerns the U. P. only. The remaining three 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 George's 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.

Law—Paragraph 177.

- (1) (i) 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.

Legislation under the new constitution would have to be provincial.

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 mistry 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.

(c) Insurance—Paragraph 182.

In England, the qualifying examinations 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 or intermediate colleges to those who may desire to join insurance companies.

(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.

(e) Librarianship—Paragraphs 183 and 190 (3).

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

Under consideration

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.

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.

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 190 (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.

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

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

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.

Agriculture—Paragraph 244.

(1) 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.

(2) It is very doubtful as to whether subsidiary industries, such as fruit-growing, dairy-farming, market-gardening, floriculture, sericulture, poultry farming, canning, pisciculture, spinning and weaving, carpet-making, clay modelling, rope-making, pottery, cattle breeding, will attract a large number of our

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.

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.

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.

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 a common standards for dairy produce was examined by a Dairy Expert 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.

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—Paragra h 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.
- (2) That industrial research workshops should be established at different university centres or at important industrial centres.

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.

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.

Conclusions and Recommendations of the Committee.	Results of examination.
(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.	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.
(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.	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 Governments of Bengal, United Provinces and the Punjab have been asked to submit memoranda on the subject.
(5) That Government should take steps to collect authoritative information in regard to the running of small industries in Japan and in European countries.	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.
(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.	This concerns the United Provinces Government.
(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.

Conclusions and Recommendations of the Committee.	Results of examination.
<p>(9) (a) That steps should be taken to create some agency for bringing qualified educated men into touch with commercial houses for employment.</p>	<p>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).</p>
<p>(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.</p>	<p>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.</p>
<p>(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.</p>	<p>This is a matter for the United Provinces Government.</p>
<p>(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.</p>	<p>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 is under consideration though it will take some time yet to reach a final decision. The Government of India see no sufficient ground for the appointment of a Committee.</p>
<p>(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.</p>	<p>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). This has the Provincial Industries Department in view.</p>
<p><i>Technical, industrial and vocational education.</i> Para. 313 (7).</p> <p>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.</p>	<p>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.</p>

Conclusions and Recommendations of the
Committee.

Results of examination.

*Education.—Primary education.—paras. 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.

Secondary education—para. 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 them towards industrial life.
- (5) Proper agencies should be created for advising boys as to their careers.

*University education—para. 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.

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.

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 also been 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 views 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.

Conclusions and Recommendations of the Committee.	Results of examination.
<p>(6) There should be some system of co-ordination between different universities so as to secure the uniformity of standards and prevent unhealthy competition.</p> <p>(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.</p> <p>(9) Governments and Indian parents should exercise greater discrimination in sending youngmen to foreign countries merely for academic education.</p>	

VERIFICATION OF ARTICLES GIVEN IN GOVERNMENT STOCK REGISTERS.

76. THE HONOURABLE SIR PHIROZE SETHNA : Will Government be pleased to state :—

(a) Whether Government auditors are authorised to check whether articles given in Government Stock Registers correspond in specification with those found in different Government stores of the Central Government ?

(b) If not, whether any steps are taken to have them checked periodically through outside agencies ?

THE HONOURABLE MR. A. J. RAISMAN : (a) and (b). It is ordinarily the function of the executive authorities to verify stock and Government auditors only do so in exceptional cases. It is the duty of the verifying authority, whether Executive or Audit, to see that the articles of each specification shown in the stock registers do actually exist in the stores.

AIDED AND RECOGNISED INSTITUTIONS FOR THE TRAINING OF INDIAN STUDENTS IN AVIATION, ETC.

77. THE HONOURABLE SIR PHIROZE SETHNA : Will Government be pleased to state the number of Government recognised and aided institutes for training Indian students in aviation in each of the last five years with the number of students therein.

THE HONOURABLE MR. A. G. CLOW : There are no aided and recognised institutions specifically for the training of Indian students in aviation, but Government grant subsidies to a number of flying clubs where facilities are provided for the training of pilots as well as ground engineers. A statement showing the number of such institutions together with the number of Indian

students trained in them during the past five years is laid on the table. There is, besides, one Training School in Delhi which is recognised but not subsidised.

Numbers of flying clubs in British India and Indian pupils trained by them during 1932—36.

Year.	Clubs.	"A" pilots trained <i>ab initio</i> .	A "1".	"B".	Pilot Instructors.	Ground Engineers.	Total.
1932 ..	6	43	3	1	1	..	53
1933 ..	7	32	8	3	..	1	44
1934 ..	7	41	3	2	1	5	53
1935 ..	7	58	2	4	..	10	74
1936 ..	7	53	4	9	..	5	71

NUMBER OF PATENTS APPLIED FOR AND SECURED BY INDIANS IN PROVINCES.

78. THE HONOURABLE SIR PHIROZE SETHNA: Will Government be pleased to state the number of patents applied for and secured by Indians in each province during each of the last five years respectively?

THE HONOURABLE MR. A. G. CLOW: A statement is laid on the table.

Statement showing the number of applications for patents filed and the patents secured by Indians resident in each province during the years 1932 to 1936.

Province	1932.		1933.		1934.		1935.		1936.	
	Applications filed.	Patents granted.	Applications filed.	Patents granted.	Applications filed.	Patents granted.	Applications filed.	Patents granted.	Applications filed.	Patents granted.
Assam ..	2	2	..	1	2	..	4	3	1	2
Baluchistan ..	1	..	..	..	..	..	..	..	..	..
Bengal ..	51	22	62	10	54	27	33	38	55	23
Bihar and Orissa ..	3	..	6	..	3	2	1	4	3	..
Bombay ..	44	20	44	22	53	29	42	22	38	31
Burma ..	1	1	1	..	10	..	2	..	1	..
Central Provinces ..	..	1	..	..	4	..	3	3	3	1
Delhi ..	..	..	6	1	4	1	2	1	2	2
Madras ..	16	4	21	6	15	11	10	9	22	7
North-West Frontier Province ..	..	..	..	..	..	..	1	..	1	..
Punjab ..	22	8	20	5	23	9	29	12	32	24
United Provinces ..	13	7	28	8	19	17	18	16	26	12
Total ..	153	65	188	53	187	96	146	108	184	102

CARRYING OF FIRST AID BOXES ON MOTOR BUSES.

79. THE HONOURABLE SIR PHIROZE SETHNA: (a) Are Government aware that in some Indian States it is made incumbent on owners of motor vehicles to carry first aid boxes and to have the drivers trained and certificated in first aid before granting them licences to drive?

(b) Whether the answer to (a) is in the affirmative or in the negative, will Government consider the advisability of enforcing this condition in Centrally administered areas?

THE HONOURABLE MR. A. G. CLOW: (a) I have heard that in one Indian State the carrying of first aid boxes on buses is obligatory, but I have no precise information on the subject.

(b) Government have no reason to suppose that Provincial Governments would favour the imposition of the condition suggested, in provincial areas, and they do not consider that they would be justified in enforcing the condition proposed in Centrally administered areas alone.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: Will Government kindly bring the subject-matter of this question to the notice of the various Provincial Governments?

THE HONOURABLE MR. A. G. CLOW: No, Sir, I do not think I can undertake to do that. I am not convinced that the proposal itself is sound.

THE HONOURABLE MR. HOSSAIN IMAM: At least for the buses that carry passengers it should be necessary.

THE HONOURABLE MR. G. S. MOTILAL: If Provincial Government adopt similar measures, will Government do it in the Centrally administered areas?

THE HONOURABLE MR. A. G. CLOW: I am afraid that is hypothetical, Sir.

VIZAGAPATAM HARBOUR.

80. THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY: Will Government be pleased to state whether the Vizagapatam harbour has been opened for traffic? If so, is it working at a loss or profit and what steamer services stop at the port?

THE HONOURABLE MR. H. DOW: The Vizagapatam Port was opened to general traffic on the 7th October, 1933. The Port is at present working at a loss. The following steamship lines use the Port:—

Clan, Brocklebank, Harrison, City, British India Steam Navigation Co., Scindia Steam Navigation Co., Asiatic Steam Navigation Co., Hansa, Mitsui Bussan Kaisha, Nippon Yusen Kaisha, Indian and African, Baron, Moor, and tramp steamers of almost all nationalities.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: What is the annual loss at present?

THE HONOURABLE MR. H. DOW: I am afraid I should require notice of that question.

RESERVE BANK OF INDIA.

81. THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY : What steps, if any, does the Reserve Bank of India contemplate taking to extend its operations to indigenous bankers ?

THE HONOURABLE MR. A. J. RAISMAN : The attention of the Honourable Member is invited to section 55 of the Reserve Bank of India Act under which the Reserve Bank is required to submit a report to the Governor General in Council within three years of its inauguration. It is understood that the Reserve Bank has the matter under consideration and that its report will be sent to Government in due course.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : Is it not a fact that such a report has recently been issued by the Reserve Bank ?

THE HONOURABLE MR. A. J. RAISMAN : No, Sir.

PREFERENCE GIVEN BY GOVERNMENT TO SMALL SCALE INDUSTRIES.

82. THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY : What preference do Government give to small scale industries in India such as glassware, pottery, waterproof, soap, and electric goods in their store purchase policy ?

THE HONOURABLE MR. A. G. CLOW : As I informed the Honourable Member on the 24th February last in reply to his question No. 24, the degree of price preference that may be allowed to any Indian product is not specifically laid down ; each case is considered on its merits.

FLOOD CONTROL.

83. THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY : What step, if any, do Government propose to take to co-ordinate the efforts of the Provincial Governments for the prevention of widespread floods in many of the provinces ?

THE HONOURABLE MR. A. G. CLOW : The subject of flood control is primarily the concern of the provinces. The Government of India have been and are prepared to give all the co-operation possible for co-ordinating the efforts of Provincial Governments in this matter, but the nature of the action must depend on the particular circumstances of each case.

COMPOSITION AND FUNCTIONS OF THE CENTRAL JUTE COMMITTEE.

84. THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY : What is the composition and function of the Central Jute Committee ? Do Government propose to make it function on the lines of the Clove Growers' Association in Zanzibar ?

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : I would invite the Honourable Member's attention to Resolution No. F. 254/34-A., dated the 20th May, 1934, in which the composition and functions of the Central Jute Committee were announced for general information. The Resolution

was published in the Supplement to the Gazette of India, dated the 30th May, 1936, which is available in the Library of the House. The reply to the latter part of the question is in the negative.

CODES AND REGULATIONS BY WHICH STATE RAILWAY SERVANTS ARE GOVERNED.

85. **THE HONOURABLE MR. HOSSAIN IMAM :** (a) Will Government be pleased to place the Railway Service Rules in the Library of the Indian Legislature ?

(b) Do the Railway Service Rules differ from the Postal Department Rules ?

(c) If the reply to part (b) be in the affirmative, do Government contemplate the making of uniform rules for both the Departments ?

THE HONOURABLE SIR GUTHRIE RUSSELL : (a) The most important codes and regulations by which State Railway servants are at present governed are :—

- (i) Railway Services (Classification, Control and Appeal) Rules ;
 - (ii) State Railway Construction Code ;
 - (iii) State Railway Open Line Code, Volumes I and II ;
 - (iv) State Railway Provident Fund and Gratuity Rules ;
 - (v) Government Servants Conduct Rules ;
- and with certain modifications
- (vi) Fundamental Rules ;
 - (vii) Supplementary Rules ;
 - (viii) Civil Service Regulations ; and
 - (ix) Superior Civil Service Rules.

Copies of all the above mentioned publications, except Nos. (ii) and (iii) are in the Library of the House.

I may however add for the information of the Honourable Member that a self-contained set of State Railway Services Rules which will incorporate all the Codes and Regulations mentioned above is under compilation and a copy will be placed in the Library of the House when published.

(b) Yes.

(c) The conditions of service in the two Departments being different, Government do not propose to make the service rules uniform for employees in these Departments.

THE HONOURABLE MR. HOSSAIN IMAM : The exception that the Honourable Member made in favour of two codes—that they are not available in the Library. Will they be placed in the Library ?

THE HONOURABLE SIR GUTHRIE RUSSELL : We have, I think, only two copies of each and they are very old. I do not think it is worth while reprinting them.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : Are these ancient ? Are these also out of date ?

THE HONOURABLE SIR GUTHRIE RUSSELL : They are more or less out of date ; that is why we are making a new compilation.

VALUE OF PURCHASES MADE THROUGH THE INDIAN STORES DEPARTMENT BY STATE-MANAGED RAILWAYS.

86. **THE HONOURABLE MR. V. V. KALIKAR :** Will Government be pleased to state :—

(a) The value of the purchases made through the Indian Stores Department during the years 1934-35 and 1935-36 by the State-managed Railways and the value of purchases made by the State-managed Railways directly ?

(b) When the establishment of the Indian Stores Department was under consideration did Sir Charles Innes give an undertaking that the Railways in India would make all their purchases through the Indian Stores Department ?

(c) If the answer to part (b) is in the affirmative, will Government be pleased to make a statement how far the undertaking given by Sir Charles Innes has been acted upon ?

THE HONOURABLE SIR GUTHRIE RUSSELL : (a) The Honourable Member is referred to paragraph 60 of Volume I of the Railway Board's Report on Indian Railways for 1935-36. A copy of this Report is in the Library of the House.

(b) and (c). The attention of the Honourable Member is invited to—

(i) the Honourable Sir Charles Innes' speech on this subject in the Legislative Assembly on the 24th February, 1927.

(ii) the reply given by the Honourable Mr. D. G. Mitchell to the Honourable Mr. Jagadish Chandra Banerjee's question No. 52 in this House on 6th March, 1934, and

(iii) the Memorandum by the Financial Commissioner of Railways, on the Railway Board's policy in the matter of stores purchases, placed before the Standing Finance Committee for Railways on 31st January, 1936. This Memorandum is printed in the Proceedings of the Standing Finance Committee for Railways, Volume XII, No. 6, a copy of which is in the Library of the House.

CONFISCATION OF DIAMONDS BY THE COLLECTOR OF CUSTOMS, BOMBAY.

87. **THE HONOURABLE MR. P. N. SAPRU** (on behalf of the Honourable Raja Yuveraj Datta Singh) : Were diamonds worth considerably over Rs. 2,00,000 seized by the Bombay customs authorities from an attache case belonging to an Indian merchant at Ballard Pier Station, Bombay, in July, 1937, when the merchant was returning to India from Amsterdam ?

Will Government kindly state the circumstances of this case, the name of the Indian merchant, and the steps taken in the matter ?

THE HONOURABLE MR. A. J. RAISMAN : Diamonds valued at about Rs. 2,38,000 were recently seized in the circumstances indicated by the Honourable Member, and have been confiscated by the Collector of Customs, Bombay, under the Sea Customs Act. I am unable to give details as the proceedings are still pending.

THE HONOURABLE MR. HOSSAIN IMAM : Before whom are the proceedings pending—before a court of law or the Department ?

THE HONOURABLE MR. A. J. RAISMAN : It is possible they take action regarding these offences either departmentally under the Sea Customs Act or under the ordinary criminal law. That question has not yet been finally decided.

REFUND OF SECURITIES TO NEWSPAPERS AND PRESSES AND RELEASE OF POLITICAL PRISONERS, ETC.

88. **THE HONOURABLE MR. P. N. SAPRU** (on behalf of the Honourable Raja Yuveraj Datta Singh) : Will Government lay on the table a statement, showing separately for each province, since 1st April, 1937 :—

(a) The names of newspapers and printing presses, the amount of confiscated securities refunded to them ?

(b) The names of the political prisoners or other detenus who have been released ?

(c) The names of organisations and associations on whom the ban has been lifted ?

(d) The names of persons who were convicted for offences under section 124A of the Indian Penal Code and have been released ?

THE HONOURABLE MR. R. M. MAXWELL : (a) to (d). I am concerned only with the Centrally administered areas and for those the statement is blank.

RESOLUTION RE ENQUIRY INTO THE WORKING OF THE E. I. R. PRESS.

THE HONOURABLE MR. SUSIL KUMAR ROY CHOWDHURY (West Bengal: Non-Muhammadan) : Sir, I beg to move :

“ That this Council recommends to the Governor General in Council that a mixed Committee of officials and non-officials be appointed to enquire into the workings of the E. I. R. Press in Calcutta with special reference to :

- (i) the working of the Press after amalgamation in 1930 with the E. B. R. Press,
- (ii) the service conditions of the workers,
- (iii) the fixation of the initial pay of the workers, and
- (iv) leave and holidays granted to the workers.”

Sir, I have brought this Resolution not with the purpose of criticising the present administration of the Railway Press, but to point out that there are certain matters specially the condition of the service of the press workers which requires special scrutiny. The Railway

12 NOON.

[Mr. Susil Kumar Roy Chowdhury.]

Press workers have long been agitating for the redress of a long list of their grievances. They have made acquainted the proper authorities about those grievances by submitting memorials and otherwise, but no adequate measures for their redress has yet been done.

Sir, I hope that the House will agree with me that when labour feel that they have grievances but no step is taken either to understand them or to redress them it will not be a very happy situation either for the employers or society.

I had the opportunity of studying some of their grievances which were placed before me and I found that they require careful and sympathetic consideration. With regard to the condition of service the staff of the Railway Press may be divided into three categories—(i) clerical and supervising, (ii) industrial, and (iii) inferior. The conditions vary according to the category to which one or the other belong. The clerical staff get all the gazetted holidays which are about 42 days in a year with full pay. Besides that they are entitled to get leave according to fundamental and civil service rules. But the industrial workers, such as compositors and binders, get only 13 days' holiday with pay and if the workshop is closed for more than 13 days on any occasion their salaries are deducted. Their leave privilege is also inadequate. Those whose service are less than three years are not entitled to get any leave at all. Those whose service are three years and over but less than ten years can get only ten days. Those who are ten years and over but less than 20 years can get only 15 days and those whose service are 20 years and over can get only 20 days in one calendar year.

Sir, I do not really understand on what principle the scale of leave days for these industrial workers has been fixed. In the E. B. R. the shop holidays were 20 days. I am told that in some other Railways it is more. Why then is it 13 days for the poor industrial workers of the E. I. R. Press? Sir, all these matters require close scrutiny by somebody of independent men as suggested in my Resolution.

Then, Sir, the question of salaries and promotions of these workers. The scale of salary for the compositor is Rs. 25 to Rs. 100. But this scale is divided into three grades and the number of posts in each grade is fixed and no promotion to the upper grade from the lower is allowed until there is any vacancy in the upper. As the promotion to the upper grade depends upon the accident of there being any vacancy therein, many a worker is deprived of his right of being promoted to the higher grade. So, many of the workers had to retire at the pay of Rs. 50. According to the present system very few people can aspire to reach at least a decent stage of the first grade.

Sir, these poor workers are always representing that the wages they get are not sufficient for maintaining their family and to keep up the standard of their living. In 1930 the mode of payment was changed from the piece system to the salary system. But at that time the initial pay of the workers was fixed at less than what they were justly entitled to. These poor workers submitted many

representations pointing out this fact but to no effect. However, the Government has fixed a scale of pay. Even the full benefit of this scale of pay, though inadequate, cannot be reaped by this anomalous system of increment and promotion. Sir, this matter requires scrutiny and careful consideration.

Then, Sir, the question of the inferior staff. The treatment accorded to them, the conditions of service provided for them show that the Government do not consider them as human beings. Wages that are paid to them are not sufficient for the maintenance of a single person. Do the Government desire that they should not maintain their families? They can neither be members of the provident fund nor enjoy pension. Sir, the condition of all persons requires most careful and sympathetic consideration of this House.

Sir, I do not like to take up the time of this House in detailing many of the grievances which the workers have against the administration. I am fully conscious about the fact that as long as the relationship of master and servant will exist where one set of people will have to work and the other set will have to supervise their work, the set whose work will have to be supervised will certainly feel that they have some grievances against their supervisors. Some of these grievances may be genuine and some may be frivolous. But, Sir, to ease this situation in most of the experienced industrial countries a works committee has been set up. These committees which are composed of representatives of workers are empowered to decide and advise the head of the Administration on many matters. On a previous representation of the employees the Railway Board approved of the formation of such a committee in 1930. But unfortunately though seven years have elapsed no such committee has been formed. Why is this delay?

Sir, another matter to which I would like to draw the attention of this House is the manner in which the conditions of service and pay are sometimes changed. Some of the form issuers who were enjoying for a long time all the benefits of a superior clerical staff and in fact were classed as such has recently been deprived of all such privileges and on their enquiry as to the cause of such deprivation they were informed that they were inferior servants and through mistake was so long accorded all the privileges of superior servants. These poor workers are doing the work of superior workers and were in fact in consideration of these facts transferred to the superior clerical cadre. Though they pointed out all these facts and made repeated representations the authorities did not take any step.

If the Administration feel that the present condition of service of the workers require readjustment it must be placed before a Committee who would enquire into the pros and cons of the whole situation, and in this enquiry the just claims and interest of the workers would not be overlooked.

Sir, with these words, I commend my Resolution for the acceptance of this House.

*THE HONOURABLE MR. P. N. SAPRU (United Provinces Southern : Non-Muhammadan) : Sir, I should like to express my general sympathy with the Resolution which has been moved by the Honourable Mr. Chowdhury.

*Not corrected by the Honourable Member.

[Mr. P. N. Saprū.]

I do not know whether a Committee is necessary but I do hope that Sir Guthrie Russell will appoint some special officer to look into the grievances of these men and to take such steps as may be necessary to redress those grievances. The question was raised by Mr. Suhrawardy in this House some years ago and I believe a Committee was appointed to go into these grievances. I think the workers were not represented before the Committee and the present position as explained by the Honourable Mr. Chowdhury appears to be that there are in the Press three grades of workers. We have clerical men, industrial workers and inferior staff. Now, his Resolution deals with the last two classes of men, the industrial workers and the inferior staff. So far as the industrial workers are concerned, the grievance seems to be that in regard to the matter of leave while the clerks get 42 holidays in the year and the fundamental rules are applicable to them, the industrial workers get only 13 days' holidays with pay and pay is not given for any other day if the Press is closed.

(At this stage the Honourable Mr. Susil Kumar Roy Chowdhury was leaving the Chamber.)

THE HONOURABLE THE PRESIDENT: The Honourable Member should not leave his place when another Honourable Member is speaking on his Resolution.

(The Honourable Mr. Susil Kumar Roy Chowdhury returned to his seat.)

THE HONOURABLE MR. P. N. SAPRU: Then, Sir, the complaint is that the privilege leave also is inadequate. Those who have less than three years service do not get any privilege leave at all. Those who have more than three years and less than ten years' service get only ten days. Those who have served for more than ten years but less than 20 years get 15 days, and those who have served for more than 20 years get 20 days. Therefore the leave rules require some attention also. Then, so far as the scale of salaries is concerned the grievance seems to be that while the salary is from Rs. 25 to Rs. 100 men mostly retire at Rs. 50 and very few of them get a chance of reaching the Rs. 75 or Rs. 100 grade. Then there are certain other grievances. Railway servants get passes; they have a provident fund provided for them. These men however do not get any passes, they have no provision for a provident fund and they do not get any pensions. Reference was also made by the Honourable Mr. Chowdhury about a works committee. I think these works Committees are good. They associate the workers with the employers and they lead to industrial peace. I hope, Sir, that a works committee will be set up at an early date.

Sir, with these words, I should like to give my general support to the main principle behind the Resolution of the Honourable Mr. Chowdhury.

THE HONOURABLE SIR GUTHRIE RUSSELL (Chief Commissioner for Railways): Sir, when I got notice of this Resolution it came to me as rather a surprise, because a very similar Resolution was discussed in this House on the 25th of February, 1935, and since that date the Railway Board have received not one single complaint from the staff of the E. I. R. Press; and knowing what a notable petition writer the Bengali is it makes me wonder whether

all the grievances complained of and mentioned by the Honourable Member are genuine ones. We did receive a communication from Dr. P. L. Banerjee. This was a letter addressed to Sir Raghavendra Rao, who was then Financial Commissioner of Railways and the latter forwarded a petition which had been addressed to the Honourable Member for Railways in 1931. In reply to that letter we explained what had happened since that date and apparently we satisfied Dr. Banerjee as we heard nothing further from him. Now, the Honourable Member has confined himself to generalities and I think in reply I am justified in adopting the same course. Probably the best way of putting the case before the House is to give a short history of what has happened in the E. I. and E. B. Railway Presses since 1933. In 1930—the reason why I take 1930 is that this is the date mentioned by the Honourable Member—in 1930, or before 1930, the Railway Board appointed Mr. Slater who came to one of the Government of India Presses, to inquire into the service conditions on Railway Presses. As a result of his recommendations the Railway Board decided to alter the conditions of service of the staff on the E. I. and E. B. Presses. I will detail shortly what the recommendations of Mr. Slater were which were accepted by the Railway Board. The rates of pay were revised and all employees were rated on a monthly rate of pay, the old employees having the option of remaining on the old rates of pay or electing for the new rates of pay. When at the time of introduction of the new scales of pay, the pay or wages of an employee were in excess of the maximum of the new scale, the amount of the excess was granted as personal pay to be absorbed on promotion to a higher grade or class. A system of piecework rating was introduced in order to give the good workers an opportunity of getting increased earnings. Hours of work were fixed at 8½ hours of actual work a day from Monday to Friday and 5½ hours on Saturday, a total of 48 hours a week against the maximum of 54 hours a week which is allowed under the Factories Act. It was laid down that every effort should be made by the Administration to avoid giving overtime. Such overtime as was unavoidable was to be paid at the rate of 25 per cent. in excess of the hourly rate of pay of the employee. All industrial employees were made eligible for leave under the new leave rules. Previous to this date industrial employees were not given any leave except certain paid holidays. Under the new leave rules they were made eligible for leave in addition to the paid holidays referred to. Now, put shortly, the leave privileges granted were as follows. Up to three years' service no additional leave; between three and ten years ten days' leave on full pay in one calendar year; between ten years and 20 years' service 15 days' full pay in any calendar years and also leave on medical certificate on half pay not exceeding 15 days in one year with a maximum of 60 days during their service. Over 20 years' service the staff were granted 20 days' leave on full pay in any calendar year, leave on medical certificate to a maximum of 20 days in any one calendar year and a total of 120 days during their service. Now, these were the improved conditions in 1930. Despite this we received the memorial I have already referred to in January, 1931. In that memorial the staff complained that the rates of pay should be increased. They asked that the initial monthly wages should be equitably—whatever that means—and liberally adjusted. We know what that means. Time-scales of pay should be introduced instead of graded pay. Hours of attendance should be reduced,

[Sir Guthrie Russell.]

security of service should be guaranteed. These memorials were very carefully considered by both the Agents of the E. I. R. and the E. B. R. They still had the assistance of Mr. Slater, an experienced officer from the Government of India Press. I have actually seen and gone through in detail the recommendations of the two Agents and I can assure this House that very few cases have been more carefully dealt with than that of the press workers. Both Agents pointed out that there were certain hardships and they put up recommendations to the Railway Board to remove these hardships. In putting up these recommendations the Agent of the E. B. R. had gone to the trouble of working out for every man in the E. B. R. Press the wages he had earned six months previously to the introduction of the new conditions of service and six months afterwards and in practically every case the man was earning more after the introduction of the new conditions than he was before. The Railway Board accepted all the recommendations of the Agents. The next thing that happened was in 1933. Mainly as a measure of economy the Railway Board decided to amalgamate the two presses. The result of this amalgamation was that it was possible to reduce the number of posts by some 284, but adjustments were made so that this only entailed the reduction of 67 members of the staff and, I think, they all came from the E. I. R. Press. This staff was given very liberal voluntary retirement terms. Those who were not prepared to go voluntarily were discharged on special terms and their names were placed on a waiting list for re-employment when a vacancy occurred. The E. I. R. Press employees again in 1934 began to press for further concessions and a representation was received from the Honourable Khan Bahadur Syed Abdul Hafeez, then a Member of this Council. That representation was sent to the Agent of the E. I. R. and he was asked to appoint a special Committee to go into each and all the grievances. That Committee comprised a Deputy Agent of the E. I. R., a Deputy Agent of the E. B. R. and the Deputy Chief Accounts Officer of the E. I. R. The Report of that Committee was received. The number of grievances was in the neighbourhood of 30. The Agent approved, I think, without alteration almost all the recommendations of that Committee and sent this to the Railway Board for their approval. The Railway Board accepted the recommendations of the Agent in their entirety. Now, as I said before, the Honourable Member has generalised and as far as I could hear he has put forward no further grievance or any grievance that has not already been inquired into. But if, after I have seen the printed record, I can trace any grievances that have not been inquired into or any grievances which I think are justifiable, I can promise him that I shall make investigations into them. Beyond that, I cannot go and I oppose the Resolution.

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

RESOLUTION *RE* POLITICAL EXILES.

THE HONOURABLE MR. B. N. BIYANI (Berar Representative): Sir, the Resolution I rise to move is as follows:—

“This Council recommends to the Governor General in Council that Raja Mahendra Pratap, Lala Hardayal, Professor Khankhoje and other political exiles be allowed to return to India.”

The question of political exiles from India is an old one much agitated through the press and the platform of the country. The question immediately reminds us of illustrious sons of India, such as Lala Lajpat Rai, Raja Mahendra Pratap, Mr. Rash Behari Ghosh, Arabindo Ghosh and many others including, in recent days, Subhas Chandra Bose, M. N. Roy, and Sailendra Nath Ghosh. It does not need much explaining regarding the circumstances that caused some of our good men to be exiles. Some of them were scared away with fear of severe imprisonment, some went out of the country to other lands in pursuit of health and others were literally driven away. It was all due to the fear of the British Government in India that they were a danger to the English Raj.

Now the times are changed. After the inauguration of the Government of India Act, 1935, in seven provinces the Congress is in power or there are popular Governments. Prisoners of yesterday are the Prime Ministers of today. Political prisoners are free, securities forfeited or deposited are being returned and there is a freer atmosphere in the country. I think this is an opportune time for the Government of India to change its attitude towards the political exiles and honour the popular sentiment of the country.

On many occasions the fear that the Government entertained on account of these exiles has proved to be an outcome of their nervousness. Even men like Subhas Chandra Bose were regarded as a public danger and the Government of India were not willing to allow him to return to his motherland. He returned and was goaled. Now he is free and I challenge Government to justify the presentiments expressed over his return. Had he not returned he would have been one of our many exiles to rot in foreign countries when their motherland requires their services.

So was the case with Mr. M. N. Roy. He was regarded as a public danger by the Government. He came and was put into jail. Now that he is free, can Government with any sincerity say that they had any justification in maligning the activities of a man like him? So are the cases of Mr. Sailendra Nath Ghosh, Mr. Bhupendra Dutta, Mr. Benoy Ray Chaudhari.

The question is so wide that I am ashamed of my ignorance about it. With a desire to have full information about these exiles I tabled a question but before I could get a reply to it, the ballot box has called me to move this Resolution. I shall satisfy myself by laying before this House the very scanty information that I have got in this connection. I shall have the satisfaction of having done my humble duty towards my countrymen who are in foreign countries for no fault of theirs except that they love their country and want to see it free.

Raja Mahendra Pratap is an honoured name among the present exiles from India. He has sacrificed his all at the altar of freedom of his motherland and, if my information is correct, he is at present in Japan. He is engaged in activities of World Federation. His message to the Indian National Congress at Lucknow which says

“From Iran to Assam including Afghanistan and Nepal let us have a common sense of community and unity. Then fraternise with the rest of Asia. Let us have true love for all humanity. This is the spirit of Hinduism, Buddhism, Christianity and Islam. All these religions reiterate that all men are born of one single human principle”, will show his present bent of mind and the trend of his activities. A friend of mine informs me that when he met Raja Mahendra Pratap in Berlin, he found

[Mr. B. N. Biyani.]

him interested in the caste system of India and the possibility of growing fine fruit orchards in and about the Himalayan valleys. He is a man of an eminently constructive bent of mind.

Lala Hardayal, I think, is at present in London. He left India in 1908 and is connected with various activities of thought in America and other countries. Government were asked last year whether they had any objection to Lala Hardayal coming back to this country. Government said that they had none if he was prepared to take the consequences.

My information about Professor Khankhoje is very sketchy. An Indian rose to such an eminent position as a Minister of Agriculture in the Brazilian Government and as far as my information goes it was Professor Khankhoje. Is it not to the shame and discredit of our country that such a man is in exile?

As far as the other political exiles are concerned I would only single out two. One is Virendra Chatophadyaya who is now in Leningrad and is working as a Professor in one of the Russian Academies. The other is Mr. Nambiar who is at present in Czechoslovakia.

I can not say for certain if there is any specific order prohibiting the entry of these and other political exiles into the country, but whether specific orders or not they and the people have good reasons to believe that the Government will lock them up as soon as they come back to this country. It is, therefore, absolutely necessary that the Government of India should give a general assurance that they would not take any action against any Indian coming back to his country unless there was a specific order against him.

Secondly, I ask the Government to remove all such specific orders if there be any against any Indian now in exile for activities which they did between 20 and 30 years ago or for no activities at all. Much of the apprehension from the activities of these persons is an outcome of the political nervousness of the British Raj in India. Let me also remind the House that as the times are changed in the political governance of India, so the methods of attainment for Swaraj for India have changed and are changing fast. Mahatma Gandhi's preaching and practice of non-violence for the last 20 years has pervaded the whole political atmosphere of the country. Old methods of violence have been replaced by a non-violent revolution and we find that even the prisoners in the Andamans have declared their faith in non-violent methods for the attainment of their political aim. The revolutionaries of yesterday are the reformists of today. It is, therefore, up to the Government to overcome their nervousness and to allow all the political exiles to return to India and to give them a trial under the changed political conditions of the country. Even after their return if the Government find that their activities are detrimental to the peace of the country, I need not say that the Government have an armoury of laws to take action against them. It would require a poet to describe the strength and depth of natural human desire on the part of these political exiles to return to their motherland, their sweet home, after long long years in foreign countries. I therefore submit that the Government will accept the recommendation in the spirit

it is offered. My demand is just and irresistible and I have confidence that this House will support me. Is there an Indian who would not desire the return of his countrymen to his sweet home?

Sir, I commend the Resolution for the acceptance of this House.

THE HONOURABLE MR. V. V. KALIKAR (Central Provinces : General) : Sir, I have great pleasure in supporting the Resolution so ably moved by my Honourable friend Mr. Biyani. Mr. Biyani has explained in very eloquent terms his object in moving this Resolution. He has said that the times have changed and has requested the Government to allow these gentlemen to return to their country. Times have really changed. The Andamans political prisoners have declared their faith in non-violence. So far as my information goes, these gentlemen were not convicted by any court of law, but they were not allowed to return to their country on account of their political activities abroad. It is now for Government to allow them to return to their country and take an active part in the constitutional activities of their motherland. I know something of Professor Khankhoje who comes from my district. If I may tell the House about his antecedents, he is a man of great abilities and his merits were recognised in foreign lands. He left Nagpur in 1907 and went to Japan and then to America. He had gone to England. Nobody has heard anything about any revolutionary activities on his part which forced the Government of India not to allow him to return to his mother country. He has taken a great interest in agriculture, and if he is allowed to return, he will take further interest in his province and will be of great use in developing agriculture, which is the main industry of the Central Provinces. The only question before us is whether in the changed circumstances Government should allow this gentleman to return or not? We find that the Provincial Governments in seven provinces have released prisoners who were convicted in a regular court of law of offences which amounted to violence. We find that the Kakori prisoners in the United Provinces have been released. We find that the prisoners who were connected with the Hindu-Moslem riot in the Central Provinces in 1927 have been recently released by the Central Provinces Government. So, according to me, the case of these gentlemen deserves much more consideration than the case of those prisoners who have been released. I therefore submit that the Government of India should have no hesitation in accepting this Resolution. I therefore support the Resolution.

***THE HONOURABLE MR. P. N. SAPRU** (United Provinces Southern : Non-Muhammadan) : Sir, the Resolution which has been moved by the Honourable Mr. Biyani is one on which a silent vote is not possible. I may say at once that I am going to give to the Resolution my support though my reasons for doing so are not entirely the same as those of the Honourable Mr. Biyani. We on this side of the House do not approve of the activities of the gentlemen referred to in the Resolution of the Honourable Mr. Biyani. We are clear in our minds that the methods for which they stand or stood at all events in the past, are entirely wrong, and that the methods for which they stand for

* Not corrected by the Honourable Member.

[Mr. P. N. Saprú.]

achieving national and economic independence and freedom are methods which are entirely alien to our culture, to our civilisation and to all that our culture and our civilisation has stood for.

THE HONOURABLE MR. RAMADAS PANTULU : Who are " they " ?

THE HONOURABLE MR. P. N. SAPRU : I am referring to the gentlemen who are mentioned in the Resolution. The Resolution of Mr. Biyani is not a very revolutionary one. I am sure he is as much opposed to violence as we on this side of the House. All that he says is that these men should not be prevented from entering India. They may have done some very wrong things ; they may have done some very stupid things ; they may have indulged in some most reprehensible activities. But people who are worse than they have been released by Provincial Ministries. In our province, the Kakori prisoners, people who were convicted of murder and of dacoity by competent courts of law have been released by the Provincial Ministry of our province. I do not say, wrongly. The Bengal Government has been examining the cases of the detenus and releasing them gradually. It proposes to release the Andamans prisoners. Now, surely, these men, whatever you might say against them, are not worse than the Kakori prisoners or worse than the Andamans prisoners ? Why, then, should they be prevented from entering India ? That is the real question before the House. For, this is all that the Resolution asks the Government to do. Surely, Sir, the law is stringent enough to restrain their activities if they abused the confidence which this Resolution seeks to repose in them. We have stringent laws on our Statute-book. Popular Governments are in charge of Law and Order. Why should it be assumed that these popular Governments will not know how to deal with the activities of these men if they should misbehave themselves ? The political atmosphere too has improved in recent months. In seven provinces we have Congress Ministries, and we have as men responsible for order those who have had the honour and privilege of being His Majesty's guests in prison. Why should you not improve the political situation further by allowing men who dare not enter India for fear they will be dealt with under Regulation III or some other Statute of what might be called a Fascist nature ? After all, these men are enjoying freedom in the countries which have given them protection. Why must they be denied the privilege and the honour and the opportunity for all time of visiting their native land ? I shall assume the worst against them. But I would say that even on the very worst assumption they are not worse than some of the men who find themselves free today.

Sir, the Resolution refers in particular to three men and I will deal with two of these three gentlemen about whose activities I know something. I will deal with Lala Hardayal first. Lala Hardayal was a very brilliant graduate of the Punjab University. He went to Oxford and he had a very brilliant career there. During the war I believe he was a supporter of Germany and fomented trouble. Well, in spite of his activities you were able to win the war and impose a peace upon Germany which in my humble judgment is responsible for the international anarchy which prevails today. But the Lala Hardayal of those days is not the same as the Lala Hardayal of today. Intellectually

a giant he has recanted publicly his old views. He has realised the error of his ways and has openly recanted his old views. He is leading a quiet, respectable life in London today. He has written some excellent books. The other day I was reading a book of his on Self Culture, and his politics today would not be even of the moderate variety. I do not know that we could be sure of finding him on the Progressive Benches today.' Then, Sir, why not allow a man like Lala Hardayal to return? You had no objection when circumstances forced you to make peace with Cosgrave and DeValera. You tolerated DeValera and would like to be on good terms with him. Surely Lala Hardayal's crime has not been greater than DeValera's crime or Cosgrave's crime. He has recanted; DeValera has not recanted and yet you would like to be on good terms with him. Why not then as a Government conscious of its strength allow Lala Hardayal to return to this country?

The second man, Sir, is Raja Mahendra Pratap. He comes of a distinguished and aristocratic family in the United Provinces. His wife was, I believe, related to the Maharaja of Jind. His estate was first confiscated for treason and then it was conferred on his son. All that you say against him may be true. I am not going to deny what you say against him. But what can he do if he is allowed to return today? Surely you are strong enough to deal with him if he misbehaves. If therefore you have confidence in your strength and behave like liberty-loving, generous-minded people determined to show to the world that even at a time when political liberty is threatened in vast areas of the world, you believe in the basic principles on which the British Commonwealth is founded, democracy and liberty. You gave refuge in your own land to Marx and Engels. The countries which exiled Marx and Engels thought that by exiling them they had dealt a deathblow to Communism. Were they able to kill Marxian socialism in their respective countries? Therefore, Sir, I would say, have faith in your own methods. Have faith in democracy. Have faith in liberty, the methods for which England has stood throughout the centuries. I have no doubt that if you have faith in those methods, if you pursue a policy based on those principles, you will succeed here as you have succeeded elsewhere.

For these reasons, Sir, without associating myself with all the reasons which have been advanced by the Honourable Mr. Biyani, I give my whole-hearted support to this Resolution.

*THE HONOURABLE NAWABZADA KHURSHID ALI KHAN (Punjab : Nominated Non-Official): Sir, I rise to oppose the Resolution proposed by the Honourable Mr. Biyani. There are several reasons for which I strongly oppose this Resolution. But I would only mention one primary reason, and that is that while all other civilised countries in the world are getting rid of the communistic and revolutionary elements and getting rid of them with an iron hand, we in India cannot for a moment allow such people as Mr. Biyani has mentioned to return to this country. These people are a great danger to public peace and tranquillity and should not be given any room in this country. I therefore appeal to the Government of India not to allow such notorious criminals to return to this country.

* Not corrected by the Honourable Member.

THE HONOURABLE MR. HOSSAIN IMAM (Bihar and Orissa : Mahammadan) : I had no intention of intervening in this debate but it is the speech of the Honourable Mr. Khurshid Ali Khan which has provoked me to get up. As my Honourable friend Mr. Sapru has said, we do not associate ourselves with the politics of the exiles. We have no word of praise for their deeds. The question which is before the House is, whether the Government is strong enough to allow a few people of whom they were afraid in former times to come into the country at the present moment. During the war of course the arrival of Raja Mahendra Pratap would have been disastrous for the Government and for the people, because he was actively engaged in supporting our enemies in the war. But times have changed. Those who were in jail are now occupying positions of trust in the Provincial Governments. Those who were nearly sent to the gallows are being liberated. Now is the time to have a sense of proportion. In the position you were in 1931 when Congress people were in jail, it would not have been wise to allow any of these people to come into India, because at that time there was a sort of foment in the countryside. But now the then most active opponents of Government are occupying the Treasury Benches in seven of the provinces of British India. Is it likely if you adopt this severe attitude towards these exiles that you will get the sympathy and goodwill of the Congress, you would rather alienate them further ?

Now, there is one question about these exiles which I wish this House to consider, particularly. The question is, whether a man should without trial for his misdeeds be prevented from coming into this country. I am not prepared to say and to ask the Government to give a general amnesty to all the people who are out of the country. Probably it will fall to the lot of the Provincial Governments to deal with the subject and if there are any charges against them they will be dealt with by the Governments concerned, if they do not happen to belong to Centrally administered areas. The only question before us is whether it is permissible to allow people who are out of India to return on the condition that we are not welcoming them but are only giving them liberty to come to this country if they so desire and if they change for the better.

THE HONOURABLE THE PRESIDENT : Can they not ask to come ?

THE HONOURABLE MR. HOSSAIN IMAM : They have asked times out of number. The Government archives are full of petitions and representations of some at least of the people who are out of India. They have approached people occupying the Provincial *gaddis* to get them permission. I do not say that people who are or who were ashamed of their Indian nationality should be treated on a par with those who have retained their British Indian nationality. Although I have every sympathy for Indians as such, I do not regard it as correct for any Indian to give up his own nationality, because that shows that he cuts himself asunder from his mother country. Therefore, Sir, I do not like so much to support this Resolution as to appeal to the Honourable Member to consider the question in a dispassionate manner and to allow as much latitude to these people as he possibly can.

THE HONOURABLE RAO BAHADUR SIR A. P. PATRO (Madras : Nominated Non-Official) : Mr. President, I do not propose to give a silent vote on this matter. The Honourable the proposer has enlisted the sympathy of the Progressive section and I sympathise with him in the matter. But I wish very much that he had given a full account of each one of those persons about whom he pleaded before the House, their career, public and political career, and the reasons why they were all kept out of India. If he had placed sufficient data before us, certainly each case could be dealt with on its own merits, but so far I was not able to follow him in regard to each of these persons—the reasons or grounds which actuated the Government to keep them out or not to listen to their appeals from time to time. It is not merely the question of maintaining the peace and order or the tranquillity of the country, but it is a problem of Government itself and the administration. If we have people who openly defy law, if we have persons who could not allow the maintenance of order and peace in the country, the administrative problem of the country becomes very very difficult. We expect the Honourable the Home Member to enlighten us as to the reasons which actuated Government in keeping these people out of India, to keep them from danger. Until then it seems to me, Sir, that it would be premature that we should pass any judgment on each case. Even from the eloquent speech of my friend Mr. Sapru we are not able to collect any reliable data. He has spoken of one gentleman whom he knew before.

THE HONOURABLE MR. P. N. SAPRU : I do not know him personally ; I know about him.

THE HONOURABLE RAO BAHADUR SIR A. P. PATRO : He spoke about one, but no one seems to have reliable facts regarding each of these persons ; and in the absence of such reliable information that we should vote in favour of the Resolution seems to me very unwise. Then the Honourable Mr. Sapru in his characteristic way has described Lala Hardayal as an intellectual giant, a man belonging to a good family and who had a good academic career. It may be quite true, but all that was misdirected, perverted, put into wrong use with a view to destroy the Government in India. If such was the object, the motive of the persons whom Government have found to be dangerous to be allowed into this country, would you, Sir, subscribe to their return to this country ? It is true that in India today we have a very great revolutionary phenomenon. People who have been found guilty, people who have been found by courts of justice, after prolonged trials, to be guilty of murder and dacoity, they have all been released as political prisoners. Then we see that the Governments of the provinces have had the courage to do such things. We feel constrained to know why these persons who have not actually committed any murder, or any crime regarding property, why the liberty of these people should be curtailed ? That is no doubt a sound argument, but yet, as I say, we shall have to wait for information on this matter, *viz.*, what are the grounds which have led the Government to keep them in exile ? I am sure that we shall all await without passing a judgment on the case till the receipt of information.

THE HONOURABLE MR. RAMADAS PANTULU (Madras : Non-Muhammadan) : Sir, I did not originally intend to participate in the discussion on this Resolution, because a member of my Party has moved this Resolution with a speech which was very convincing. But, as some objection has been

[Mr. Ramadas Pantulu.]

taken to the reasons he has given in support of his Resolution by my friends over here and as my Honourable friend Sir Patro from Madras has, in his criticism, gone far beyond the scope of the Resolution, I feel compelled to say a few words. Sir, all that the Resolution asks for is to allow these Indians to come back to India. What is to happen to them if they come back to India has not been specifically mentioned in the Resolution. Sir, the Indian National Congress has always stood for non-violence and condemned violence in no unequivocal terms. The Leader of the Indian National Congress has intervened on behalf of the Andamans prisoners only on an assurance being forthcoming from them that they have abandoned their violent methods and that they have become genuine converts to non-violence. Therefore, there is nothing in the Resolution to indicate that if the exiles were guilty of violent crimes they should not be dealt with according to law in India. The question to be faced is, supposing some Indians were in the opinion of the Government guilty of certain offences punishable under Indian law, are they to be banished from this country or are they to be openly tried in this country. That is the question. Certainly the Government of India cannot say that they are so weak that they cannot control the activities of such men or that they cannot bring offenders to book through their own tribunals, special or ordinary. My Honourable friend Mr. Biyani has asked for a chance to be given to these people to show that they are not a danger if they return to this country. If they still really prove a danger to the Government, that they should not be dealt with according to law is not our request and the Governments, Central and Provincial, could watch them and, if necessary, deal with them. In Russia they are dealing with much more dangerous people though by quick and summary methods. Is the Government of India less powerful than the Government in Russia today?

THE HONOURABLE SIR DAVID DEVADOSS: We do not adopt Russian methods.

THE HONOURABLE MR. RAMADAS PANTULU: Those methods may come later. At any rate the banishment of Indians from India looks more like the method of the Tzarist regime than of present-day Russian regime. In present-day Russia guilty persons are dealt with according to law in their own country. In pre-communist Russia, people were banished. Mr. Biyani wants people not to be banished from India or to be kept out of India for all time. That is my first submission on the attack made by some of the Members who criticised the Resolution in regard to its scope. Secondly, my Honourable friend Mr. Sapru, who is generally very careful in his criticism dissociated himself from the—

THE HONOURABLE MR. P. N. SAPRU: I did not say I dissociated myself. What I said was I do not entirely agree with the reasons given. I have reasons of my own for the tribute which was paid.

THE HONOURABLE MR. RAMADAS PANTULU: Having very carefully listened to the whole speech of the Mover of the Resolution, I do not find a single reason in it from which any Member of the House need dissociate himself. Even the Home Member could not object to what the Mover has said. He did not condone any violence.

THE HONOURABLE MR. P. N. SAPRU : Though for reasons not entirely the same as those—

THE HONOURABLE THE PRESIDENT : Order, order. Honourable Members, before they intervene, must ask for the permission of the Chair to offer personal explanation.

THE HONOURABLE MR. RAMADAS PANTULU : Sir A. P. Patro was right in saying that the Honourable Mover had not placed all the facts connected with the activities of these gentlemen before this House. It was not his purpose. Assuming that they were once guilty of some acts which, in the opinion of the Government, rendered them undesirable citizens, still the question was, whether they should not now be allowed to come back to India after this long lapse of time ?

The Honourable Mover of the Resolution has said that political conditions in India have changed and he said he had reason to believe
 1 P. M. that whatever opinions were held by these gentlemen some long time back, whatever the nature of their then political activities, they are now known to be peaceful citizens. He also said that the Congress Ministries in the different provinces are determined to maintain law and order. Is it not therefore time to allow these people to come back to India after their long exile ? There is not a single sentiment which I can consider objectionable or to which objection could be taken even by the Government Benches.

There is just one more observation which I would like to make before I sit down. The movement for civil liberties in India is growing and I do not think that the Government would be well advised in inaugurating the reforms and attempting to set up the Federation in the Centre, without respecting public opinion as regards civil liberties. The worst thing that could be done by Government in the name of law and order is to banish a citizen or keep him out of India for a long period. As a matter of fact, we do not know exactly what the past activities of these three gentlemen were. I am not prepared to take the testimony of any gentlemen in this House so long as the Government itself did not think it fit and proper to bring the offenders to open trial. My Honourable friend there made a very strong statement, that these dangerous criminal should not be allowed to enter the country. I take serious objection to that allegation. What is the evidence on which he bases his statement ? He should see that such a statement must have evidence to support it. If the Government have evidence against them, let them place it before us. I am asking for a sympathetic consideration of their cases from all sections of the House, not only from the non-official side but also from the official side. I think Government will be giving a good start to the constitutional reforms if they show a change of heart as regards the civil liberties of the people. Therefore, Sir, I hope Government will not oppose this Resolution but on the other hand that they will allow all Indian exiles to return to their mother country. Therefore, Sir, I support this Resolution and I appeal to the Honourable the Home Member to accept this Resolution.

THE HONOURABLE MR. J. REID KAY (Bengal Chamber of Commerce) : Sir, with regard to this Resolution I should like the House to consider—Is it

[Mr. J. Reid Kay.]

reasonable that, at this stage, with the serious trouble at present existing in the industrial areas in Cawnpore, for the Government seriously to consider allowing these gentlemen to return to India? As you all know, there was a prolonged strike in the jute mills in Bengal, said to have been caused by the communistic element, and I do feel that there may be real danger in Government carrying out the recommendation contained in this Resolution. I therefore must oppose it.

THE HONOURABLE MR. R. M. MAXWELL (Home Member): Sir, this Resolution gives me an opportunity of clearing away certain misunderstandings which I have noticed in reference to these absentees—I call them absentees for want of a better term—in the correspondence which has been addressed to the Home Department from time to time about them—a misunderstanding which has come to light with special prominence in the speech of my Honourable friend Mr. Pantulu which we heard just now. The term “exile” always excites a certain amount of commiseration and sympathy. It connotes banishment—the word used by my Honourable friend Mr. Pantulu. But the terms “banishment” and “exile” are entirely wrong and out of place in speaking of people of the class we are dealing with today. Banishment is an act of State by which a State expels from its own territories one of its own nationals and does not allow that person to return. That is what we mean by banishment. Mr. Pantulu asks that we should not pursue a course which is reminiscent of the Tsarist regime, but I would assure him, no single person has been banished by the Indian Government. The Government of India do not even possess powers to expel any but foreigners from this country. The persons we are speaking of today are not persons banished—not exiles. They are one and all either fugitives from justice—absconding offenders—or persons who have left India in order the better to pursue their plots against the State. These are the persons we are speaking of and when Mr. Pantulu says, “Let us not assume that they are guilty; let us invite them to return and prove their guilt by placing them before the courts”, I can only assure him that if the gentlemen like to return we shall be only too pleased to put them before the courts in due course and let them take the consequences of what they have done. The correspondence that has come to the Home Department from these persons or their sympathisers does not consist of the request to allow these people to come to India but a request for an amnesty for their past misdeeds, and I think I am right in saying that scarcely one person of those who come within the scope of the Resolution has ever asked for permission to return to India and been refused it. In the great majority of cases, the request has been a request for facilities to return to India coupled with a clear indication and a promise not to take action against them for their dark and dismal past.

Now, I want to explain one general point to the House in this regard. The Government of India have never discarded the principle that we take responsibility for British Indian nationals. Any British Indian national who likes to live in India can come here and take his chance, but a certain number of these are persons who have absconded from India and have taken foreign nationalities and in regard to such persons the position is entirely different.

Once a person has discarded British Indian nationality and taken on deliberately some foreign nationality, he has no further claim on the Government of India or on this House. If a man wants the privileges of living under the Government of India he must stick to that Government and not throw it aside as soon as it becomes inconvenient to him. Nor, having taken on a foreign nationality can he change his skin like a caterpillar and re-assume the Indian nationality which he has thrown aside. Now, when he has thrown aside the Indian nationality and taken on a foreign nationality there is only one way of coming back to India, and that is like any other foreigner. He must obtain a passport and get a visa from the British consular authorities. If he wishes to make any such application, the application will be considered on its merits. But he has no right to return to India if his presence is in any way inconvenient. As a matter of fact, most of the people who are in that position have very little claim to be allowed even to visit India as foreign visitors because their past activities give them no claim to our hospitality. I hope I have made the position more or less clear. I would like here to mention one fact, namely, that of all the people who are outside India at the present moment—what we might call absconders—only two at this moment have retained their British Indian nationality and the others are foreign subjects, including two of those mentioned by the Honourable the Mover of this Resolution.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Did you say all of them were foreign subjects?

THE HONOURABLE MR. R. M. MAXWELL: There are only two who can be described as absconders who at the present moment possess British Indian nationality.

THE HONOURABLE MR. B. N. BIYANI: Who are they?

THE HONOURABLE MR. R. M. MAXWELL: Their names are—

- (1) Mr. Obeidulla Sindhi. He has never yet applied himself for facilities to return to British India, and
- (2) Mr. Hardayal, who is one of the three persons mentioned in the Resolution.

Those two persons, Obeidulla and Hardayal are the only British Indian subjects at present abroad and afraid to return.

THE HONOURABLE MR. P. N. SAPRU: Mr. Hardayal is in England—in London.

THE HONOURABLE MR. R. M. MAXWELL: He is not in India.

THE HONOURABLE MR. P. N. SAPRU: But you can deal with him if there was anything against him?

THE HONOURABLE NAWABZADA KHURSHID ALI KHAN: Is the Honourable Member in touch with him?

THE HONOURABLE MR. P. N. SAPRU: I am not in touch with him but I should not be ashamed to be in touch with him.

THE HONOURABLE MR. R. M. MAXWELL: I will give some particulars about this gentleman. Mr. Hardayal has been absent from India since 1911.

[Mr. R. M. Maxwell.]

When he was in India, he openly used to advocate violence. I should like to quote to the House what was said about this gentleman in the judgment in what is known as the Delhi Conspiracy Case which arose from a serious outbreak of terrorism in India in 1912 and 1913 and which resulted in a bomb outrage on the life of the then Viceroy and also a bomb outrage in Lahore in 1913. That was the movement in question in the judgment in that case. The Judge said that his (that is, Mr. Hardayal's) was the responsibility for the downfall of at least two of the men who were prosecuted in that case and a publication, of which Mr. Hardayal was probably the author was described as with one possible exception the most criminal the Judge had ever seen. This man left India in 1911 to organise the Ghadr party in America, a revolutionary party to overthrow the State by revolutionary and violent methods. This gentleman, having gone to America for that purpose, was found in Germany during the war engaged in seducing Indian prisoners of war and in trying to persuade them to join the enemy. That is how he employed himself in Germany during the war and he was heard of doing the same thing in Turkey, and he actively assisted the enemy during the Great War in this and various other ways. When his case was discussed in 1919 and again on subsequent occasions, it has been mentioned that he was wanted actually for trial in India on capital charges, and had his person been secured during that period, he would almost certainly have been hanged. That is one of the gentlemen whom the Honourable Mr. Pantulu urges us to admit to India at the present moment in order that he may stand his trial. As I said, if Mr. Hardayal likes to come to India and stand his trial for waging war against the King-Emperor and various other revolutionary conspiracies, he is welcome to do so. But, in point of fact, he has never asked to be allowed to return without an amnesty. Since 1927 he has been making occasional attempts to obtain from the Government of India an assurance of amnesty, but in view of his past record, it is impossible for the Government of India to say that mere lapse of time is going to acquit him of the serious offences with which he is liable to be charged, more especially as the tone of his more recent contributions to the Press shows that, in spite of what one Honourable Member sitting opposite said, his revolutionary views have not changed. I may tell the House that he was described in the judgment in the first Lahore Conspiracy Case as "a dangerous monomaniac, devoid of any trace of moral or physical courage, who while inducing his dupes to go to a certain fate carefully kept himself out of trouble". So, I cannot congratulate the Honourable Mover on his selection of that person to champion.

As regards the other persons mentioned in the Resolution, Mahendra Pratap is one who was a landed proprietor in the United Provinces and who left India, of his own accord again; he was not banished. He left India of his own accord in 1915 and immediately took an active part in assisting Germany in the war. Numerous publications of his, which have since been issued, have been prohibited entry into India under the Sea Customs Act on the ground of their general revolutionary and dangerous character. There again, there is comparatively little evidence of a change of heart on his part. As the House probably knows, his property was attached under Regulation III of 1818 and

by an Act of 1923 was forfeited to the Crown and granted to his son. So, Government have dealt liberally with the property in that though it was forfeited to the Crown, they have given it to his descendant. This gentleman, Mahendra Pratap, has long claimed Afghan nationality. He is one of those who have changed their nationality—

AN HONOURABLE MEMBER : Is he a Hindu or a Muhammadan ?

THE HONOURABLE MR. R. M. MAXWELL : I did not say religion ; I said nationality. He has claimed Afghan nationality and has been travelling about on an Afghan passport. This passport was last renewed on the 1st of January, 1936 by the Afghan authorities. We have information that he has quarrelled with the Afghan authorities and handed them back his passport and also that he now disclaims allegiance to any State in the world. As I said just now a man of this character, a man who has changed his nationality, cannot be allowed to change his nationality from time to time to suit his convenience. He has definitely thrown aside his claim on India. At the same time, if as a foreigner he chooses to apply for a visa to his passport saying he wants to pay a visit to India, then I can assure the House and the Honourable Mr. Hossain Imam who wished an assurance of that kind that the matter would be considered reasonably at least by the Government of India and no unnecessary difficulties will be raised. They will have to consider it on the merits. I cannot assure the House what the decision would be, because we will have to take account of all the available information regarding this gentleman up to date and find out also from the Provincial Governments concerned to what extent their position would be affected by allowing such a person to enter. But there will be no unreasonable attitude on the part of the Government of India. But, at the same time, he would have to be considered exactly like any other foreigner. And such reasons as would be valid for refusing visas to foreigners would also be valid against him. He could not claim any special privileges because once, before he had changed his nationality, he had been in India. I think the House will agree that that particular point of view is reasonable.

Then the third of the persons mentioned in the Resolution is Dr. Pandurang Sadashiv Khankhoje. I think that is the same as is meant by Professor Khankhoje. Well, this gentleman again has never applied for passport facilities to return to India. He left India as long ago as 1906 and took part in organising the Ghadr party in America. In fact he was known to have been actively associated with a member of that party who was hanged in the Punjab in 1915 for complicity in a murder. So his activities up to 1915 do not create any great confidence in him. After that he was appointed Secretary of the Indian Revolutionary Council in America and carried on revolutionary activities from there. Subsequently he has been in possession of both Persian and Russian passports, thereby establishing no particularly strong bond with India. He must have tried to change his nationality at least twice during that period, and finally we heard from His Britannic Majesty's Consul in Mexico that he took out Mexican naturalisation papers some years ago. He is not an Indian national at all. Lala Hardayal is the only Indian among the three mentioned in the Resolution who has retained his Indian nationality, and there-

[Mr. R. M. Maxwell.]

is one other who is not mentioned here who is also an Indian national. But this gentleman, Mr. Khankhoje, has acquired Mexican nationality and, incidentally, has not applied for passport facilities to return to India.

I hope therefore that these facts will be enough to clear up any misunderstandings which may exist in the minds of the House as regards the attitude of the Government of India towards these absconders. As I said before, the great majority of those, practically all, who are away from India now have left India of their own accord, in many cases to escape justice, and the Government of India have never repudiated responsibility for their own nationals. As regards the other more general arguments which have been put before the House, it has been urged that Congress now form the Government in several of the provinces and include persons who in the past were opposed to Government. And that has been put forward as a reason for allowing revolutionary absconders to return to India. But I would just ask the House to remember that, as pointed out by more than one of the Honourable Members opposite who have spoken on this Resolution, the Congress have never identified themselves with revolutionary or communist methods, and therefore the mere fact that Congress Governments are in power in some places is no reason for arguing that therefore all revolutionaries should be white-washed. One very strong reason has been mentioned by my Honourable friend Mr. Reid Kay as regards the Bengal and Cawnpore situation. That alone should be sufficient to warn the House of the danger of allowing these people to return without very carefully scrutinising the local provincial circumstances in which such action would be allowed. And in any case the argument that worse people have been released by some Provincial Governments, for instance, the Kakori prisoners—I would not accept that argument, used by my Honourable friend Mr. Sapru, firstly because "worse" is a matter of opinion. These Kakori prisoners had in fact served the greater part of their sentences already. They had expiated their crime to a very large extent. The people we have been speaking of have fled from India in order to avoid the expiation of their crimes, and it may also be assumed that those who have not stayed here to face justice are those *a fortiori* who have least to hope from the courts. In other words, it is reasonable to assume that the worst people are those who regard their case as so hopeless that they must go abroad and take foreign nationality. I therefore submit that the general political argument that the situation has changed is no reason for adopting any rash course in regard to persons who have taken up their abode abroad. The Government of India have always been perfectly reasonable towards these people. In fact the cases of all Indians known to be residing abroad are receiving attention every six months in case the circumstances might have changed, and as the House is probably aware, one of those who was formerly such an absconder, Mr. Sailendra Nath Ghosh, has been allowed to return to India during the last year. I hope therefore that now I have explained the whole situation to the House the Mover will decide not to press his Resolution.

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

The Council re-assembled after Lunch at a Quarter to Three of the Clock, the Honourable the President in the Chair.

THE HONOURABLE THE PRESIDENT: Debate will now resume on Mr. Biyani's Resolution.

THE HONOURABLE SIR PHIROZE SETHNA (Bombay : Non-Muham-madan): Mr. President, this Resolution is one of those difficult ones in regard to which Honourable Members must experience considerable difficulty in arriving at a decision whether to support or to oppose it. The Honourable the Mover and his supporters have put their case in such a manner as to lead some of us to draw the inference that perhaps what is asked for in the Resolution is fully justified. On the other hand, the Honourable the Home Member has placed his side of the case which has revealed many facts with which I am sure the House was not conversant. At the same time the Honourable the Home Member told us that Government are prepared to consider all cases very reasonably, and we trust they will do so when applications do come to them. From the facts, however, which he gave us it would appear that those who have fled from the country should not be allowed to re-enter unless they made proper amends. As the Honourable Mr. Maxwell said they are people who are fugitives from the law, they are absconders, etc. If they have given up their nationality it must be because they felt that they were guilty and if they returned to the old country they would be amenable to the law and would be convicted. The Honourable Mr. Maxwell has informed us that of all the fugitives, of all the men who have not been allowed to return, only two have retained their old nationality, namely, Maulvi Obeidulla Sindhi and Lala Hardayal. I for one do not know any of the three gentlemen who are named in the Resolution, much less do I know what were their offences which made them fly from the country. But this much is certain, as I have said, that they themselves must feel that they were in the wrong and the best course for them to adopt was to go away from here.

In regard to Lala Hardayal Mr. Maxwell gave us several facts today from which it is evident that he certainly was a revolutionary of the worst type possible. Whether he is a revolutionary today is open to question from what my friend the Honourable Mr. Sapru observed in the course of his speech. He said that Lala Hardayal has thoroughly recanted and has turned over a new leaf and therefore permission might be given to him to return. I am sure the House would like to know Mr. Sapru's authority for saying so. He informs me that he derives his information from his esteemed father, the Right Honourable Sir Tej Bahadur Sapru, who, as the House knows, returned from England only a few weeks ago. Sir Tej Bahadur knows Lala Hardayal; he has met him, and he says and that Lala Hardayal lives in London. He has obtained the Ph. D. Degree of the London University. He has written books and they are published by English booksellers and in one of his works he has thoroughly denounced his former friends, the Germans. If these facts are correct—and we cannot doubt them because of the authority I have quoted—if these facts are correct, then I say, that although I myself do not know the man from Adam, that his case does deserve consideration. It may be that the others may

[Sir Phiroze Sethna.]

also recant in the same way and if that be so I should certainly think that Government ought to consider each case on its own merits.

Now, it has been pointed out not only by the Honourable Mover but by his supporters—and there is much force in what they say that circumstanced as we are at the present moment, we find that worse offenders than some of these people referred to in the Resolution have been released by the Congress Ministers. Therefore I ask if these men returned and if Government prosecuted them, could the Government of India prevent the Provincial Ministries from releasing them? It would be quite open to them to do so. Suppose Lala Hardayal and others landed in Bombay it would be easy for an official of the Bombay Government to arrest them and get them prosecuted. If that is so and if they are prosecuted and sentenced, will the Government of India be in a position to prevent the Ministry of the Bombay Government from extending pardon to them or to remit their sentences?

THE HONOURABLE THE PRESIDENT: Why has not Lala Hardayal put his case before the Government of India?

THE HONOURABLE SIR PHIROZE SETHNA: The Honourable Mr. Maxwell has not even told us what I have just stated on the authority of Mr. Sapru. I should like the Honourable Mr. Maxwell in the course of his second speech to tell us whether he has applied or not. I certainly say, "Do not allow him to come unless he makes amends, unless he asks for pardon, unless he gives a definite assurance that he will not resort to his old ways". If he does that and if the others do likewise, because of the conditions which I have referred to prevailing at present in the country whereby Congress Ministries are determined to release political prisoners, then I say that the Government of India would be doing justice to themselves by allowing such men to return provided they do not behave in the same manner in which they behaved formerly. I certainly appeal to the Government not to be severe. On the contrary they would add to their prestige and enhance their reputation. Let me quote one instance. I am trusting to memory, I am not sure of the exact facts. Two or three years somebody tried to assassinate Sir John Anderson. The man was tried and he was sentenced to be hanged. The Governor himself reduced that sentence to transportation for life, and subsequently if I remember aright, it was Sir John Anderson himself who suggested that if the man was prepared to turn over a new leaf he would send the man to England for further study. I am reminded by my friend on my right that he has been sent to England. If so, if Sir John Anderson could have done that in that individual case in which he himself was concerned, I certainly think that the Government of India ought to show magnanimity in such cases, provided these fugitives do make amends and they do promise to turn over a new leaf altogether.

It is to Government's interest to be merciful because suppose in spite of the orders not to allow them to return they did manage to land, they could be arrested and tried and convicted. In such a case or cases the Government of India would have no voice as the Act of 1935 allows the Governor of a province to grant pardon instead of the Governor General. The Governor of a province will certainly carry out the wishes of the Ministry under the new Act. This

power was formerly vested in the Governor General. But under the new Act this power is now vested in the Governor with the consent of his Ministers. I therefore contend that it would be a very wise thing if every individual case were treated on its merits and be allowed to return provided he satisfies Government that he will turn over a new leaf altogether.

THE HONOURABLE SIR DAVID DEVADOSS (Nominated : Indian Christians) : Sir, after hearing the Honourable the Home Member I do not think there is any doubt in the minds of Honourable Members that the persons who are mentioned in the Resolution are persons whose entry into India would not be for the benefit of the country. It has been said, Sir, that they have turned over a new leaf. But we must know what they mean by that. Have they recanted the past ? Have they atoned for the past ? As far as we know they have not done so. We should have no sympathy with fugitives from justice. The best thing would have been for them to have stood the charge and proved their innocence. (*An Honourable Member* : "Have they been tried and found guilty ?") No, for a man who flies from justice there is no trial. In the case of convicted persons, they have undergone the sentence and expiated their offences. A man is sentenced to penal servitude or transportation for life. After a certain term he is entitled to return, so that there is no analogy. It has been strongly urged that because there are Congress Ministries in these provinces, they should be allowed to come back. I think that is the strongest reason for not allowing them to come back for it would be placing these Ministries in a very awkward position. Therefore, it is no kindness at all to the Congress Ministries to allow disturbing elements to enter the country and put them to inconvenience. I would go further and say that it is not playing the game if the Governments allow these men to come back at this juncture when a bureaucratic Government has been replaced by a responsible Government in the provinces. I therefore, Sir, very strongly advise the Honourable Mover to withdraw the Resolution and not to press it to a division.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU (United Provinces Northern : Non-Muhammadan) : Sir, when the consideration of this Resolution began the House I believe was under the impression that it applied to a large number of Indians who might in the changed circumstances of the country be allowed to return to their homes. The statement made by my Honourable friend Mr. Maxwell that only two of them retained their Indian nationality and that the rest had acquired a foreign nationality must therefore have come as a great surprise to Honourable Members. The information that he has given us has considerably limited the scope of the Resolution. We see now that it applies only to two people whom under the law we are entitled to call Indians—Lala Hardayal and Maulvi Obeidulla Sindhi, and it is entirely to the cases of these two people that I propose to confine myself.

My Honourable friend Mr. Maxwell in dealing with them pointed out the crimes of which one of them had been guilty or was supposed to have been guilty. Now, let us assume for the moment that the fact that they left India showed that they had been guilty of actions for which they would have to pay a severe penalty had they remained here, it is on that assumption that I want to consider whether they should be allowed to return ; whether they have

(Pandit Hirday Nath Kunzru.)

retracted their previous opinion or not. What is, Sir, the object of punishment? The science of penology has advanced a great deal during the last quarter of a century and the true purpose of punishment is coming more and more to be regarded not as retributive, but as reformatory. We cannot therefore in deciding on our course of action at the present time concern ourselves merely with the offences of which these two people might have been guilty. We have to consider whether in the changed circumstances we can expect from them a course of conduct different to that which they pursued in the past. If we can reasonably expect that, if we can feel that in the changed atmosphere of this country there would be little room for activities of the kind that Government took strong exception to, and which any government must take exception to, then whatever the offences of which they might have been legally guilty there is morally no further reason left for proceeding against them. Now the circumstances in which these people left the country were different from what they are today. They were believed to be guilty of serious offences committed with political motives. There was no hope that the political system that was prevalent at the time would be changed. Consequently, there was nothing for the Government to do but to punish people who resorted to criminal actions in order to bring about political changes, but political changes having come about and a different atmosphere having come to prevail in the country because of them there is no longer any reason for merely thinking of the offences of which they were guilty and not taking into account not the possibility but a fair probability of their applying their energies and their talents to constructive purposes.

Now, a great deal has been said here with regard to the release of
3-5 P.M. prisoners by various Ministries. Some of my Honourable friends here seem to be under the impression that it is only the Congress Ministries who have set political prisoners at large. But as a matter of fact, there is hardly any province in which political prisoners are not being released. Action of this kind has been taken in the Punjab, and also, I believe, in Bengal. Further, the hunger-strike in the Andamans having been given up, it is expected that the prisoners there would be allowed to be repatriated to the provinces to which they belong, and that they would be set free by the Provincial Governments concerned if they thought it fit to do so. The question of the release of the convicts now in the Andamans is nowhere more acute than in Bengal. The Home Member there has already given an assurance that the hunger-strike having ceased, the position has been completely changed, and that he will consult the leaders of all parties and see what can be done in the new circumstances to take action which would be regarded as satisfactory by the public and—

THE HONOURABLE THE PRESIDENT: Is the analogy complete in the two cases?

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: May I finish my sentence, and then I will answer your question and at the same time be in the interests of law and order. Now, Sir, I am prepared to answer your question. Which are the two cases you refer to?

THE HONOURABLE THE PRESIDENT: You yourself are referring to them.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: The terrorists and these political refugees?

THE HONOURABLE THE PRESIDENT: Yes. And the hunger-strikers.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: I think the terrorists who have now been confined in the Andamans have been shown to have been systematically guilty of crimes of which the other people might have been guilty once or twice, and if today they are being released, I do not see any reason why we should tremble in our shoes if two persons who might have held revolutionary views in the past are allowed to return to their mother country? My Honourable friend Mr. Maxwell in dealing with this analogy said that the Kakori prisoners had expiated their crime in part by having undergone imprisonment for a few years. If he will allow me to say so, he was then, as he is always, dwelling in the past. He merely thought of the punishment awarded to them and undergone by them. But he did not think of the fact that the Ministry which had released them thought that they were strong enough because of the support of public opinion that they possessed to release these prisoners, and it is this fact really that should count materially at the present time. I personally do not think that if we allowed Lala Hardayal and Maulvi Obeidulla Sindhi to return, there would be even a ripple on the surface of Indian political waters. It is true that everything in this country is not normal. My Honourable friend Mr. Reid Kay referred to the trouble at Cawnpore. But do we expect any time in this country or in any country when there will be no cause for anxiety in any direction and things will be absolutely quiet from one end of the country to the other? There is no country where even in the midst of normal circumstances problems do not arise from time to time which give cause for concern to the public and to the Government, and if there are any people amongst us who expect that any political reforms that India may enjoy or any change of government in this country or even the fullest transfer of political power from British to Indian hands will solve all political problems in a moment, they are sadly mistaken. There will be problems here in future, and enough of them, as there are today, say, in England or France or the United States of America. This need not however deter us from showing the magnanimity which my Honourable friend Sir Phiroze Sethna has pleaded for. We need not wait for a definite retraction of their views by the two political refugees whose cases we are now discussing. If we must first see that these people receive some punishment, cannot we believe that the mere fact that they have been away from their country for years and years is a sufficient punishment for them? I know some people who for a few years were not allowed to return to their homes. My Honourable friend Mr. Dow points to himself, implying that he too is an exile, but then he along with his countrymen has voluntarily undertaken the burden of reforming the whole world. As regards these people, they are involuntarily outside their country—

THE HONOURABLE MR. R. M. MAXWELL: I did try to explain that every one of these persons had left voluntarily.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Quite so, their movements were voluntary, but we all know that they had to leave

[Pandit Hirday Nath Kunzru.]

because of the pressure of events, and that they would now like to return to their homes.

I was saying, Sir, that I knew some men who for years were unable to return to their country and I know what their sufferings were. If my Honourable friend Mr. Maxwell were prevented from returning to England he would then know what the hunger of an exile for returning to his country can be, and inability to return to one's home may be a severer mental punishment than any physical chastisement that you can inflict.

THE HONOURABLE THE PRESIDENT: Will you please bring your remarks to a close?

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: I am not pleading, Sir, in defence of revolutionary activities on the part of anybody. I am only asking for a changed attitude from Government because the circumstances in this country have changed. It is true that these people, as my Honourable friend Mr. Maxwell says, can come back. It is also true that it will primarily depend on the Provincial Governments concerned whether they would prosecute these men or not. But I take it that under the present law, the Government of India have in the last resort the power to compel a Provincial Government to institute criminal proceedings against a person. Apart from this, the position of these people, unless they receive an assurance from the Central Government that they would not be prosecuted will be a precarious one. It would depend entirely on the Provincial Government under whose jurisdiction they happened to be for the time being whether they would be proceeded against or not. As regards Lala Hardayal in particular, his home is in Delhi which is directly under the Government of India. I hope therefore that my Honourable friend Mr. Maxwell will be able to reconsider his position and to say that the Government today feels strong enough to let two men, whatever their offences may have been in the past return to their country without feeling that law and order would be endangered or that serious trouble of any kind would arise in the country.

THE HONOURABLE MR. B. N. BIYANI: Sir, much has been said on the Resolution for and against and I do not think I have to say much. My Resolution is a simple one, though it has been magnified into a dangerous one. Two of my friends thought there would be communistic danger and danger in fomenting strikes and that generally these people would be a danger to the British Raj and to the peace and tranquillity of the country. Let me assure them that if these people come back my friends opposite will be as safe as they are today, and if they are afraid of their safety I can assure it to them under the Congress Ministries of today. It was said that the Congress Ministries would be taking a risk if these people came back. Let me also tell them that the Congress Ministries are prepared to take the risk and they would be glad to admit these people into their provinces.

The question I raised was that some of these people are afraid that if they return they will be clapped in jail for some action of theirs of 20 or 30 years ago. I have clearly said in my speech that times have changed and the actions of 20 or 30 years ago are to be condoned and Government would be wise to

take the opportunity of allowing these people to return and to enable them to show that their life and conduct is in conformity with the political ideals of the present day.

Some friends wanted to know why I did not talk about the careers of these people. I say it was beyond the scope of my Resolution. I did not say that whatever they have done I agree with them or that the Congress agree with them. Congress has always stood for non-violence and it stands for non-violence today. Some people have sympathised with me and supported the Resolution, but when they say that the activities of these people were stupid, I do not agree with them. People may not agree with their activities, but so far as intentions go there may be two opinions about the intentions of these people. As regards their changing their nationality, I can only say that they have done so because they were so long out of their own country with no prospect of returning that forced them to change their nationality. Even today if they see a prospect of returning to their motherland many of them would be willing to return and live as Indians and as our brothers and friends. (*An Honourable Member*: "They may change again".) They were forced to change; they did not change willingly. Let any of us give a trial to being away from India for 20 to 30 years with no hope of returning and imagine the situation in our own case.

I have said much about the changed situation, and I have said that if there are no specific Orders against any of these, let Government give an assurance that if any of these come back and if the Provincial Governments do not want to prosecute them the Government of India will have no objection to their coming back. Let the responsibility be on the Provincial Governments if they have the power and if there is real provincial autonomy. Secondly, I said that in view of the 20 or 30 years which have elapsed it would be worth while to give these people a chance of returning to their motherland and appease national sentiment. And let me say that whatever the fate of my Resolution, howsoever the Government or some of my friends look at the activities of these people, these people are honoured names in the history of India. They are honoured by Indians and whatever the attitude of the Government may be, they will remain honoured. If Government would like to taste that let them allow these people to come back and see what reception India gives them. Therefore it is not right only to talk in terms of crimes. Let us also understand in terms of the sentiment of India. It is a question of differences in political aims and we have a right to have different views on the activities of these people.

With these words, Sir, I press my Resolution.

THE HONOURABLE MR. R. M. MAXWELL: Sir, only a few points have been brought to prominence in the debate since I spoke before which need particular notice from me. I will not take up the slight challenge laid down by the Honourable Mover in his reply, where he told the House that the people of the kind we are discussing today are honoured by Indians and we should see what sort of reception they would get if they came back. If I took his view of the attitude of Indians towards these people I think it would weigh with me as a reason for not relaxing any restrictions or disabilities to which

[Mr. R. M. Maxwell.]

these people might be subject. But at any rate speaking in this House I feel that I have the sense of the House with me when I say that the House has no sympathy whatever for crimes and revolutionary intrigues of the kind which caused these people to be driven by their own consciences from their own country and, in many cases, to take a foreign nationality. That is all I will say on that particular point.

My Honourable friend Sir Phiroze Sethna raised a certain point regarding our relations with the provinces in such matters, to which Pandit Kunzru also alluded. It is quite true that in the event of such a person coming to India it would normally be a matter within the discretion of the Provincial Government how to deal with him. By that I do not mean to say that any Provincial Government has the power to abrogate the law. It is not for Provincial Governments to say that people should not stand their trial. They have certain powers of dealing with persons who have stood their trial, but if any Provincial Government knowing that there was a case for a serious offence against any person took steps to prevent that person from coming to trial, then I think that we should have to say that they had not a correct view of their responsibilities and that other responsibilities would have to come in. That, then, covers the attitude of the provinces, but there is also the question of our attitude to the provinces. The Government of India have the power so far as the granting of passports is concerned of helping to make these people present in India or not. They would normally not give passport facilities to persons who require them without first satisfying themselves that the presence of these people in India would not be a serious embarrassment or detrimental to the interests of law and order in any particular province. We know, for instance, that there is trouble in Cawnpore. It might not be wise to give full facilities for persons of communist or revolutionary leanings to arrive in Cawnpore and carry on their intrigues. As regards what Sir Phiroze Sethna said, I would like to quote a few remarks which he himself made on a debate in this House just a year ago, when he strongly drew the attention of the House to the great danger to India of persons having communist or socialist views being allowed full freedom of action. What he said was :

“The portents are ominous and it would be criminal and suicidal folly on the part of all those who are convinced that Socialism and Communism are wrong politics which cannot but engulf this country into a revolution, a class warfare, to sit quiet any longer, not to organise and marshal their own forces in order to check, to combat and ultimately to destroy these new-fangled, dangerous ideas imported from the West, particularly from Bolshevik Russia. It is because I realise and realise most keenly the danger that threatens the future of this country by the growth and spread of these ideas that I have brought forward this Resolution”.

THE HONOURABLE SIR PHIROZE SETHNA : If these same men drop socialism and communism which they have done according to the reports, what then ?

THE HONOURABLE MR. R. M. MAXWELL : That brings me to the Honourable gentleman's second point, namely, what would be the attitude of the Government of India towards those who recant. I take it that the sense of the House is that our discussion, or at any rate the interest of this

discussion, is confined to persons who have retained their Indian nationality and the House does not desire to record a strong opinion in favour of those who have taken other colours.

THE HONOURABLE THE PRESIDENT : I am afraid I shall have to take the Resolution as a whole, because neither the Mover of the Resolution nor any other Member has asked me yet to amend the Resolution, and I shall have at this stage to take the Resolution as moved.

THE HONOURABLE MR. P. N. SAPRU : What will the Government of India do if there is a Socialist Government for some time in England ? Go into mourning ?

THE HONOURABLE MR. R. M. MAXWELL : That does not arise on the present debate, Sir.

I accept your ruling, Sir, that what we have to consider is not only the two persons who have retained Indian nationality but all those who may have absented themselves. The attitude towards those who are foreigners and towards those who have retained Indian nationality would be very much the same except as regards the actual means of implementing the decision of the Government of India. In the case of foreigners, as I explained, a foreigner could not come unless a visa was granted by the British Consular authorities, but as I explained before, I do not think that if such a foreigner satisfied us that his presence in India was in no way a danger or likely to be a danger, or satisfied us in fact that his attitude of mind had entirely changed, I do not think a request for a visa would be considered unreasonably, but the Government of India must reserve it to themselves to consider the merits of each case and the circumstances of the province to which such a person would be likely to pay a visit. As regards persons who have not surrendered their Indian nationality, we have an instance of the attitude of the Government of India in the case, which I quoted before, namely, Sailendra Nath Ghosh. He was allowed to return in July, 1936 and has since done so and what influenced the Government of India was that he gave an undertaking to be of good behaviour. His was not at any time one of the worst cases, but he was considered to be a dangerous and active revolutionary in Bengal in the past. As regards the other two persons we are considering, although my Honourable friend Pandit Kunzru spoke movingly of the hunger of exiles for return, I would like to remind him of what I thought I had mentioned before, namely, that Maulvi Obeidulla Sindhi has never yet applied in his own name for facilities to return to India.

THE HONOURABLE MR. HOSSAIN IMAM : What was his offence ?

THE HONOURABLE R. M. MAXWELL : He was implicated deeply in what was commonly known as the " Silk letter conspiracy "— a conspiracy in the North-West Frontier. I am afraid I am not in a position to give the Council full details. All that he has asked is a full amnesty for all his past actions. He has never made any move to apprise the Government of his own attitude. It is in fact for him to satisfy us that his mental attitude has changed, that no danger would result by allowing him to return. I do not think Honourable Members will say that our attitude is unreasonable in that respect. Then as regards the other gentleman, Lala Hardayal, I did explain to the House that his record was almost exceptionally bad, but at the same time the principle

[Mr. R. M. Maxwell.]

I have just mentioned would still apply. If we were clearly satisfied on good authority that he had entirely changed his attitude of mind, that he was no longer dangerous, there would be much more reason for considering opportunities which he asked for to come to India. So far he has not been refused any such opportunity. All he has been refused is an amnesty. He could himself book a passage tomorrow. He could obtain his passport in England and come to India tomorrow and be allowed to land in India on a valid passport if he likes to take the risk. So far he has only been asking for amnesty for past offences. If the father of the Honourable Mr. Sapru is acquainted with him and is able to give an authoritative account of his mentality, then he may be able to help Lala Hardayal if he chooses to move in the matter—he or anyone else who really knows what his mind is ; but at the present moment the latest information that the Government of India has is that he has not to a very marked extent changed his former attitude of mind and that his recent publications have given evidence of a continuance of his former mentality.

THE HONOURABLE MR. HOSSAIN IMAM : What is his recent publication ?

THE HONOURABLE MR. R. M. MAXWELL : I have not got the name.

THE HONOURABLE MR. G. S. MOTILAL : Is it after the coming in of Congress Governments ?

THE HONOURABLE MR. R. M. MAXWELL : Probably before that.

THE HONOURABLE SIR PHIROZE SETHNA : Is that book proscribed in India ?

THE HONOURABLE MR. P. N. SAPRU : I think it was *Self Culture*. It was a thesis for the Doctorate of the London University. That is only socialist, not revolutionary.

THE HONOURABLE MR. R. M. MAXWELL : I am afraid I cannot give the Honourable gentleman particulars about his publications at short notice I do not think any of his books have actually been prohibited entry into India quite recently.

I think what I have said covers the points advanced by my Honourable friend Mr. Sethna. I have explained what our attitude would be towards those who gave evidence of a change of mind and also what our attitude would be towards the provinces and what the provincial jurisdiction would be in allowing these people into India. But, even if the question were one for the Provincial Government after a person had been sentenced and convicted for some serious crime, there again any such prospect would be naturally a reason why the Government of India should be cautious in introducing into India persons whose presence would put Provincial Governments in such a difficult position.

And one other point is—assuming that the Provincial Governments have the first discretion in the matter of law and order, the same bar applies against the Government of India giving a general amnesty to prisoners. It

is not for us to give amnesties and when these persons write to us asking for us to take action, the only attitude of the Government of India is to be neutral. All we have to consider is whether persons who have taken foreign nationality should be allowed passports or not.

THE HONOURABLE THE PRESIDENT : The Question is :

“ That this Council recommends to the Governor General in Council that Raja Mahendra Pratap, Lala Hardayal Nag, Professor Khankhoje and other political exiles be allowed to return to India.”

The Motion was negatived.

(At this stage the Honourable the President vacated the Chair which was taken by the Honourable Sir Phiroze Sethna.)

RESOLUTION *RE* RECRUITMENT TO THE PUBLIC SERVICES BY EXAMINATIONS TO BE HELD IN INDIA ONLY.

THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY (East Bengal : Non-Muhammadan) : Sir, I beg to move :

“ That this Council recommends to the Governor General in Council to take steps for the amendment of the Government of India Act, 1935, so as to secure recruitment to the public services of India, civil and military, by public examination in India only.”

Since self-government has been granted to the provinces and is soon going to be granted to the Centre as well with certain reservations no doubt in view of the alleged unprepared condition of India as regards her defence which has been due to the short-sighted policy hitherto followed by the British Government in not taking the people of the country into their confidence, it is necessary that this policy of distrust against Indians should be removed as soon as possible, specially in view of the condition of the international state of affairs both in Europe and the Far East. The other self-governing dominions of the Empire are also not prepared for their defences yet recruitment of their services are not held abroad and no country in the world has her services recruited abroad unless it is a conquered one and held in subjugation as such. The British Government has now abjured their claim to hold India under subjugation and if the British Government are sincere and there is no need to assume for the present that they are insincere, it is necessary that all Services should be recruited in India. The proceedings of the meetings of the Round Table Conference in England and the Government of India Act which followed acknowledged the justice of the claim when it laid down that the question of the recruitment of the Services would be re-opened five years later. But the international condition of affairs render it necessary that the question should be taken up at once. Already England is finding it difficult to obtain recruits for the army and has to relax her regulations for the recruitment of civil servants for India and if war actually breaks out England will find it difficult to satisfy her own requirements and to draw upon her people from abroad for her own purposes as happened during the Great War. The pace at which Services here are being Indianised has been regulated on a peace footing and even then is a tardy one of which Indians of all shades of view are long complaining. In the Army as His Excellency the Commander-in-Chief I believe stated in reply to my question, the details of which in the

[Mr. Kumarsankar Ray Chaudhury.]

hurry in which it was answered I could not exactly follow it takes 60 years for an officer to attain the highest rank. Considering the span of life vouchsafed to the people of India and the age at which they enter the military services, it is idle to think that any one in India will be able to attain the highest rank unless the people choose to place the destinies of the country in the hands of people who have reached their dotage. These rules are changed as His Excellency stated and relaxed in times of war and now that war is looming on the horizon we should take time by the forelock and revise our rules so as to enable us to Indianise our Services as soon as possible as we will have to do if war actually breaks out specially if both Italy and Japan are ranged, as is most likely, against Britain.

If fortunately war does not break out we must yet have our Services Indianised as early as possible because India requires to make up her lost opportunities for the amelioration of her social and economic condition and fitting herself for her defence, for which the British Government and the Services employed by it are alone responsible. The British people on account of their policy of let alone in matters of economic and industrial advancement, on account of their obstructive vested interests in this country, and on account of their former position as rulers thereof are most unsuited to serve the people here henceforth as their servants and most of the retrograde measures adopted in the Government of India Act have been so done at their instance. And in spite of exhortations from men of the highest position in England and authority in India they are proving obdurate in meeting their demands in matters of actual administration in the country and in filling up all possible vacancies by appointing Englishmen to these posts. For the real service of India we require men of other type, men better trained to organise the rapid social and economic development of the country for which England is ill-fitted and men who would care to come to India to render such services and not merely to earn their pay somehow and retire. There is no question of discrimination in the matter, we want to employ the best men available and as economically as possible instead of at a discriminating pay between Indians and Englishmen. Nor does it involve any question of reciprocal treatment for no country within the Empire allows its services to be recruited in India.

THE HONOURABLE DIWAN BAHADUR SIR RAMUNNI MENON (Madras : Nominated Non-Official) : Sir, I rise to oppose this Resolution. I oppose it partly on the ground that a Resolution involving an amendment of the Government of India Act, 1935, must be regarded as particularly inopportune at this stage and partly on the ground that the recommendation for a sweeping and drastic change in the method of recruitment is not likely to serve any useful purpose at present. The object of the Honourable Member's Resolution seems to be to bring about a rapid and complete Indianisation of the Public Services in this country. The Resolution covers both the Defence Services and the Civil Services. With regard to the Defence Services, all that one need say is this : that judging from the opinions expressed by competent authorities in recent years on this matter, the most that in my judgment one can hope to see in the near future is the gradual extension of the process of Indianisation to which the

Government is already committed. I think it will be absolutely outside the range of immediate practical politics to suggest or to expect complete Indianisation of the Defence Services of this country.

Coming to the Civil Services, it will be admitted that the problem is different and very much simpler. As matters stand at present, I think it is true to say that recruitment of British officers to the Indian Services is practically confined to the Indian Civil and the Indian Police Services, and the Indian Military Service also which, however, must be regarded as essentially a Military Service. We may, therefore, legitimately confine the scope of our discussion to the Indian Civil and the Indian Police Services. It is true that Indian sentiment and Indian opinion will never be satisfied until these Services are completely Indianised. The legitimacy of that contention is admitted on all hands. I think that even the most ardent advocate of Indianisation will, having regard to the historical development and the present composition of the Services in India, admit to a very large extent the contention that the question of Indianisation involves a large measure of gradualness; that is to say, it is not a matter which can be achieved in a day or by a stroke of the pen. And here it will be well to recall what exactly the Joint Parliamentary Committee recommended and what exactly the Government of India Act, 1935, has provided. Provision is made in the Government of India Act for the recruitment by the Secretary of State of officers in England to the Indian Civil and the Indian Police Services. This arrangement is purely temporary. At the same time discretion is vested in the Governor General to recommend a variation of this arrangement after the lapse of such time as he thinks fit. It is quite clear from the proceedings of the Joint Parliamentary Committee that it is not intended that the question of modification will ever be taken up within at least five years after the introduction of provincial autonomy. It seems to have been the idea that five years is the minimum for this interval. A considerably longer interval would probably be necessary before the question becomes ripe for reconsideration. What is the actual position today? Barely six months have elapsed after the introduction of provincial autonomy, and as far as we know, a considerable time is likely to intervene before the introduction of Federation, which is such an important part of the Government of India Act. Is it reasonable for us, at this stage, long before the Government of India Act has been put into full operation, to suggest that an important provision in the Act should be amended, a provision relating to a subject which was fully considered in all its aspects at the time when the Act was passed by Parliament? I suggest that, with all our desire to see Indianisation progressing at a rapid rate, it will be quite unreasonable for us at this stage to ask for an amendment in this particular matter. For this reason, therefore, I consider the Honourable Member's suggestion is absolutely inopportune. I think as realists it becomes us to accept the present arrangement as a temporary measure. It will be well to remember that the Joint Parliamentary Committee itself has clearly stated that this arrangement is to be regarded not as a permanent but as a purely temporary measure. I think it will be well for us to accept it as a temporary measure. When the smooth working of the Government of India Act has convinced all schools of thought that the administration of India can be safely left in Indian hands, that will be the time for us to take up this question. In the meantime I

[Sir Ramunni Menon.]

see no reason why, if the authorities can be so persuaded, the Secretary of State should not revise his rules of recruitment, why he should not, for instance, increase the proportion of Indian recruits in the I. C. S. That is a matter which we must, for the present, leave entirely to his own judgment.

There is one other aspect of this question to which I should like to refer, and it is an aspect which arises immediately from the wording of the Honourable Member's Resolution. He speaks of examinations being held in India only. Naturally, examinations for public services should be held in the country in which recruitment is made; that is to say, in the country in which the Services are to function, and to that extent it is perfectly legitimate to claim that examinations should be held in India. We know that many of these examinations are now held in India. The only examination which is held in England is the examination for the I. C. S. for which not merely Britishers, but Indians also are eligible. The point that I should like to emphasise is this. There are a very large number of Indians who are pursuing their University education in England and a very considerable proportion of Indians in the Civil Service are drawn from England through this examination. If the Honourable Member's suggestion is accepted, it will practically mean closing the door to this class of Indian recruits. Now, I do not think that I am exaggerating when I say that common observation shows that those who have gone through their higher education in England possess a breadth of outlook and a remarkable freedom from local and sectarian prejudices which must be a very great asset to the Indian Administration, and I should be very sorry indeed to see a proposal adopted which would shut out people who are likely to possess these qualities from the administrative services. I do not think it is necessary that I should go into further detail in regard to this Resolution. I think I have said quite enough to justify my opposition to it. I oppose the Resolution.

THE HONOURABLE MR. G. S. MOTILAL (Bombay : Non-Muhammadan) : I listened very carefully to the speech of the Honourable Member who got up to oppose this Resolution. He admitted that he was very anxious to have the Services Indianised. But all that his argument came to was that Parliament has very lately adopted the Government of India Act and have considered this question and come to some conclusions, and to go before them when only one part of the Act has been applied, namely, provincial autonomy, would not be right. But he forgets that when Parliament considered this question it did not consider Indian opinion, and if it did then I would say that it gave little thought to Indian opinion. Can it be said that any Indian organisation has said that the Services should not be Indianised or that the pace should be as slow as it has been? As a matter of fact, all Indians, even of the Moderate school, who were there at the Round Table Conferences pressed for the Indianisation of the Services, but as in many other matters Parliament turned down their request and affirmed its own opinion. Because Parliament has recently come to this decision and is not likely to reconsider the matter is no reason why we should not here express our views. It is for us here to say what we feel is right; it is for us to give momentum to what we think is a right view. Every country desires that its services should be manned by its own nationals. Here the only argument we have heard is that Parliament has already decided this

question, and so let us wait for another five years. If we do that, Parliament may put it off not only for five years but for a considerably longer time. I was really astounded to hear my Honourable friend's belief that it should be a longer time than five years. But, Sir, the country is not content with that. Even this five years which Parliament has provided is too long a time and we should take up this question in all seriousness, and if all of us press this and we feel that it is right that the Services should be Indianised, then Parliament itself will not be able to stand very long in our way.

THE HONOURABLE RAO BAHADUR SIR A. P. PATRO (Madras : Nominated Non-Official) : I think there is great confusion in the minds of Honourable Members who support the Resolution as regards its scope. They are putting the cart before the horse. The question they have been dealing with is in regard to the recruitment of the Services, but the Resolution is not that ; that recommends the holding of an examination in India for the purpose of recruitment. We must view the problem not from the point of view of immediate Indianisation but from the point of view whether there are facilities available in our country for the purpose of the examination system.

THE HONOURABLE THE CHAIRMAN (THE HONOURABLE SIR PHIROZE SETHNA) : It does not say " simultaneous " .

THE HONOURABLE RAO BAHADUR SIR A. P. PATRO : I remember, Sir, that your Resolution is more appropriate than the one we are now discussing. This Resolution says " that this Council recommends to take steps for the amendment of the Government of India Act so as to secure recruitment to the Public Services of India, civil and military, by public examination in India only " . Now, as regards the Military, what are the facilities for military education and training. We have hardly any facilities in India. " Military " includes the defence forces on land, sea and air. We have no naval or air force training colleges. (*An Honourable Member* : " Provide them. ") It is very easy for us to say, " Spend the people's money " , but how are the people to provide the vast sums required. The Governments in the provinces are our own now and there is no longer any need to say that these things are not done because the Government is bureaucratic ; our own Governments are at their wit's end to find the money for urgent necessities. With regard to military education and training we have hardly any facilities at present. And the same is the case with regard to the Civil Services, which include not merely the administrative lines but technical departments, the Engineering and Railway Services, for which we have not got proper facilities in India. We have gradually got to develop training facilities in these lines but at present we have not got the necessary facilities for training here for all our technical services. And, after all, what we want in these Services is efficiency. The standard to aim at in our Services is one thing, and the recruitment of a particular sort of people is another. We all favour Indianisation and desire it. The gradual introduction of the Indian element in all Services is absolutely necessary, but to precipitate matters is a very dangerous thing. We have to see in what proportions the British and Indian elements should be combined for the present until we can achieve the ultimate aim of complete Indianisation. In this regard certain proportions have been fixed but recently and it is too soon to meddle with it at the moment. But some people like to see how things are growing.

[Sir A. P. Patro.]

They like to pull up the plant every day to see how far it has got its roots into the soil. You will remember how an attempt was made to amend the former Government of India Act after it had come into force, and the difficulties were so great that we could not succeed at all. Here it is only a few months since provincial autonomy has been introduced; we have not yet got complete provincial autonomy; we have got a system under which we have responsibility but not that responsibility which the country wants. Before a few months have elapsed we want to pull out this plant and amend it for the purpose of holding examinations only in India. I am opposed to examinations only in India, because we deprive our people of that wide outlook acquired by training and association with people in another atmosphere. Certainly the social effect on the country of this foreign training and education is very great. Narrow-mindedness, caste and racial or communal prejudices abound among us and will continue so to do, until a sufficient number of our people have been removed from this atmosphere and placed in a different atmosphere for some years; so that when they return they may develop the consciousness of a new life and a new social justice in the minds of the people. They come back to us, these foreign trained men and women, with expanded minds saturated with liberal ideas well equipped to administer affairs. (*An Honourable Member*: "Have we not done it for 150 years?") I think very little was done in this direction previously. Very few Indians used to go for examinations to England 30 years ago. It is only in recent years that Indians have been going in much larger numbers. It is only in recent years that Indians have been coming in in larger numbers and they have been administering the districts successfully. Of course we know that recent recruitment to the I. C. S. is not all that is desirable. You do not get men who can hold their own during troublesome times. That is not, however, the standard and criterion with which to judge the results of examinations. It has only recently been stated that India will have its own Services, but for some time to come it is necessary, desirable, that we should have the British element in the Services. Search your hearts, my friends. Even extreme Congressmen do not have faith in their own countrymen in times of crisis. I say this frankly. You want an outsider; you want a third person to arbitrate and hold the scales even till our minds are free from communal antagonism and inequality. What about minorities?

THE HONOURABLE MR. B. N. BIYANI: We do not want.

THE HONOURABLE RAO BAHADUR SIR A. P. PATRO: There is no use in closing your eyes to the actual facts. The question is what we see in our own country. We must face facts as they are. There is no use in closing your eyes and imagining things which do not exist at all. As practical persons we see that it is necessary for some time to come to continue the present system of recruitment. Therefore it is too soon to ask for any change in the Government of India Act. Secondly, as I said, there are not enough facilities for training which is necessary to equip both civil and military people. Therefore, Sir, I am constrained to oppose this Resolution.

THE HONOURABLE MR. R. M. MAXWELL (Home Member): Sir, this is one of those Resolutions which are the despair of the Government Benches. The Resolution in its own terms is so sweeping that it would probably include, even if I do not take into account all the services in the provinces, the 21 Class I Services in the Central Government, 26 Class II Services and 89 subordinate services. No Member of the Government Benches could be expected to arm himself with complete facts and figures covering such a large field, and indeed it occurred to me that the Resolution was intended to dwell on or to emphasise some particular general principle in which the Honourable Mover was interested rather than to be placed before the House for a literal interpretation of its terms. However, the position of the Government Member in such a case is like that of someone expecting an aeroplane attack sitting on the ground with all his defences exposed and not knowing in what direction the bomb will drop. In those circumstances it is extremely difficult to collect beforehand such facts as would really help the House to come to a decision on the issues before it. I could not be certain from this Resolution whether the weight of the attack was going to fall on the recruitment of Services by the Secretary of State or whether it was going to fall on the recruitment of Europeans to the I. C. S. or whether again it was going to fall on the system of nomination as such, because the terms of the Resolution are that the recruitment to the Public Services in India should be by public examination only and therefore it is presumably the intention of the Honourable Mover to do away at one stroke with the entire system of nomination of minorities and Mussalmans, which was the subject of the Government of India Resolution of July, 1934, to do away with all that system and to compel everyone to enter the Public Services only through the avenue of examination. Now, having heard, so far as I could hear, the arguments advanced by the Honourable Mover in favour of his Resolution, I realise that his attack is solely in the direction of Indianisation and so far as I can make out the House is asked to accept a Resolution in these terms solely on the ground that Indianisation ought to progress more rapidly. But I am afraid I must hold him to the terms of his own Resolution and ask the House to do so, because if the House passes a Resolution in these terms it stands committed to all the implications which I pointed out and it is no use the Honourable Mover explaining that he only meant he wanted Indianisation more quickly. If the House passes this Resolution they are committed to the assertion that all nominations to the Public Services to rectify communal inequalities must be wiped out at once.

Now, Sir, on the general structure of the Resolution I must point out that it asks the Governor General in Council to take steps for the amendment of the Government of India Act. That again is a proposition to which the House could not properly commit itself. The Governor General in Council is not the authority competent to amend the Government of India Act. It is not even suggested in the terms of the Resolution that the Governor General in Council should recommend anybody else to take these steps. It asks the Governor General himself to take up the amendment of an Act for which Parliament alone is responsible. Now, Sir, another point, a legal point, is that the Government of India Act which we are asked to amend for this purpose actually contains no specific provision from end to end as regards the mode

[Mr. R. M. Maxwell.]

of recruitment. The only section dealing with the recruitment and the one in fact with which the House would be mainly concerned is section 241 which provides :

“ Except as expressly provided by this Act, appointments to the civil services of and civil posts under the Crown in India, shall after the commencement of Part III of this Act, be made—

- (a) in the case of services of the Federation,.....by the Governor General or such person as he may direct :
- (b) in the case of services of a Province.....by the Governor or such person as he may direct ”.

Not a word there or anywhere else in the section as to whether these persons shall be recruited in India or in England or whether they should be recruited by examination or by nomination. Ultimately if recruitment by the Secretary of State were discontinued—

THE HONOURABLE MR. G. S. MOTILAL: Apart from the law, what happens in fact, are not examinations held at two places ?

THE HONOURABLE MR. R. M. MAXWELL: I am pointing out that there is nothing in the Act which requires examinations to be held in two or ten places or one place. It is a matter of practice, it is a matter of the manner in which the competent authorities regulate admission to their own Services, to Services under their control.

Now, the Secretary of State does not recruit under section 241 but under section 244. That again has no mention of the mode of recruitment. All that it says is that the Civil Services known as the Indian Civil Service, the Indian Medical Service and the Indian Police Service shall, until Parliament otherwise determines, be made by the Secretary of State. Now what was in the Honourable Mover's mind in speaking of Indianisation was that all the Services of the Crown in India should be recruited under section 241 and that section 244 should be abolished. It is not, as I remarked just now, within the competence of the Indian Legislature to deprive the Secretary of State of his powers under section 244. It is only within the competence of Parliament to do so and therefore a Resolution in the terms of this Resolution is really only a means of expressing a pious hope that some time in the future recruitment by the Secretary of State will be discontinued. But that is already provided for in the terms of the section which I have already read out to the House. The section says that this recruitment will be made by the Secretary of State until Parliament otherwise determines and, as pointed out by my Honourable friend Sir Ramunni Menon, the intention is not that the present system should continue unchanged for ever. The present position as regards continued recruitment of these Services by the Secretary of State is clearly intended to be provisional until the working of the Act is fully established and the results can be better gauged. There is no commitment in the terms of the section as to when the system will be reviewed. A period of five years has been mentioned as a minimum but it is probable that some time after five years—exactly how soon we do not know—the whole question which the House is now raising will come up for systematic examination. But as pointed

out by Sir Ramunni Menon, and I think by Sir A. P. Patro, it is altogether premature for the House to jump to conclusions when the Act is hardly launched and the Federation has not come into existence. Surely we should be very hasty politicians if we supported the Resolution at this moment. There is a proverb that it is not wise to change horses when you are crossing a stream and I think we may well regard the administration of this country for some time to come as definitely crossing a stream. But so far as it results in recruitment by the Secretary of State outside the control of the Provincial Ministries the results should be the test of the system at any rate in present circumstances. Has the Honourable Mover asked any of the Ministries who are now governing provinces whether they are satisfied with the service that they are getting from the members of those Services recruited by the Secretary of State? Such small information as has reached me on the subject indicates that Provincial Ministries have been very tolerably well satisfied with the service they have been obtaining from my own Service and from the Indian Police. And unless the Honourable Member has got a brief from his province that the Ministry is not so satisfied it is perhaps not altogether fair to his own province to come here and ask you that the Ministries should almost at once be deprived of this machinery which they have found ready to their hand in undertaking their now and very heavy responsibilities.

Now, Sir, I am afraid I cannot let the Honourable Mover escape the implications of his Resolution in the matter of recruitment by public examination in India only. Taking his Resolution at its word, it means that there should be no selection and I should like to point out to the House that there are circumstances in which selection must play a large part in the recruitment of Services under the Central Government. I am not qualified now to speak of Services under the Provincial Governments but I believe similar conditions prevail there. The first object of introducing an element of selection is to rectify communal inequalities, and in passing the Resolution of July, 1934 to which I referred not long ago, the Government of India acted in consequence of complaints which they received in the Assembly that the Moslem and other minorities were not obtaining a sufficient field of work in this country. In other words, the Government of India did not take the initiative in doing away with examinations to this extent but the system was pressed upon them by the Indian Legislature. In fact, the Government of India have been more often attacked for not working the system with sufficiently effective results than for doing away with nomination. I think that the Honourable Member will find that the Moslem community would be extremely reluctant to do away with their 25 per cent. posts under the Government of India and that the minority communities would also be reluctant to do away with their 8½ per cent. The second reason why the system of examination is not followed in all cases is that in the case of miscellaneous posts requiring special technical qualifications it is obviously expensive to recruit by examination. The field for selection in those posts is very small and to require people to come from all parts of India to sit for examination would be a waste of time and money. The third reason for departing from the system of examination is that the subordinate services are so extensive. There are 89 distinguishable services under the Government of India and these involve appointments of innumerable sorts

[Mr. R. M. Maxwell.]

and in different places, and if we were to require the Public Service Commission to conduct examinations for all these posts we should have to more than treble the establishment of the Public Service Commission. I therefore hope that on the face of it this House will see that the Resolution is not one which they can support in its present form either from the point of view of doing away with public examination or from the point of view of doing away with the Secretary of State service appointments in London.

THE HONOURABLE MR. RAMADAS PANTULU (Madras: Non-Muhamadan): Sir, I think the scope of the Resolution is much more limited than it was construed to be. I think all that the Resolution wanted was that, in so far as the recruitment was made by public examinations, the examinations should be held only in India. It is a very different thing to say that recruitment should be made only by means of examination. All it says is, in so far as you are going to recruit by examination, hold the examination in India only. The word "only" comes at the end and not in the middle of the sentence. That is a very important matter, because, though we could have asked for recruitment by nomination and other means to be eliminated, we have not done so, and we realise that such methods of recruitment by the Secretary of State are for the present considered necessary. All these methods are left out of the scope of the Resolution.

Another point is that the question of Indianisation as such does not come into the Resolution. Though the object of it is to enable more Indians to sit for examinations if held in India, the Resolution does not state that others cannot sit for these examinations, because there is nothing to prevent a Britisher or a Colonial from coming to India and sitting for examinations. So the recruitment will be from those who sit for examinations in India and if more British candidates succeed a larger British element will be there. Sir, we are very serious in saying that if you hold an examination in order to recruit for the Services of this country, you should hold the examination in this country. It is unjust to ask Indians to go to England for their examinations. Therefore, the scope of this Resolution is much narrower than it has been understood to be by my friends here and by the Honourable the Home Member. We may be reasonable or we may be unreasonable. That is another matter. All that we ask in this Resolution is that such portion of the Public Services as are recruited by a public examination should be recruited by holding the examination in this country. The Resolution is wide in scope so far as the Services are concerned. It includes all the Services. So far as I can see, there is no necessity to amend the Government of India Act at all. Reading sections 241 to 244 which deal with the various classes of Public Services and the relative powers of the Secretary of State and the Governor General in this matter, it is open to the Secretary of State and the Governor General to hold the examination here if they are so minded and not hold an examination in England, even under the present Government of India Act, as it is worded. Therefore, I really do not see how any question of amending the Government of India Act comes in. Of course,

it is put in the Resolution. (Laughter.) Well, we have put it there by way of abundant caution. In case it is argued by the other side that we cannot do it without an amendment, we say we have asked for it. We do not want to be put out of court by reason of not having asked for something. So, by way of abundant caution we have asked for it. In fact, I think that in one of his remarks the Honourable Mr. Maxwell said that it will not be competent for the Indian Legislature to amend an Act of Parliament. We have not asked the Indian Legislature to amend the Act. We ask the Governor General to take such steps as he may consider necessary or fit to get the Government of India Act amended, if necessary. Of course, this side of the House, the Congress, is for ending the Act, and not for amending the Act. We do not want this Act. I wish personally that the Mover had omitted all reference to the Government of India Act, because we are for ending it, and not amending it. I think we can really get the examinations held in India if the Governor General and the Secretary of State are so minded. I must say that on the whole the reply given by the Honourable the Home Member was much less provocative, to my mind, than the answers given by my friends the Honourable Sir Ramunni Menon and the Honourable Sir A. P. Patro. The difficulties which the Honourable the Home Member pointed out may be real from his standpoint. But the difficulties pointed out by my Honourable friends Sir Ramunni Menon and Sir A. P. Patro are, I think, unreal from any standpoint. They have pleaded that for a long time to come India cannot govern herself without an adequate British element in it. They have also said that in India there are not men who can fill these posts impartially, without communal bias or religious prejudice or other great disabilities which detract from the integrity and efficiency of these Services. That is a proposition against which we, on this side of the House, enter a most emphatic protest. India is able to govern herself. India can provide men to occupy every position of responsibility and trust. I am sure the Honourable Sir A. P. Patro will acquit himself well, though he is now taking up a different position. Now he is in difficult circumstances. He is also under a peculiar disability. Here I understand he has taken the place vacated by an officer of the Political Department. Therefore, he is talking for the Political Department. I think he takes the place of Mr. Glancy —

THE HONOURABLE RAO BAHADUR SIR A. P. PATRO : I speak from the point of view of a practical politician and not from a doctrinaire point.

THE HONOURABLE MR. RAMADAS PANTULU : Politics are practical, and considerations of self do come in. However, we dissociate ourselves very emphatically from the assertion made by my Honourable friend Sir A. P. Patro, that we want for a long time to come British help to hold the scales even and to conduct the Public Services efficiently.

There is just one more observation to which I should like to make a very brief reply. The Honourable the Home Member said that if the Provincial Ministers are now asked what they thought of the Services recruited from England by public examination, we will be told that they are very efficient. Nobody denies it. I myself know it. Many of them I know personally. I am not a Minister but I can certainly speak to their efficiency from personal knowledge for a much longer time than the Ministers have had. It is not the question of efficiency that we are considering here. We want to govern ourselves. It is

[Mr. Ramadas Pantulu.]

our right to do so. Nobody has ever said that the British officers in this country were not efficient or honest. We never said so. We, the sons of the soil, can occupy these positions of trust and responsibility with equal efficiency, equal integrity and equal ability. Therefore, that plea of the Home Member, is really beside the point. The Congress Ministers have made it very clear that though they are working the Act under the present constitution, their idea is not to perpetuate but to change the present system of government and replace the whole constitution by a constitution framed by the people of this country. In such a constitution there will be place for British Services also, but it will be on terms of equality. When that time comes, I do not think any examination will be held in England to recruit for these Services. This is what the Resolution aims at.

I do not wish to take up any more time of this House. What we want is not simultaneous examination in England and India. What we want is examination in India only and that is the claim put forward and we adhere to it.

THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY: Sir, my Honourable friend Sir Ramunni Menon said that absolute immediate Indianisation of the Services is impossible. The object of my Resolution is not absolute immediate Indianisation. Those who have been in the Service will remain and perhaps they will remain for 30 or 40 years more. Then he said that the amendment is inopportune. We have not, on our side, accepted the Government of India Act, and therefore we have every right to move that it is unacceptable and ought to be amended instead of waiting to try the experiment for several years and then moving to attain our object. Then, the Honourable Sir A. P. Patro told us that if we hold the examinations in India, it would be closing the doors to many Indians who go to England and acquire a wider outlook. Sir, with regard to this objection, my submission is this. Those people who go to England to appear for the Civil Service went there previously because there was no provision for simultaneous examination in India. When simultaneous examination was introduced, people found that it was easier to go to England and pass the examination than to sit for the examination here. It is much stiffer here than in England. (*An Honourable Member*: "Is it so?") I submit it is a fact, because many people who are of far less calibre than those who sit for the examination in India go to England and sit there for the Civil Service examination. Another objection was raised that no facilities for military education are available in this country. Facilities will never be available to us if we do not close the door against foreign recruitment, and foreign recruitment will not be available to us when war breaks out. If war breaks out, we will not get any foreign recruits. So we ought to prepare for recruiting here as soon as possible.

Another observation was made—perhaps by my Honourable friend Sir A. P. Patro—that the British element is necessary. With regard to that, my submission is that so long as the British element is here, communal differences will also remain.

Then the Honourable the Home Member raised an objection on the ground that nomination on communal lines is asked to be wiped off. (*An*

Honourable Member: "Minorities".) With regard to that my Honourable friend Mr. Ramadas Pantulu has explained the situation and I agree with that point of view.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS (Punjab: Non-Muhammadian): Will the Honourable Member explain what scales of salaries and allowances he suggests for these Services?

THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY: That does not arise on this Resolution.

The legal objection was raised that it does not lie with the Government of India to make this amendment. My Resolution only says that the Government should take steps to have the Government of India Act amended. I did not ask them to amend the Act, because it is a Parliamentary statute and I know it cannot be changed by a subordinate Government.

Then another point was raised to the effect that there is no mention of the place of recruitment in the Government of India Act. So long as recruitment is vested in the hands of the Secretary of State and no place of recruitment is mentioned, I am sure that the Secretary of State will not be disposed to hold the recruitment in India, and therefore I want an amendment of the Government of India Act confining his activities to India.

THE HONOURABLE MR. R. M. MAXWELL: I have only to say, Sir, that the impression I have gained from this debate is that there is no very serious point at issue between the two sides of the House. But the House must feel that the Resolution in these terms is not one which it can place on record and commit itself to all the implications. I therefore think that in these circumstances when there is no particular issue to be fought out, it would be best if the Honourable Mover saw his way to withdraw the Resolution.

THE HONOURABLE THE CHAIRMAN (THE HONOURABLE SIR PHIROZE SETHNA): The Question is:

"That this Council recommends to the Governor General in Council to take steps for the amendment of the Government of India Act, 1935, so as to secure recruitment to the Public Services in India, civil and military, by public examination in India only."

The Motion was negatived.

RESOLUTION *RE* LOCAL ADVISORY COMMITTEES OF THE B. N. R.

THE HONOURABLE MR. SITAKANTA MAHAPATRA (Orissa: Non-Muhammadian): I beg to move:

"That this Council recommends to the Governor General in Council that early steps be taken to constitute Local Advisory Committees of the B. N. R. on the same lines as those of the E. I. R."

Sir, my Resolution seems modest enough. I have a shrewd suspicion that some Honourable Members are laughing up their sleeves at me for bringing such a trifling proposal before the august Upper Chamber of the Indian Legislature. But it is not modest although it is very innocent.

[Mr. Sitakanta Mahapatra.]

On the 12th March this year I moved a Resolution on the catering arrangements on the B. N. R. and made some definite allegations against the Railway Company. In his reply the Honourable the Chief Commissioner was pleased to make certain observations which referred to Local Advisory Committees of the B. N. R. I am quoting from his speech. He said :

"Now, Sir, it appears to me that, as this is one of the subjects which may be discussed by Local Advisory Committees, if the Honourable Member is not satisfied with the arrangements on the B. N. R. he should get one of the members of the committee to have the question re-discussed."

Sir, after such very sane advice from the very highest controlling authority of Railways in India, I approached several members of a Local Advisory Committee on the B. N. R. But my surprise knew no bounds when all of them except one frankly admitted that they dared not go against the wishes of the Agent of the B. N. R. because they were practically nominated by the Agent to the Local Advisory Committee and if they were found inconvenient they would not be re-nominated. There are three such committees on the B. N. R. I made further inquiries and found that almost every member of all these three Advisory Committees is officially nominated by the Agent. The process is like this. Some of the members are directly nominated by the Agent at his will. In the case of others the Agent asks certain commercial bodies or Legislatures to send in the name of a person for nomination to a Local Advisory Committee, but the Agent has the power to refuse to take in any person whose name is suggested by these bodies. Such being the constitution of the Local Advisory Committees on the B. N. R. how can members thereof speak out their minds freely, and the more so in the presence of the Agent himself who presides. But if my information is correct the position is different in the E. I. R. There representative bodies and institutions are asked to elect a member or members to a Local Advisory Committee, and every member of a committee is an elected representative. What I suggest by my Resolution is that this element of nomination should be done away with in the B. N. R. and a complete system of election as is prevalent in the E. I. R. be introduced there. Sir, some years ago there were no Local Advisory Committees in the B. N. R. It was at the instance of the Railway Board that such committees were formed there. This was done perhaps during the time of the Honourable Sir Guthrie Russell—I am speaking subject to correction. At that time in the State-managed Railways also Agents used to nominate members. But times have changed a good deal since then and I am glad to say that the mentality of the Railway Board has moved with them. A system of election has been introduced in every State-managed Railway and the system is being improved every day. This year I understand a representative of the Central Advisory Council for Railways will be taken in the local committees of every State-managed Railway. I have every hope that if the Railway Board takes up the question of the B. N. R. Local Advisory Committees in right earnest, the present Agent of the B. N. R. who I understand is a good and strong man, will surely raise no obstacle.

There is another aspect of the question to which I cannot but refer. There are only seven members in each of the committees of the B. N. R. In

the E. I. R. committees the number is nearly double and the system of representation far better. The number of members in other railway committees also is much greater. I would therefore suggest that the B. N. R. increase the numerical strength of its committees by giving larger representation to Legislative Assemblies in the provinces, large municipalities and to *bona fide* commercial bodies. The whole of Orissa is catered for by the B. N. R. I would suggest that the Orissa Legislative Assembly should have at least two representatives on both the Bihar and Orissa and the main committees. Representation should be given to the Orissa Chamber of Commerce, the Orissa Millowners' Association and the municipalities of Puri, Cuttack and Berhampore. I would also suggest that steps should be taken for the constitution of a separate Orissa Local Advisory Committee.

Sir, I move my Resolution.

THE HONOURABLE DIWAN BAHADUR G. N. CHETTY (Madras : Nominated Non-Official) : Mr. President, I cannot understand the Resolution clearly ; I do not know whether the Honourable Mover wants a railway advisory board or whether he wants elected representatives on that local board. So far as I have been able to understand he says that the new Province of Orissa should be asked to elect representatives to the board. There seems to be a local board already in existence—I am subject to correction. If they have not got a board, the Honourable Sir Guthrie Russell will be able to tell me so and in that case I would support the Resolution. Many Company-managed Railways have got boards ; for instance the M. and S. M. R. and the S. I. R. have got these boards. I do not know if my Honourable friend wants a separate board or whether he wants to increase the elected representatives on the board ?

THE HONOURABLE SIR GUTHRIE RUSSELL (Chief Commissioner for Railways) : Sir, if I intervene very early in the debate, it is just to clear up certain misconceptions which are apparently in my Honourable friend Mr. Mahapatra's mind. The only difference between the E. I. R. Advisory Committee and the B. N. R. Advisory Committee was that in the past the B. N. R. Agent nominated the representatives of commerce and Industry himself, but he always wrote to the Chambers of Commerce asking them whom they wished to put forward as their representatives and he invariably nominated these. To all intents and purposes it was election. Some months ago I wrote to the Agent of the B. N. R. and said that there was a general feeling among the public that it should be election pure and simple. The Administration have agreed to this. So far therefore as that is concerned, the E. I. R. and the B. N. R. are exactly on the same footing today. Now, at the last meeting of the Central Advisory Council for Railways one of the members suggested that a member of the Central Advisory Council should be appointed to each Local Advisory Committee. I may say that the B. N. R. agreed to this and the member is to be elected by the Central Advisory Council. I would suggest that the Honourable Mr. Mahapatra stands for election to one of the committees on the B. N. R. and then he will probably be able to learn something about the working of a Railway. Another matter which my Honourable friend raised was the numbers on the B. N. R. Local Advisory Committees as compared to those on the E. I. R. Committees. The number is less, but

[Sir Guthrie Russell.]

on the E. I. R. there are only two advisory committees, one the main committee in Calcutta and the other the United Provinces Committee. The B. N. R. have got three committees, one in Calcutta, one for Bihar and Orissa and one for the Central Provinces. The total number of members on the two committees on the E. I. R. is 26. The total number of members on the B. N. R. is 21 and considering the size of the B. N. R. as compared with the E. I. R. I do not think anyone can say that the representatives of commerce and industry have been treated badly. With this explanation, Sir, I trust that the Honourable Member will see fit to withdraw his Resolution.

THE HONOURABLE MR. SITAKANTA MAHAPATRA: Sir, I ask for leave to withdraw.

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

RESOLUTION *RE* PROTECTION OF INDIAN INTERESTS IN FIJI, BRITISH GUIANA AND TRINIDAD, ETC.

THE HONOURABLE THE CHAIRMAN (THE HONOURABLE SIR PHIROZE SETHNA): It is ten minutes to five and we might adjourn now. But before doing so, I will ask the Honourable Pandit Kunzru to read out his Resolution, so that discussion on it might be taken up first thing on the next non-official day.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU (United Provinces Northern: Non-Muhammadan): Mr. President, I beg to move:

“That this Council recommends to the Governor General in Council to take steps—

- (a) to protect the interests, particularly economic and educational, of the Indians in Fiji, British Guiana and Trinidad, and
- (b) to secure the appointment of Agents of the Government of India for these colonies.”

Sir, I reserve my speech for the next non-official day.

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD (Leader of the House): Sir, I wish to inform the House that Sir Guthrie Russell's Resolution in regard to the Wedgwood Committee Report will be taken up on Thursday, the 23rd of September.

The Council then adjourned till Eleven of the Clock on Monday, the 20th September, 1937.