

Friday, 9th October, 1936

THE
COUNCIL OF STATE DEBATES

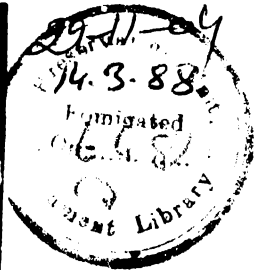
VOLUME II, 1936

(21st September to 17th October, 1936)

TWELFTH SESSION

OF THE

THIRD COUNCIL OF STATE, 1936



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

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COUNCIL OF STATE.

Friday, 9th October, 1936.

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 Mr. Susil Chandra Sen (Government of India : Nominated Official).

QUESTIONS AND ANSWERS.

ADMISSION OF KING'S COMMISSIONED INDIAN OFFICERS TO THE STAFF COLLEGE, QUETTA.

168. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS :
(a) Will Government state whether the late Commander-in-Chief Field-Marshal Sir Philip Chetwode during his term of office issued orders to all the Commands that those King's Indian commissioned officers, who qualify in the Test Examination, will in future be admitted to the Staff Colleges ?

(b) If so, has there been any change in the order ? What is the change and what are the reasons which have led to it ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : (a) No.

(b) Does not arise.

GRANTING OF KING'S COMMISSIONS ON COMMUNAL GROUNDS.

169. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS :
Will Government state whether it is their decision that in future no King's Commission in the army will be given on communal grounds, and that Indianisation policy will not apply in staff appointments ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : No commission in the army ever has been or ever will be given on communal grounds. As regards the latter part of the question I would refer the Honourable Member to my answer to part (a) of his question No. 42 on the 28th September, 1936.

EXAMINATION OF THE LATE STAFF SELECTION BOARD HELD IN 1922.

170. THE HONOURABLE RAI BAHADUR LALA JAGDISH PRASAD :
(a) What were the categories of the ministerial staff of the Government of India Secretariat and its Attached Offices for which the Staff Selection Board held their examinations in 1921 and 1922, the number of marks required to be secured and the scales of pay then obtaining ?

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(b) Was the scale of pay admissible to assistants in the Attached Offices, slightly lower than that admissible to assistants in the Secretariat, but higher than that admissible to lower division clerks in the Secretariat ?

THE HONOURABLE MR. R. M. MAXWELL: (a) No examination was held by the late Staff Selection Board in 1921. The examination of 1922 was held for recruitment to the following categories :

- (1) Upper division, Secretariat (only for departmental candidates).
- (2) Lower division, Secretariat.
- (3) Typists, Secretariat.
- (4) Stenographers.
- (5) Assistants, Attached Offices.
- (6) Clerks, Attached Offices.
- (7) Typists, Attached Offices.

The scales of pay obtaining in the several divisions were as follows :

- (1) Assistants, Secretariat.—Rs. 200—500.
- (2) Lower division clerks and typists, Secretariat.—Temporary Rs. 80 ; permanent Rs. 100—8—300.
- (3) Stenographers.—Rs. 175—9—400.
- (4) Assistants, Attached Offices.—Rs. 120—350.
- (5) Clerks and typists, Attached Offices.—Rs. 75—175.

It is regretted that no further information can be supplied.

(b) The reply is in the affirmative.

PROMOTION OF CLERKS QUALIFIED FOR THE FIRST DIVISION IN ATTACHED OFFICES.

171. THE HONOURABLE RAI BAHADUR LALA JAGDISH PRASAD : (a) Is it a fact that from exclusively such persons as are qualified for the lower division, Secretariat, but still employed in the lower division of the Attached Offices, so many as 40 out of 100 are promoted to be assistants in Attached Offices ? If not, what is the percentage ?

(b) Has a percentage similar to that mentioned in (a) above been fixed for promotion to the post of assistants in the Secretariat exclusively of persons who qualified for the upper division of the Attached Offices but happen to be still employed in the lower division, Secretariat ? If no provision of this nature exists, do Government propose to fix a certain percentage, for such persons also ? If not, why not ?

(c) Is it a fact that the number of persons referred to in (b) above is very small ; if not, what is their correct number ? Do Government propose to grant them relief from the loss of prospects in service by fixing a certain percentage for their promotion to the upper division or otherwise ?

THE HONOURABLE MR. R. M. MAXWELL: (a) No. In accordance with paragraph 3 (IV) of the Home Department Office Memorandum No. F. 94/30-Ests., dated the 18th February, 1931, a copy of which is in the Library

of the House, typists and routine clerks who are qualified for the routine division of the Secretariat are eligible for promotion to the first division in Attached Offices to a maximum of 10 per cent. of the vacancies occurring in that division. Typists and routine clerks employed in the lower division of the Attached Offices who are qualified for the second division of the Secretariat are eligible for promotion to the first division in Attached Offices and until they are absorbed the maximum of 10 per cent. has been increased to 33½ per cent.

(b) The reply to the first part of the question is in the negative. As to the second part, under the recruitment rules, all persons qualified for the first division of the Secretariat, if fit for promotion, have preference over others. In offices where there are no such qualified persons, all persons working in the second division of the Secretariat are equally eligible for promotion to the first division of the Secretariat in the 50 per cent. of vacancies which are not reserved for external recruitment. It is not considered desirable that the vacancies available for promotion should be divided up in fixed percentages among the different classes of staff, as promotion should as far as possible be given on the basis of merit.

(c) Yes, the number is small. In view of what has been stated in reply to part (b) of the question, Government do not propose to reserve for these persons a definite percentage of the vacancies available for promotion.

STATEMENTS LAID ON THE TABLE.

EXTENSION OF THE PROVISIONS OF THE CANTONMENTS ACT TO CERTAIN VILLAGES.

THE HONOURABLE THE PRESIDENT: Adjournment Motions are generally dealt with after questions, but as Your Excellency wants to go away I will now ask you to lay the information on the table.

HIS EXCELLENCY THE COMMANDER-IN-CHIEF: Sir, I lay on the table the information promised in reply to questions Nos. 93 and 94 asked by the Honourable Raja Ghazanfar Ali Khan on the 30th September, 1936.

Question No. 93.—(a) The provisions of certain sections of Chapters IX, X, XI, XII and XV of the Cantonments Act have already been extended to the villages in question by the Local Government under section 286 of that Act.

(b) The reply to the first part is in the affirmative. As regards the second part, a portion of the 2,000 acres acquired at the time of the formation of the Jhelum Cantonment was taken from the agriculturists of the two villages.

(c) The villages are under the jurisdiction of the District Board who were not in favour of extending any of the provisions of the Act to them. The Chairman of that body, however, held that the proposal was "in the interests of the public generally and ultimately in the best interests of the villages themselves", and the Local Government agreed with his views.

(d) Does not arise, as the Local Government have already extended to the villages certain sections of the Cantonments Act.

Question No. 94.—(a) Eight, namely, Jhelum, Lahore, Rawalpindi, Peshawar, Abbottabad, Mardan, Dharamsala and Murree Galis.

(b) The application of the provisions of the Cantonments Act to the areas outside cantonments does not impose any financial liability on the villages.

EXCISE DUTY COLLECTED ON KHANDSARI SUGAR.

THE HONOURABLE MR. J. C. NIXON (Finance Secretary) : Sir, I lay on the table the information promised in reply to parts (c) and (d) of question No. 19 asked by the Honourable Rai Bahadur Lala Mathura Prasad Mehrotra on the 22nd September, 1936.

(c) and (d). Five open pan factories were prosecuted for evasion of excise duty ; one case resulted in the acquittal of the accused, two in fines, one is still pending and one was compounded. In another eight cases, the factories were found not to be maintaining proper accounts. This irregularity was condoned but excise duty was summarily assessed and realised from them. The information so far received shows no case under the Sugar (Excise Duty) Act or Order in which an open pan factory was prosecuted and let off with a warning.

MOTION FOR ADJOURNMENT *RE* HARMFUL EFFECT TO INDIAN TRADE DUE TO DEVALUATION OF CONTINENTAL CURRENCIES.

THE HONOURABLE THE PRESIDENT : Honourable Members, late last night I received a notice regarding an Adjournment Motion signed by two Honourable Members, Rai Bahadur Lala Mathura Prasad Mehrotra and Mr. Hossain Imam. The notice of Adjournment is addressed to the President. I may draw the attention of Honourable Members to the fact that all such notices should be addressed to the Secretary as required by the Standing Order and not the President. The notice reads thus :

“ We wish to move on 9th October, 1936 an Adjournment of the House to consider a matter of urgent public importance, namely, the failure of Government to take any action to counteract the harmful effect to Indian trade due to the devaluation of Continental currencies.”

Mr. Hossain Imam, I frankly acknowledge that the Motion which you propose to move is a matter of public importance, but I would like you to convince me first, before I give my decision on the subject, that it is a matter of urgent public importance.

THE HONOURABLE MR. HOSSAIN IMAM (Bihar and Orissa : Muhamadan) : Mr. President, when we gave notice of this Motion, we did not know the fate of a similar Motion in the other place. We now know that it was thrown out in the other House, and so I do not intend to move it.

BILL PASSED BY THE LEGISLATIVE ASSEMBLY LAID ON THE TABLE.

SECRETARY OF THE COUNCIL : Sir, in pursuance of rule 25 of the Indian Legislative Rules, I lay on the table copies of the Bill further to amend the Indian Companies Act, 1913, for certain purposes, which was passed by the Legislative Assembly at its meeting held on the 7th October, 1936.

STATEMENT OF BUSINESS.

THE HONOURABLE THE PRESIDENT : There is nothing now which remains to be done and as the Honourable the Leader of the House has absented

himself with my permission, I will therefore now adjourn the Council till 11 A.M. on Monday, the 12th October, 1936, when the Indian Companies Bill will be discussed in this Council.

THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA (United Provinces Central : Non-Muhammadan) : May I know if our amendments will be considered valid if we give notice on Monday, because the time is very short ?

THE HONOURABLE THE PRESIDENT : You are getting the usual statutory period. I shall thank you all if you will please send in your amendments by tomorrow evening, 6 P.M., the latest.

The Council then adjourned till Eleven of the Clock on Monday, the 12th October, 1936.