

Friday, 24th April, 1936

THE COUNCIL OF STATE DEBATES

VOLUME I, 1936

(15th February to 25th April, 1936)

ELEVENTH SESSION OF THE THIRD COUNCIL OF STATE, 1936



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COUNCIL OF STATE.

Friday, 24th April, 1936.

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

MEMBER SWORN :

The Honourable Mr. Siddheswari Prasad Varma, C.I.E. (Government of India : Nominated Official).

STATEMENT LAID ON THE TABLE.

MAHENDRA PRATAP SINGH.

THE HONOURABLE MR. M. G. HALLETT (Home Secretary): Sir, I lay on the table the information promised in reply to question No. 135 asked by the Honourable Rai Bahadur Lala Jagdish Prasad on the 25th March, 1936.

(a) and (b). The Act in question came into force on the 19th July, 1923, and the property confiscated under it was made over to Prem Pratap Singh by a Sanad, dated the 7th September, 1924, a copy of which is laid on the table. The conditions laid down therein have been duly observed as far as I am aware.

(c) and (d). Their ages are 23 and 25, respectively. Bakhti Bai is granted an allowance of Rs. 583 per mensem plus certain extras. This is the same as was allowed her when the estate was under the Court of Wards. She is not yet married and no special provision has yet been made in anticipation of her marriage. Government are not aware of any special circumstances as to why she has not yet married: but the estate will meet the expenses when the marriage does take place.

(e) and (g). Prem Pratap Singh has not been forbidden to correspond with his father who writes to him from time to time. Mahendra Pratap Singh's letters, as opposed to his publications, are not prohibited entry into India under the Sea Customs Act. I am not therefore in a position to furnish the Honourable Member with the required information in respect of them. His activities since 1922 have been consistently anti-British and revolutionary in character, and Government are not prepared to grant him facilities to return to India.

SANAD.

To

PREM PRATAP SINGH.

WHEREAS Mahendra Pratap Singh, formerly a resident of Hathras in the District of Aligarh in the United Provinces of Agra and Oudh, son of the late Raja Ghansham Singh Bahadur and adopted son of the late Raja Har Narayan Singh, did treasonably ally himself with and assist His Majesty's enemies in the late great war and is now a fugitive from justice.

AND WHEREAS the estates of the said Mahendra Pratap Singh have been and are now attached under the provisions of the Bengal State Prisoners Regulation (III of 1818).

AND WHEREAS by an Act called the Mahendra Pratap Singh Estates Act, 1923 (Act No. XXIV of 1923), the Government of India did forfeit unto His Majesty all the

estate, right, title, interest, claim and demand whatsoever of the said Mahendra Pratap Singh in to or upon the property specified in the schedule thereto annexed and in to or upon any other immovable or moveable property of whatever description in British India and in to or upon all liberties, privileges, benefits, easements and appurtenances whatsoever belonging or in anywise appertaining thereto or usually held or enjoyed therewith (all which estate, right, title, interest, claim and demand is hereinafter referred to as the property) and did vest the property in His Majesty.

AND WHEREAS since the passing of the said Act certain of the property specified in the said schedule has been realised and the proceeds invested in other properties and certain other properties not specified in the said schedule have been ascertained and the property so specified with such alterations and additions as aforesaid is specified in the Schedules A, B and C hereto annexed which Schedules also specify so far as is possible which of the said property is ancestral and which is self-acquired.

AND WHEREAS it was further enacted by the said Act that the property should be granted by the Governor General in Council unto Prem Pratap Singh, son of the said Mahendra Pratap Singh, subject to such provisions, restrictions, conditions and limitations over as he the said Governor General in Council might think fit.

NOW therefore in order to carry out the intention of the said Act the Governor General in Council doth by this Sanad grant unto the said Prem Pratap Singh absolutely all the estate, right, title, interest, claim and demand that the said Mahendra Pratap Singh held and enjoyed in the property set forth in the Schedules A, B and C hereto annexed and in to or upon any other immovable or moveable property of whatever description in British India and in to or upon all liberties, privileges, benefits, easements and appurtenances whatsoever belonging or in anywise appertaining thereto or usually held or enjoyed therewith (all which estate, right, title, interest, claim and demand are hereinafter referred to as the said properties) To Hold the same unto and to the use of the said Prem Pratap Singh and his heirs upon the same terms as the said Mahendra Pratap Singh held the same.

SUBJECT TO THE FOLLOWING CONDITIONS AND PROVISIONS :—

1. That the said Prem Pratap Singh and his heirs will be faithful and bear true allegiance to His Majesty King George the Fifth, his heirs and successors according to law.
2. That he or his heir shall maintain Rani Sarup Kuar the surviving widow of Raja Har Narayan Singh his grandfather in the manner in which the said Rani Sarup Kuar has been maintained heretofore.
3. That he or his heirs shall maintain and provide for the expenses of the marriage of his sister Bakhti Bai in a manner befitting her position.
4. That neither he nor his heirs shall during the lifetime of Mahendra Pratap Singh alienate any of the said properties that is to say, either the estate, right, title, interest claim and demand hereby granted to him and his heirs or any property that may have accrued to him and his heirs as a member of a Joint Hindu family without the sanction in writing of the Government of the United Provinces of Agra and Oudh.
5. That neither he nor his heirs shall render assistance or support to the said Mahendra Pratap Singh either pecuniarily or otherwise in any manner whatsoever.
6. That neither the said Prem Pratap Singh nor his heirs nor any one claiming through or in trust for him shall bring any action, suit, claim or demand against the Government of India, the Government of the United Provinces of Agra and Oudh, the Board of Revenue for the United Provinces of Agra and Oudh or any official acting on behalf of the said Governments or the said Board of Revenue with regard to any action taken or anything done by the aforesaid Governments, Board of Revenue or their officials touching any matter in any way relating to the hereinbefore mentioned attachment or forfeiture.

AND IT IS HEREBY declared that if the said Prem Pratap Singh or any of his heirs is proved to the satisfaction of the Governor General in Council to have broken or to have failed to observe any of the conditions hereinbefore contained on his or their part to be observed and performed, then and in any such case it shall be lawful for the Governor General in Council to forfeit all the said properties hereby granted unto the said Prem Pratap Singh and his heirs or the share of the person who has broken or failed to observe any of the conditions aforesaid and upon such forfeiture the said properties or the said share as the case may be shall become vested in His Majesty, his heirs and successors.

(Sd.) READING,

Viceroy and Governor General of India.

Dated this 7th day of September, 1924.

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 a copy of a Bill further to amend the Indian Tariff Act, 1934, for certain purposes, which was passed by the Legislative Assembly at its meeting held on the 23rd April, 1936.

INDIAN TARIFF (AMENDMENT) BILL.

THE HONOURABLE MR. T. A. STEWART (Commerce Secretary) : Sir, I move :

“ That the Bill further to amend the Indian Tariff Act, 1934, for certain purposes, as passed by the Legislative Assembly, be taken into consideration ”.

This Bill, Sir, seeks to continue for a further period of a year the import duties on wheat and broken rice, in the case of wheat at a somewhat lower rate than was in operation last year. Let me first consider the case of wheat. In our previous considerations of the necessity for the wheat duty and of the level at which it is to be pitched, we have always taken into account in the first place the volume of floating world stocks, and secondly, the relative levels of Indian and world prices of wheat. These are not of course individual and separate items but are naturally inter-related. In 1926-27, a period before the troubles of the Indian wheat-grower had become acute world stocks amounted to 191 million bushels. From that period onwards, the stock position gradually deteriorated until in 1930-31, when the wheat duty was first imposed, the figure of world stocks stood at the very considerable total of 499 million bushels. The stock position continued to deteriorate and in 1932-33 reached the peak figure of 624 million bushels. From then onwards some improvement in the stock position became apparent. In 1934-35, the figure receded to 579; in the following year, that is to say, last year, to 371. The most recent estimates for the present year are at the level of 220 million bushels. That is to say, so far as stocks are concerned, we are within a very close approximation to the figures of 1926-27, when admittedly there was no danger to the Indian position. Let us turn to the other connected factor, namely, the relative levels of Indian and world prices of wheat. For the purpose of comparison, I take the price of Lyallpur wheat landed in Calcutta and with that I compare the London quotation for Australian wheat. This is generally regarded as a very close approximation to the price at which Australian wheat could be landed in Calcutta without payment of duty. A comparison of those two indices reveal the following facts. In 1932, the average excess of the Indian price over the Australian price was Re. 0-9-11. In 1933, that excess had grown to Re. 0-13-10. 1934 showed an improvement; the average difference was Re. 0-5-4. For the whole year 1935, the average excess has been Re. 0-4-2. There was a change in the situation towards the end of 1935. For the period September-December, the average excess was Re. 0-1-2 only. In the month of January, that excess was turned into a deficit. Indian wheat was actually cheaper than Australian to the extent of Re. 0-0-8. In February, 1936, Indian wheat was still cheaper, the average difference being Re. 0-1-1. As a check on this method, I use another one which I do not believe to be more accurate but the results obtained by it confirm those which I have just stated. The alternative method is to compare the price of

[Mr. T. A. Stewart.]

Lyallpur wheat landed in Calcutta with an artificially constructed price, that is to say, the price of wheat in Australia *plus* an amount estimated for freight and landing charges. According to this method the average differences were as follows. In September, 1935, Indian prices were 2 annas 3 pies per maund above the Australian prices; in October, 4 annas 5 pies; November, 5 annas 7 pies; December, 3 annas 9 pies; January, 1936, 1 anna 6 pies; February, 8 pies only. I would have you remember that these differences are monthly averages and on quite a number of occasions since September Indian prices have been below world parity and there have from time to time been exports of Indian wheat from Karachi though on a very moderate scale.

To sum up, it would appear that at the present time the world stock position is better than it has been for many years and it is in fact approximate to that in times of normality; and secondly, that Indian prices are now in very close relationship to world parity. It will be remembered that last year, because of the improving situation, the Government of India decided to lower the wheat import duty from Rs. 2 per cwt. to Rs. 1-8-0 per cwt. They are of opinion that the continued improvement justifies still further reduction, and for this reason they have come forward with the proposition that the duty should be continued at the level of Re. 1 per cwt. In view of the fact that the stock position is so very much better and that the price position is for the time being equally satisfactory, they are of opinion that this one rupee duty provides a very ample insurance against the invasion of Indian markets by wheat from outside.

Let me turn now to rice. When a year ago Government proposed a duty of 12 annas per maund on broken rice, I explained to this Honourable House the circumstances in which that decision had been taken. The volume of imports of rice and rice products from foreign countries had reached a very high level and threatened a dislocation of price levels, which in the opinion of the officer who was deputed by the Government of Madras to study this problem was attributable

"..... to the increasing uncontrolled import of cheap inferior rice from overseas, in particular the recent rapid increase in the imports almost entirely of broken rice from Siam".

It is unnecessary for me to undertake a rejustification for the duty on broken rice, though I may be reasonably expected to explain the reasons which have led to its continuance for another year. In order to do so it will be necessary for me to quote a certain number of statistics, but I shall confine them to only the most important figures. In the case of broken rice for the 11 months April, 1934 to February, 1935 the imports of broken rice into India amounted to 203,830 tons. In the corresponding period ending with February of the present year these imports have shrunk to 58,266 tons, a reduction of no less than 145,000 tons, or roughly 71 per cent. In the case of rice on which there was no duty the corresponding figures were 44,773 tons for the preceding year and 24,482 tons for this year, a reduction of 45 per cent. In the case of paddy, there has been a fall from 111,628 tons to 98,796 tons, or 11 per cent. From these statistics I think it may be reasonably concluded that the duty which we imposed last year has been effective in cutting down the admittedly high imports of broken rice. The present level of imports, that is to say, 58,000 tons, is still a very considerable amount and the Government of India are of opinion that the present duty has been effective but not excessive. They believe that its removal might easily result in a renewal of imports on their previous threatening scale, and for this reason the same duty is proposed for a further year.

There has been a considerable volume of opinion in favour of the extension of this duty to cover the whole rice and paddy. In view of the very significant decreases in the imports of these commodities the Government of India are of opinion that such an extension is not to be justified. It must be remembered that the Madras Presidency and, in the present year, Bengal and Bihar and Orissa are likely to be very considerable importers and it would be an unconscionable burden on the consumer of these commodities were the duty to be extended. It may be said that a mere reduction in volume of imports is not in itself an index of the success of the duty. I can reinforce the case by quoting a very few price statistics. The first is from the Madras City markets. A Calcutta variety which was sold at 3·39 rupees per maund in 1934 is quoted at 3·89 in 1936. In Cochin, Burma boiled which was on sale for 2·32 rupees per maund in 1934 is quoted at 3·01 rupees per maund. Burma raw, in Cochin again, has risen from 2·26 to 3·01. In Calicut, Cocanada rice which was quoted at 2·85 in 1934 is now quoted at 3·34. The combined evidence of the statistics, Sir, and these price quotations are I think sufficient justification of the effectiveness of the rice duty.

With these words, Sir, I move. (Applause.)

THE HONOURABLE NAWAB MALIK SIR MOHAMMAD HAYAT KHAN NOON (Punjab : Nominated Non-Official) : Sir, I rise to protest against the proposed reduction in the import duty on wheat. The wonderful statistics of the Government might have convinced them of the necessity for a change in the duty, but we, the farmers, as laymen look upon this proposal in a simple manner, i.e., that the proposal must affect wheat prices prevalent in the Punjab either favourably or unfavourably and I am sure that even the Government would not have the courage to say that this reduction in the wheat duty would raise the price of wheat in India or in the Punjab. The fact is that in the Punjab villages even now the price of wheat is very very low and the low prices of agricultural produce during the last few years have put the farmers in a bad plight. They incurred heavy debts ; they have parted with their jewellery, whatever little they had and it was by these means that they have been able to pay the demand of Government, that is, land revenue, water rate, and so on. As Honourable Members are aware, Sir, only recently the Punjab Council unanimously passed a Resolution against any reduction of the import duty on wheat and as far as I know, Sir, even the Punjab Government did not oppose it. It is evident that the Government of India have not considered it fit to take any notice of that Resolution.

THE HONOURABLE LIEUTENANT-COLONEL NAWAB SIR MAHOMED AKBAR KHAN : The Governor of the Punjab strongly recommended it.

THE HONOURABLE NAWAB MALIK SIR MOHAMMAD HAYAT KHAN NOON : However, if the present conditions continue and the Government of India do not take notice of the plight of the farmers in the Punjab, then I beg to warn the Government of India that if it leads to any agrarian trouble the Government will not have the justification to blame anybody else. However, Sir, today we are in a very peculiar and curious position. We might protest against this reduction of the duty and yet we dare not vote against it, because if we vote against it that will mean no duty at all.

With these remarks, Sir, I protest against the reduction, but I shall have to vote for it.

THE HONOURABLE RAJA GHAZANFAR ALI KHAN (West Punjab : Muhammadan) : Sir, I beg to enter my strongest protest against the method

[Raja Ghazanfar Ali Khan.]

in which the Government have brought in this Bill before the House. I may mention here for the information of Honourable Members that as required by the rules I submitted an application to the Governor General to give me sanction to move an amendment that the duty on wheat may be raised from Re. 1 to Rs. 1-8-0. That sanction, Sir, I regret has been refused. This was not unexpected, because when a Member of the other House applied for increasing the duty from Re. 1 to Rs. 1-8-0 only a week ago it was refused by the Governor General. Obviously His Excellency the Viceroy thought it fit to agree with the decision of his predecessor. If this sanction had been given it would have surely provided an opportunity for Honourable Members here to express their opinion whether they were in favour of the duty being retained at Rs. 1-8-0—

THE HONOURABLE THE PRESIDENT: Nothing prevents you even today from expressing your opinion.

THE HONOURABLE RAJA GHAZANFAR ALI KHAN: I am sure if the mere expression of opinion is going—

THE HONOURABLE MR. T. A. STEWART: On a point of order, Sir. Is the Honourable Member criticising the action of the Governor General?

THE HONOURABLE THE PRESIDENT: Order, order. No, I would not allow him to introduce any amendment and speak with reference to any particular amendment unless he satisfies me that he has obtained the sanction of the Governor General under clause 67 (2) (a) of the Government of India Act, but there is nothing to prevent him from expressing his opinion generally that it may be better in the interests of the agriculturists if the duty had been increased.

THE HONOURABLE RAJA GHAZANFAR ALI KHAN: Sir, I am surprised—

THE HONOURABLE MR. T. A. STEWART: I thought he was criticising the decision that had been given by the Governor General.

THE HONOURABLE THE PRESIDENT: I will not allow him to do so.

THE HONOURABLE RAJA GHAZANFAR ALI KHAN: I am really surprised that the Honourable Commerce Secretary should be anxious to get up every moment without hearing me. He must have received notice of my amendment if I had any intention of moving an amendment. Due to the mere fact that the Governor General has refused permission for me to move the amendment I have not given notice of that amendment. I am not going to move it either. Therefore he should not have been anxious to say that I was going to move an amendment.

THE HONOURABLE THE PRESIDENT: The Governor General's decision is final. You need not refer to it, but you may express your opinion.

THE HONOURABLE RAJA GHAZANFAR ALI KHAN: I am not questioning the decision of the Governor General. I am accepting it. That is why I did not even try to ask your permission or put the amendment on the

paper. As far as criticising the action of the Governor General is concerned, I have no intention to criticise. He has powers under the statutory rules to give a decision and his decision is final. Therefore I have no intention of contesting his decision. But at the same time I hope the Commerce Secretary will realise that I am at perfect liberty to express what I believe to be the opinion of those agriculturists whom I have the honour to represent in this House in this particular matter and I can assure you that if there is one matter upon which there is perfect unanimity, without a single dissentient note, it is on this question that the Government have done a great injustice to the agriculturists particularly wheat-growers, by reducing this duty from Rs. 1-8-0 to Re. 1, and, Sir, they have further played a trick on the House by bringing in this Bill at a time——

THE HONOURABLE THE PRESIDENT : Order, order. Who has played the trick ? It is an unparliamentary expression ?

THE HONOURABLE RAJA GHAZANFAR ALI KHAN : I am sorry, Sir.

THE HONOURABLE THE PRESIDENT : Please withdraw.

THE HONOURABLE RAJA GHAZANFAR ALI KHAN : My vocabulary of the English language being limited, I do not know a better term. If it is unparliamentary, then I would submit that the Government, having better knowledge of the delicacies of the Constitution, have thought it fit to bring this Bill in a form in which the Members will have no option to interfere with the Government suggestion. If they had brought this Bill before the original had expired, naturally they had to move an amendment.

THE HONOURABLE THE PRESIDENT : Are they bound in any way to do so ? Why should they not bring in a Bill after the expiry of the previous one ?

THE HONOURABLE RAJA GHAZANFAR ALI KHAN : I am saying that they had that course also open to them and what I am trying to make out is that instead of adopting this course it would have been more reasonable for the Government to move an amendment that the duty on wheat should be reduced from Rs. 1-8-0 to Re. 1, in which case the House would have been in a position to reject that amendment. They have brought in this Bill in a form and at a stage when, as my Honourable friend Nawab Sir Mohammad Hayat Khan Noon just now pointed out, that we cannot, however much we may dislike this Bill, vote against it, because voting against it would mean that the duty of Re. 1 will also go. That was my point, Sir. I have listened with great attention to the figures quoted by the Honourable Commerce Secretary. I wish instead of giving us all these figures concerning the world stock how it varied from 1926-27 to 1935-36, or the relation of prices between Australian wheat at Calcutta and Punjab wheat at Calcutta, he would have simply told us what is the present price of wheat.

THE HONOURABLE THE PRESIDENT : I think you ought to be grateful to him for giving you all the information and placing it at your disposal to enable you to arrive at the right conclusion.

THE HONOURABLE RAJA GHAZANFAR ALI KHAN : There are different things for which different people feel grateful. I would have felt grateful for his telling us which he has not told us and that was a very simple thing, that

[Raja Ghazanfar Ali Khan.]

is, what is the price of wheat now in the market, what was the price two years ago and how will this duty affect the price? If this reduction of duty does not affect the price of wheat at all, I would ask him to convince us of the necessity of bringing this Bill. I personally think, Sir, if you were to ask him his frank opinion, he would say that even if you were to remove the duty entirely, still the price in India would not be affected. We, on the other hand, know that the prices have fallen to such a low level that it has become almost impossible for the agriculturist to exist. They are paying land revenue, they are paying water rates, simply because a zamindar by his nature, by his environment, is always anxious to pay the Government dues. If the Government get their full revenue it does not mean that the people earn enough from the land to pay revenue. They have to sell away all their assets, and I hope the Honourable Members will believe me when I tell them from personal knowledge that there are hardly 5 per cent. agriculturists in this country who have not sold away their ornaments, their surplus cattle, even some of their bare necessities of life to pay the Government revenue. If this be true, then, Sir, I would earnestly appeal to the Government to seriously consider whether they are prepared to take any steps which would improve the condition of the agriculturist.

Now, Sir, it has become almost the fashion to talk about rural uplift and to make the conditions of the agriculturist better. It is not only the Government who are showing a keen interest for the welfare of the agriculturist but the Congress and the Socialists and even the Unionist Party in the Punjab and the Liberals and the Justice Party and every Party that counts for anything in India is now talking of helping the agriculturist. I would ask the Government to seriously consider whether all these numerous suggestions which they make to the zamindars for making their conditions better, whether it is not necessary that the zamindar should have money to adopt all these suggestions. You want the zamindars to keep good bullocks. Now do the Government realise that the zamindars have not the money to pay for good bullocks. You ask them to keep cows. But those people who are keeping cattle, Sir, what they do is that they sell *ghee* just to pay the revenue, and their children are starving. Then, Sir, the zamindars are asked to have ventilators in their houses, to buy mosquito nets and adopt other sanitary things. Now, Sir, as any Honourable Member here who has any personal contact, I will not say with the zamindars but with the agriculturists, the tillers of the soil, knows, how many of them are in a position to pay for any of these things? If, Sir, they are not in a position to pay for any of these things, then instead of giving them lectures it is better that Government should seriously consider how they can make their position better. Sir, if Government were just to work in the old red tape fashion, I can assure them that no good results would come out of their efforts. If some high Government officials, and I mean particularly the present Viceroy who has a great reputation for being a true well-wisher of the zamindars, and I may mention here, Sir, that during the five or six days that His Excellency has been in India he has already created a very good impression upon the agriculturists, and if His Excellency earnestly feels that the paramount duty of Government is to help the agriculturists, he should at once throw aside all these red tape methods and should seriously consider what radical changes can be made to make the condition of the zamindars better. Sir, this reduction of import duty will adversely affect the prices and that will mean the ruin of the agriculturists. Instead of reducing this import duty I think the Government, just to give proof to the zamindars that they are anxious to have

them, should have increased the import duty to Rs. 2, which I hope you remember, Sir, was the opinion of almost every Member of this House who spoke last year when the Government wanted to reduce the duty from Rs. 2 to Rs. 1-8-0. On the other hand, it was a great surprise to the Honourable Members to find that last year before the Government brought in this Motion to reduce the duty from Rs. 2 to Rs. 1-8-0 only a few weeks before the Resolution moved by the Honourable Sir Yamin Khan, the Honourable the Leader of the House advised the Government to accept the first part of his Resolution and on his advice all the Government Members voted for the first part of the Resolution, which was that the duty on wheat should be extended. The duty on wheat being Rs. 2 naturally the Government in accepting this Resolution as a matter of fact expressed their opinion that they would extend it on the level as it then existed. They changed their opinion later on. Now, as far as the zamindars are concerned, Sir, at least 50 per cent. of the rural population are wheat-growers and their plight is miserable. I would not like to draw here a dark picture of their plight because Honourable Members who represent them already know it. Even my friend the Honourable Nawab Sir Mohammad Hayat Khan Noon who has got experience of being a Commissioner in the Punjab, who himself is a very big zamindar, and above all who as a nominated Member is always very cautious and careful in condemning Government, when a nominated Member like him also stands up and says that he strongly protests against the action of the Government, the Government should realise they are not the only monopolists of what is the opinion of the people. After all, they have invited us— (*An Honourable Member* : “ I think the Nawab Sahib is representing the Punjab Government’s view.”) When they have invited us here, when they are spending money on the haulage of our cars and paying us Rs. 20 a day, they should attach some importance to the opinions we are expressing in this House. It should not be that we talk and they do what they please. This has been precisely their policy in regard to this matter. The Government, Sir, have taken no practical step to see that the poor agriculturist always sells his commodity at the cheapest possible price and the moment the commodity passes out of the hands of the poor agriculturist the price goes up. The middleman makes the profit. Have the Government taken any step so far to help the agriculturists in this matter? They can do so and it is their duty to do so. But only if they seriously consider they take pains and work here in right earnest to devise ways and means of taking over the commodities of zamindars.

THE HONOURABLE THE PRESIDENT : Have you zamindars taken any action to protect your tenants ?

THE HONOURABLE RAJA GHAZANFAR ALI KHAN : Well, Sir, I must confess to my great shame that the zamindars have taken very little interest. I have no sympathy for them, as I have no sympathy for the Government. And that is why, Sir, this theory of Socialism even in a country like India if it is gaining ground it is doing so because zamindars fail to realise their own responsibilities and duties. But, if the zamindars fail to realise their own duties, that is no reason why Government should fail to realise their own duties. As a matter of fact, the whole structure of our revenue system requires thorough overhauling. The burden which the Government have put on the zamindars is, I personally consider, excessive. On the other hand, the proportion which the tenant pays to the zamindar is also excessive. So, unless the Government make a radical change, giving a small relief to the zamindar, and the zamindar in return giving a big relief to the tenants—

THE HONOURABLE MR. T. A. STEWART : May I ask, Sir, which Government ?

THE HONOURABLE RAJA GHAZANFAR ALI KHAN : By the Government, I mean the Government of India. As far as I know, the Government of India cannot separate themselves from the Provincial Governments. Under the present Government of India Act, the Government of India have got all powers of control over the Provincial Governments and they are responsible for directing their policy. There is no such thing as provincial autonomy as far as the present constitution is concerned. Therefore, it is no use the Government of India always throwing the blame upon the provinces. What is the conception in the mind of the ordinary agriculturist in India about the Government ? Does he realise this subtle difference between the Provincial Government and the Government of India ? He thinks Government means the British Government.

THE HONOURABLE THE PRESIDENT : You are drifting away from the main issue. Will you please confine yourself to the issue in question ?

THE HONOURABLE RAJA GHAZANFAR ALI KHAN : I therefore submit that whether it is the Government of India or the Provincial Government, it is the duty of the Government to take early steps to help the agriculturist in (1) in preventing wheat from being imported from any outside country ; (2) by helping the agriculturist in exporting surplus wheat so that he might get a higher price ; (3) by devising such machinery by which the agriculturist will get a real and true value for his commodity instead of the middlemen making all the profits ; (4) by advancing loans on the security of commodities. The Government certainly can buy over or take over all the wheat from the wheat-growers, pay their revenues, advance them loans on the security of the wheat, and sell that commodity when the Government know that they can get the best price. I know that some of the changes which I have advised are of a radical nature, but the depression which now exists in the country is also of an absolutely unique nature. We have never experienced such a depression before. As the Honourable Nawab Sir Mohammad Hayat Khan Noon has pointed out, unless the Government take immediate steps they will find that the agriculturists get dissatisfied and once the agrarian trouble starts in a country like India, where means of communication are so very limited, then I can assure the Government that it will become a very difficult problem, and they will have to suppress it by spending an enormous amount of money, and now by spending one-fourth of that amount in a proper way, they can avert those disastrous consequences. Therefore, Sir, I support this Bill under that protest.

THE HONOURABLE LIEUTENANT-COLONEL NAWAB SIR MAHOMED AKBAR KHAN (North-West Frontier Province : Nominated Non-Official) : Sir, I do not know who have petitioned to the Government of India to reduce the import duty on wheat. I do not think that an Indian subject of His Majesty has asked for a reduction in this duty and if a few mill-owners who compare to the 80 per cent. agricultural population of India as a drop in the ocean, are paraded before us by the Government with this request, my reply to them is that they should kindly be asked to remove their mills from Indian soil and take them somewhere else, in which place there is no bungling of the drawback duty, etc. If the whole of India is to be governed by the imposition of the import duty on wheat, would it not be better to ask these mill-owners to get the Indian wheat and have no truck with the foreign product. It is

a matter of common knowledge that if our exports of wheat are stopped it will never fetch more than Rs. 1-8-0 or Rs. 2 a maund. See the prices quoted by various Englishmen in the time of Aurangzeb and other Moghul Emperors when the price of wheat was a rupee, and even less, for a maund. And why was it so? Because there was no export of it in those times to foreign countries.

Sir, we the wheat-growing people of Northern India always used to send our wheat to Bombay or Karachi for shipment to foreign countries and thereby make our money. After the war all the big firms dealing in wheat, such as Ralli Brothers and Clement Robson Company, Sandepatrick and Company, E. D. Sassoon and Company, Bombay, Louis Dreyfus, etc., etc., do not exist now and no exertion is made by any Government servant to find a suitable market of export for our wheat. If the Argentine Government can find a market for their 200 million tons extra grown wheat and the same amount of wheat can be disposed off by Australia and Canada, why can not we find a market for our one-third of a million ton of extra wheat? When we are told that 8 million tons is our yearly production and the same quantity is our yearly consumption, I am sorry to say that I cannot be persuaded to believe these statistics because when we were feeding half of Europe before the Great War, our produce of wheat could not have been estimated at these figures. I do not admit these figures at all. What a shallow argument it is that if the wheat duty is kept varying, no *mahajan* who hoards up a big stock of wheat will be able to send it out of India thinking that he might command a better price for his stock in India itself. This argument was used by the Honourable the Commerce Member in the other place. Well, Sir, the *mahajan* will be mad to stock it in the hope that he could send it out of India. When the import of foreign wheat is already taxed in India, I do not think any sane person would send his stock for the open market in Europe where the prices are already much cheaper than in India. Indeed, it is a very curious argument and is not going to convince anybody. The cure lies in finding a suitable market like other countries to sell their products.

Again, Sir, the land revenue system of the Government of India prevailing in various provinces is intended to bring half the price of the product to the Government Treasury, whilst the system sanctioned by the Moghuls and their preceding Governments did not claim more than one-tenth of the product. Well, Sir, if the duty is kept at Rs. 2 or Rs. 1-8-0 or even Re. 1, the fact remains all the same that we in India grow more wheat than is necessary for our consumption. The production of wheat per *bigha* is estimated at three maunds or six maunds per acre. That is my estimate, Sir. I do not think the Government experts can say that land in the Punjab or the North-West Frontier Province can yield more than six maunds per acre. At the current rate of Rs. 2-8-0 for a maund the yield of an acre cannot fetch more than Rs. 15. Quite simple—a matter of arithmetic! Now, let us compare his cost on it. In the first instance he has to pay Rs. 3-8-0 as land revenue and Rs. 4-8-0 as water rate. Local rate and *sewai* are paid by him at the rate of two annas a rupee which calculates to Rs. 1-14-0 on the price of his product of six maunds. Besides these he has to give something to the canal *patwari* and *panjsali patwari* and *wasil baqinawis* of the tehsil and village *chowkidar* in order to please every one of them and their pleasure costs him about Rs. 1-2-0 per acre of his cultivated lands. He has also to give a proportionate share of his products in kind to the labourers connected with his work such as carpenter, blacksmith, barber, shoemaker, potter and *mirasi* and this distribution of his product costs him about Rs. 2 per acre. Last but not least is the *sahukar* whose price money and interest for the supply of seeds and feeding and clothing of the farmer is Rs. 2 as his share of the product per acre. All these liabilities

[Sir Mahomed Akbar Khan.]

aggregate to Rs. 15 in all which is quite an equivalent sum of his price money of Rs. 15 for his product of six maunds in an acre of land. After paying all his liabilities the farmer has got nothing left for himself or his family. His exact condition can be better described in the language of Mr. Darling who says that when every thing is taken from a zamindar, nothing is left to him for the forthcoming crop but his trust in God which Mr. Darling interprets as *Guru samput rakhai*. Well, Sir, that is the real condition of an Indian farmer, on whom both the police and the revenue authorities hover like the locusts.

Now, Sir, when the Indian Mill-owners of Calcutta, Bombay and Karachi import foreign wheat into India and after grinding it send it for exportation to Egypt and Europe and get their drawback, that is the point to which I object most. Why should these mill-owners be so unpatriotic as to prefer foreign wheat to that of Indian wheat. It is simply because the foreign wheat is cheaper as compared with that of India and thus they can make a better business out of it. The reason for the cheap price of foreign wheat can be found in the fact that in Argentine, Canada, Australia, and Russia the land revenue is not so high as in India and also because the people of those countries work with tractors on new scientific lines. It is regretted these methods of cultivation are not adopted in India chiefly because the system of land revenue in this country does not leave any margin of profit to the farmers, and secondly, because the price of petrol in this country is very much higher as compared with any other country of the world. That is why we cannot work with the scientific implements of agriculture because their use is very much more expensive in this country as compared with other countries of the world. The result is that we are compelled to cultivate our lands in the same old style as was done in the middle ages in Europe. This is the chief cause of our failure in not producing wheat at cheaper rates to compete with those countries of the world which are equipped with the modern machinery of agriculture and not so heavily taxed as we people are in India. Sir, whatever argument the Honourable the Commerce Member or the Honourable Commerce Secretary may advance, we zamindars have a strong conviction that the lowering of the import duty on wheat is detrimental to our interest and that we are being sacrificed at the altar of a few mill-owners of Calcutta, Bombay and Karachi. As I have stated in the beginning I do not think any application has been made by the people to lower this import duty and when the Government takes the initiative to lower it, it is but natural for the zamindars to opine that it is being lowered in the interest of the mill-owners, because Government would not lower this duty unless there is some strong reason behind it. And who could be a party to this action of the Government but the mill-owners of Calcutta, Bombay and Karachi.

To say that the mill-owners do not spoil the prices of wheat at Lyallpur, Amritsar, Lahore or Lucknow and Allahabad is a fine myth for the babies to be sung to them as their lullaby sleep! Now, Sir, if these mill-owners were patriotic enough to buy Indian wheat for the purpose of exporting its flour instead of foreign wheat, the Indian wheat would have undoubtedly been sold at a higher price. Well, Sir, when the mill-owners compel the Government to reduce the protective duty on wheat, will it not be fair on their part to ask the Government to set a principle of lowering the land revenue in the various provinces corresponding to the extent of reduction in the import duty. It might be said that this question concerns the Provincial Governments, but may I point out that the general policy in the matter of taxation is always dictated by the Central Government and not by the provinces?

Sir, the whole of the Indian Army is recruited from this poverty-stricken and indigent class of agriculturists. Every one of them as a class was entertaining high hopes of amelioration of their condition in the appointment of an Indian Service General like His Excellency General Sir Robert Cassels, the Victor of Mosul as the Commander-in-Chief in India, who is better conversant with the condition of the farmers than the farmers themselves. They were also expecting a good deal of sympathy to relieve them from their present-day miserable condition from the Honourable Kunwar Sir Jagdish Prasad, the Leader of this Honourable House and the Honourable Chaudri Sir Muhammad Zafrullah Khan, Commerce Member to the Government of India, both of whom belong to the agricultural class. Their epithets of Kunwar and Chaudri denote that both of them come of the land-owning aristocracy and as such they ought to sympathise with their brethren in their misery and distress, but it is an irony of fate that they have been belied in their expectations. The Honourable the Commerce Member is forging and sharpening his knife to cut the throat of zamindars in a less reluctant manner—

THE HONOURABLE THE PRESIDENT: Order, order. That is not the language to use in regard to a Member of the Executive Council.

THE HONOURABLE LIEUTENANT-COLONEL NAWAB SIR MAHOMED AKBAR KHAN: Very well, Sir, I will take it back. The Honourable Member is trying to aggravate the distress of the zamindars and the Kunwar Sahib is quite willing to help him in all his methods to achieve this end. I have therefore no alternative but to appeal to the Victor of Mosul to use all his influence in order to save the dumb-driven zamindars from their being rushed into increasing poverty like his predecessor Lord Kitchener who during the Viceroyalty of Lord Minto prevailed upon the Executive Council not to take the rectangular areas from the military people in the newly made colonies. I want to put this matter for the consideration of His Excellency the Commander-in-Chief through you, Sir, as the President of this House because His Excellency is not present at this time, with the submission that to better the condition of the Indian peasants is the urgent need of the moment. As the Indian Army is wholly recruited from this class of people, their trouble and misery is sure to effect the morals of the army. They are also looking forward to the kind help of His Excellency the Viceroy who takes a very keen interest in the welfare of the zamindars. Lastly, my appeal must go to every Englishman with the submission that by keeping the zamindar loyal in India they can effectively rule this sub-continent till eternity. The mere wild talk of a few individuals is not of much consequence but I am sorry to say that nothing has so far been effectively done for the betterment of this class and it is a matter of heartrending to all the loyal subjects of His Majesty as to how long these poverty-stricken people can be kept loyal to the Crown.

Before resuming my seat I must say that the question of the import duty on wheat has placed me on the horns of a dilemma or, as the saying is, between the hawk and the buzzard as to what attitude should be adopted towards this measure. If we say that there should be no duty on wheat, it is feared that it will aggravate the misery and bad luck of the poor zamindars. On the other hand, if we suggest the maintenance of the previous rates of Rs. 2-4-0 or Rs. 1-8-0 a cwt., the Government will not permit any amendment to their proposed rate as was decided yesterday by a ruling from you, Sir, that no amendment can be made in a Bill got through from the original Chamber, and—

THE HONOURABLE THE PRESIDENT : You entirely misunderstood my yesterday's ruling.

THE HONOURABLE LIEUTENANT-COLONEL NAWAB SIR MAHOMED AKBAR KHAN—and secondly, it is a Bill of taxation for which this Chamber is not empowered to make any suggestion for increase in its rates. Thirdly, what chances are there in this Chamber to pass a measure against the wishes of Government. Our position can better be described by a Persian proverb which runs as *ماندن نه جائے رفتن نه پائے* meaning the lack of sound legs to run away and the sparsity of place to stay in. Under the circumstances the best attitude is to remain silent and leave it to the all-powerful authorities to make a solution of the case with the submission that something at least should be done to ameliorate the sorry and deplorable plight of the poor agriculturist.

THE HONOURABLE THE PRESIDENT : At least you have not been silent for the last half an hour !

THE HONOURABLE LIEUTENANT-COLONEL NAWAB SIR MAHOMED AKBAR KHAN : We are all concerned, Sir, the whole of the north of India. It is not my question alone. Eighty per cent. of the population is concerned and I have to show my face in my province and tell them what I have done. They are Afghans and they will be demanding what I have done, and with a little warning also that if any serious trouble takes place on this account its entire responsibility will lie on the shoulders of the Honourable Kunwar Sir Jagdish Prasad, the Leader of this House and the Honourable Chaudri Sir Zafrullah Khan for their advice to the Government for the adoption of this detestable measure of lowering this import duty.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS (Punjab : Non-Muhammadan) : Sir, after the strong speeches of my Honourable friends Nawab Sir Mohammad Hayat Khan Noon, the Honourable Raja Ghazanfar Ali Khan and the Honourable, and Gallant Colonel of Hoti, very little is left for me to say. Sir, I quite agree with most of the points raised by these three Honourable Members.

THE HONOURABLE THE PRESIDENT : I hope you will not traverse over the same ground.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : I am not going to cover the same ground. I am trying to make out new points. The Honourable Mr. Stewart seems to me to be aiming at fixing the present rate permanently. Anyhow, he does not want the present rate of wheat to rise, because he is taking the present rate to be the standard one. I think he is mistaken there. We all want the commodity prices to rise and so far the Government has been assuring us that they have been trying all along to do so. Now they have shown their inconsistency in bringing about this measure, which means that they do not want the price of wheat and rice to rise. Sir, all the settlements in the Punjab and the United Provinces have, if I mistake not, been assessed on a certain price of wheat as the basis and that price has not yet been reached. I know as a zamindar myself that with the present rate of wheat it is very difficult for the zamindar and the agriculturist to pull on. He cannot make two ends meet.

THE HONOURABLE MR. MAHMOOD SUHRAWARDY : What about Bengal ?

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: Bengal does not grow wheat and so, speaking on wheat, I am taking the principal wheat-producing provinces into consideration.

Sir, all the three speakers who have preceded me have warned you of the agrarian trouble and possibility of military trouble. After those warnings it is not incumbent on me to say more, but I must say that Government must indicate its policy as regards prices. Sir, in the Punjab the present economic condition of the agriculturist is very miserable. He has got nothing practically left to him and even the gold or silver which he had as a reserve is practically gone. Therefore, Sir, I urge upon the Government to keep the present rate of duty of Rs. 1-8-0 as protection against the inroads of wheat from foreign countries. Sir, in case you do adopt the present rate of import duty, you will practically help the country to raise its prices. When you talk of the masses in India, 85 per cent. are those who are benefitted by the high price of agricultural produce. It is therefore paramount for the Government to avoid discontent and to avoid the economical destruction of its subjects who keep the Government going.

Sir, the Honourable Nawab Sir Mahomed Akbar Khan referred to the milling industry. As far as the milling industry of the ports is concerned, it was supplying wheat flour to Persian Gulf ports and to the Red Sea ports, and to South Africa, when, Australian wheat began to compete with India, that Indian trade was completely lost. Sir, I do not know how our strong protest in this House can be met by Government? In case we reject the Bill the present duty vanishes and the result will be that the price of wheat will go down, and we cannot raise the duty because, under the Constitution, we are not allowed even to move such a Motion. Therefore, Sir, we have simply to record our strong protest against the imprudent action which the Government has taken for the masses of the public for whom they have been declaring that they are their best friends. Therefore, Sir, I once more appeal to the Government to reconsider their decision and not to make this blunder which is neither in their interests nor in the interests of their subjects.

THE HONOURABLE SIR DAVID DEVADOSS (Nominated: Indian Christians): Sir, coming from Madras as I do I must say we feel thankful for small mercies. The duty on broken rice has been retained but our complaint is that the importation of whole rice affects the price prejudicially. Madras is suffering very much on account of this foreign importation of rice because on account of the reduction in price the ryots are not able to pay even the Government revenue. Sir, it is well known that Madras has got what is known as the *ryotwari* system. That is, the ryot or the farmer pays direct to Government whatever tax the Government imposes and once in 30 years the Government has what is called a fresh settlement. That means always an increase of 30 per cent. This has been going on for some time and the result is that we are very heavily taxed. Unless the price of our produce is such as to enable the farmer to farm in such a way as to be able to pay the Government revenue and also to support his family, I fear, Sir, we shall be in very serious trouble and probably famine will prevail. I am told that in Berhampore and other places there is already a famine. The failure of even one monsoon is sufficient to cause famine. That shows the people have no sustaining power. They have to pay for raising the crop, they have to pay the Government revenue and they have to live so that the failure of even one south-west monsoon means famine in so many districts. Last year the districts of Bellary and Anantapur were very much affected, and we had famine there. What I submit therefore, Sir, is that Government would be well advised to

[Sir David Devadoss.]

impose a small duty of at least a rupee on whole rice and to increase if possible at the earliest opportunity the duty on broken rice to at least a rupee.

THE HONOURABLE KHAN BAHADUR NAWAB CHAUDRI MUHAMMAD DIN (East Punjab : Muhammadan) : Sir, the serious fall in the price of agricultural produce since 1930 has been the cause of the greatest anxiety to the Government and the peasantry in India. The duty on the import of wheat had a good effect in checking the import of wheat. The reduction in the duty is to be deplored, but if it keeps the import at the same rate, it is better to retain the duty at the reduced rate instead of removing it altogether. Sir, with the present price of wheat it is most difficult for the zamindars to pay the land revenue which is generally based on a price of more than Rs. 3-8-0 per maund. It is for the Government to devise means to give relief to zamindars, otherwise the situation will gradually become very acute.

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD (Education, Health and Lands Member) : Sir, it is no conventional introductory phrase when I say that I had no intention of taking part in this debate today. Why I intervene is that I feel it necessary to rebut, what I may be allowed to call, the unjustifiable aspersions that my Honourable friend the Nawab Saheb of Hoti has cast on the Commerce Member, who is not here, and also on myself. I will take his speech first. If I may summarise it, it comes to this that the Government acting under the pressure of the millers of Bombay and Calcutta have reduced this duty ; that they have paid no attention to the millions of cultivators from whom the army is drawn and on whose industry depends the well-being of the whole of India ; that the Government has shown a callous indifference to the agricultural population ; that they have made a hypocritical announcement of sympathy while in fact their policy has been dictated by the few millers of the ports. May I inform my Honourable friend that his premises are wrong and his deductions are entirely fallacious ? If the Government of India were convinced that by the reduction of this duty there would be a fall in the price of wheat—(*An Honourable Member* : “How can you guarantee that ?”) If my Honourable friend will allow me to continue—if they were satisfied that by the reduction of this duty the interests of agriculturists would be adversely affected I may tell my Honourable friends that they would never have proposed the present measure. We quite recognise, and I as an agriculturist can claim to feel as much on this point as my Honourable friends opposite, we quite recognise that the fall in the price of agricultural produce since 1930 has been calamitous, that it has led to great suffering on the part of the cultivators and the landlords who depend on the cultivators for their rents. In my own province I can inform Honourable Members that the Government reduced the rent by over Rs. 4½ crores out of a rental of over Rs. 16 crores ; nearly 25 per cent. of the rents was reduced,—that the Government revenue was reduced by more than a crore, that steps were taken recently in the province to scale down the debts of agriculturists : landlords and tenants. The Government went to the extent of taking upon themselves the responsibility of collecting the scaled debts under certain conditions. I am sure Honourable Members will agree that the Governments in India have not been callous to the needs of the agricultural population, that it has been their constant anxiety to do what they could to help the agriculturist who is suffering from causes over which the Government of India itself has no absolute control.

THE HONOURABLE RAI BAHADUR LALA RAM SARANDAS : But you have control over tariffs.

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : But a very pertinent question is : " Did the reduction of duty last year from Rs. 2 to Rs. 1-8-0 adversely affect the prices of wheat in India ?" We went into that question very carefully. We looked into the prices, we collected all the information it was possible for us to get, and we came to the conclusion that the reduction last year from Rs. 2 to Rs. 1-8-0 in no way adversely affected the internal prices of wheat. Then, when the question came up again, all our experts' advice was that considering the world stocks, the price of Australian wheat in London and the price of wheat in India, if a reduction of another Re. 0-8-0 in the duty is made, it will not in any way adversely affect the price of wheat. Up to the present moment, there is nothing to indicate that the advice which has been given to us is wrong. I can assure Honourable Members—I think my Honourable friend the Commerce Member assured the Members in the other place—that if we find that our calculations are wrong, that by the reduction of this duty the interests of the agriculturists are being adversely affected, Government have power under the Act to raise the duty, and I think it was stated by my Honourable friend the Commerce Member in the other place that if he found that the information which he has received so far and the advice which has been given by the experts that this reduction in duty will not in any way affect the situation is wrong, then under the Act he has power to redress any injustice that may arise.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : But that means that Government will fail to raise the price.

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : Whether it is Re. 1 or Rs. 1-8-0, it will not raise the price. All we have got to do is to see that there is no import of foreign wheat into India. Our experts tell us that even at the present moment, a tariff of Re. 1 is sufficient to keep out imports and that Rs. 1-8-0 is unnecessarily high. That is the conclusion to which our experts and we in the Government of India have come.

THE HONOURABLE LIEUTENANT-COLONEL NAWAB SIR MAHOMED AKBAR KHAN : May I ask the Honourable the Leader of the House whether 7,000 tons of Australian wheat has come in and been ground by the mill-owners ?

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : It is such a small amount, and they are prepared to pay a little higher price, and then all this wheat that comes in is exported as flour. They get a rebate on that. The import of a few thousand tons only with reference to the flour which is milled there and which is exported does not affect the supply in India and the price in the Indian market. It was for Honourable Members to establish that the reduction to Rs. 1-8-0 last year had an adverse effect. So far as I know, no Honourable Member has been able to establish that the reduction in the rate from Rs. 2 to Rs. 1-8-0 last year affected adversely in any way the grower of wheat in the Punjab or anywhere else.

THE HONOURABLE RAJA GHAZANFAR ALI KHAN : I ask then, why did the Government impose that duty originally ?

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : The imposition of the duty originally was to shut out foreign imports. At that time, considering the stocks, it was considered necessary to shut out imports. It was to maintain the Indian market for the Indian producer. That was the fundamental object of the Government—to maintain the Indian market for the Indian producer. At that time—

THE HONOURABLE RAJA GHAZANFAR ALI KHAN: We are surprised!

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD: If my Honourable friend will allow me to continue—that policy still continues. Conditions at the time were such that it was necessary to impose a tariff barrier of Rs. 2. Conditions may vary and last year Rs. 1-8-0 was equally effective for that object. The point that I wish to emphasise is that there is no change in that policy. The policy remains that the Indian market is to be preserved for the Indian producer. When the duty was reduced to Rs. 1-8-0 last year it did not in any way alter the policy. We are advised this year that if the duty is reduced from Rs. 1-8-0 to Re. 1, the market will still be preserved for the Indian producer. Then, my Honourable friends may ask me, “If this is so, why trouble to reduce it by eight annas? Why not keep it at the old rate?” A very legitimate question, to which the answer is that we find that Re. 1 is effective and that therefore it is unnecessary to maintain a higher duty. That is the only reason. We find that Re. 1 is as effective now as Rs. 1-8-0 was last year or Rs. 2 was effective before. Can you convince us at this stage that Re. 1 is not effective? That is the real issue before the House. In the present circumstances, is Re. 1 as effective as Rs. 2 when the duty was originally imposed or as Rs. 1-8-0 last year? That is the main question. My answer is that according to the information which we have at present and the advice we have received, Re. 1 is as effective as Rs. 2 when the duty was originally imposed.

THE HONOURABLE RAJA GHAZANFAR ALI KHAN: Advice by whom?

THE HONOURABLE LIEUTENANT-COLONEL NAWAB SIR MAHOMED AKBAR KHAN: What about the vast population of agriculturists? They do not believe in this reduction of duty.

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD: I am not concerned here with what they believe or do not believe. I am telling my Honourable friend the reason which led the Government to reduce the duty from Rs. 1-8-0 to Re. 1. The reason is very obvious.—that Re. 1 in present circumstances is quite an effective duty, and that it is a sufficiently high barrier to prevent the import of wheat from outside. With this Re. 1, the Indian cultivator's market is still preserved for him in India.

THE HONOURABLE RAJA GHAZANFAR ALI KHAN: Who advised?

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: This reduction in duty will not let the price of wheat go up. It may be that it will stop the import of Australian wheat, but it will not solve the question of rise in commodity prices.

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD: If you exclude imports from outside, the price of wheat in India will depend on the supply and demand in India. Once you exclude the external market, the price in India will depend on the question of the amount that is produced in India and the demand. The whole object of this duty was to prevent Indian prices being affected by imports from outside. We had at that time a large surplus—

(The Honourable Rai Bahadur Lala Ram Saran Das rose to interrupt.)

I will not give way. At this rate it is impossible to continue to argue. At that time there was a large surplus of wheat in India and the world price had so gone down that unless this tariff wall was put up, there would have been a large import of wheat from outside, which would have lowered the price further. The duty was not put in in order to raise the internal prices. The object was to prevent the import of Australian wheat and thereby affect the prices here. That policy still continues. We find that at this stage, instead of having a duty of Rs. 2 or Rs. 1-8-0, a duty of Re. 1 is quite effective.

THE HONOURABLE LIEUTENANT-COLONEL NAWAB SIR MAHOMED AKBAR KHAN : How are you going to better the condition of the agriculturist ?

THE HONOURABLE THE PRESIDENT : Order, order. The Honourable Member is not giving way.

THE HONOURABLE SIR JAGDISH PRASAD : Now the other question that was raised by my Honourable friend Raja Ghazanfar Ali Khan was in regard to the revenue policy. He said the Government of India cannot dissociate themselves from their responsibilities in regard to revenue policy in the provinces. Well, Sir, it is rather late in the day to raise that. At present land revenue is a reserved provincial subject but within a few months it will undoubtedly be a transferred subject. There can be no question of that and that has to be accepted. Apart from that, the Imperial Council of Agricultural Research has been doing a good deal, as I hope Honourable Members will agree, for the benefit of the agriculturists. As regards the question that the producer does not get the price which he should and that his profits are swallowed up by the middlemen, we have at present a marketing survey going on and this question is being gone into. There is no reason to treat that with laughter. It is a fact that we are trying to find out what the present method of marketing is and how it is possible to ensure to him the profits which now go into the pockets of the middleman. These questions are very difficult. My Honourable friend himself admitted when you asked him, Sir, what the landholders had done that they had done very little.

THE HONOURABLE LIEUTENANT-COLONEL NAWAB SIR MAHOMED AKBAR KHAN : But you must force the landholders.

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : How ? Will my Honourable friend suggest to me how I can force the big landholders ?

THE HONOURABLE LIEUTENANT-COLONEL NAWAB SIR MAHOMED AKBAR KHAN : By giving them big loans ! (Laughter.)

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : I say it is recognised that there is a problem. There is no doubt that the cultivator does not get all the profits that he ought to. But that is a problem that is being examined, and that does not mean that we intend to shelve it or do not intend to do anything. I hope I have been able to convince Honourable Members that it is very unfair to suggest that the Government of India or that particular Members of it who happen to be agriculturists have not done their duty, that they have been induced or compelled to take a particular action which they know is likely to affect the cultivators adversely and that they have done this under coercion or threats or cajolery.

THE HONOURABLE RAJA GHAZANFAR ALI KHAN : I did not blame any individual Member.

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : You did not, but my Honourable friend the Nawab of Hoti stated very expressly that on my unfortunate head would lie all the responsibility. He further used in regard to my Honourable colleague the Commerce Member an expression which you asked him, Sir, to withdraw, and he modified it by saying that he had taken action which was likely adversely to affect the position of cultivators. I repudiate all these suggestions. I do not say that this is a question on which no two opinions can be held. Undoubtedly there can be differences of opinion, but when we approached this matter, as a result of discussion, examination and study, it was found that if the duty were reduced from Rs. 1-8-0 to Re. 1 no adverse effects would ensue. And further, if such a thing were to happen, then the Government have got the power to raise the duty again, and I am sure the Government, if such a situation were to arise, would not be slow in taking the necessary action. I hope Honourable Members when discussing these problems will not drag in the personal responsibility or the personal inclinations of members who form a joint body, the Government of India. I think it is extremely difficult to defend personal action and I think it is not quite fair to attack individuals by name. I hope, if I have not been able to convince Honourable Members opposite, that I have been able to satisfy them that this action was taken with great deliberation after a great deal of discussion.

THE HONOURABLE RAJA GHAZANFAR ALI KHAN : What about the Punjab Government's opinion ?

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : The opinions of the Punjab Government and of the United Provinces Government were fully considered, and after full deliberation we came to this conclusion, and our hope is that the action which we have taken will not affect adversely the cultivator, and I hope that my Honourable friend's fears will be belied and that the agriculturist will be no worse off by the reduction of this duty than he was before.

(Some Honourable Members rose.)

THE HONOURABLE THE PRESIDENT : I think this Motion has been thoroughly debated and from every point of view. I do not think any further speeches are necessary. I therefore call upon the Honourable Mr. Stewart to reply.

THE HONOURABLE MR. T. A. STEWART : I wish to add only one thing to what has been said by the Honourable the Leader of the House and this is by way of explanation. An accusation has been made that Government in bringing in this Bill after the 31st of March have been guilty of something in the nature of trickery. I am very authoritatively advised, Sir,—on this occasion it is not necessary to ask you for a ruling,—I am advised that it would have made not the slightest difference to the case whether this Bill had been introduced on the 31st of March or on the 1st of April.

With that explanation, Sir, I sit down.

THE HONOURABLE THE PRESIDENT : The Question is :

“That the Bill further to amend the Indian Tariff Act, 1934, for certain purposes, passed by the Legislative Assembly, be taken into consideration”.

The Motion was adopted.

THE HONOURABLE THE PRESIDENT : The Question is :

“ That clause 2 stand part of the Bill ”.

THE HONOURABLE MR. HOSSAIN IMAM (Bihar and Orissa : Muhammadan) : Mr. President, the statement of the Honourable Leader of the House that the intention of Government in introducing this measure was to prevent the dumping of foreign wheat and not to increase the internal prices has clarified the situation a great deal. People may have been under the misapprehension that the Government's intention in bringing forward this measure was to increase the price levels of these primary products ; but the Government have now repudiated this suggestion. We were expecting things from the Government which the Government now assure us that they never intended to do. The reason why there has been such unanimity in India in opposing the reduction of the wheat duty is that, although we admit that it has no direct effect of increasing the price level of the internal commodity, indirect effects are sometimes obtained. For instance, from a perusal of the prices prevailing in India I find that for the first four months of the year 1935, the average was 25s. 4d. per 480 lbs. of Karachi wheat, whereas the price in September, 1935, was 24s. 8½d. This, Sir, is the direct result of the reduction of eight annas in the import duty, because in the same period the price of Manitoba wheat has increased appreciably. This shows that the world movement of prices has been to a higher level while in India it has gone down to a lower level. Further, Sir, this fear of ours that prices are coming down is strengthened by the fact that in October, 1932, the price of Karachi wheat was 32s. 9d. while in September last it came down to 24s. 8½d. and in the same period the price of Manitoba No. 2 increased from 27s. 1½d. to 31s. 8½d. That shows directly that the factors outside India are facilitating the increase in price. But in India which has the misfortune of the Government never caring for the prosperity or the well-being of the majority of its population, no such thing happens. It seems to me a tragedy that the Government should have synchronised the introduction of a measure regarded by all India as adversely affecting the interests of agriculturists with the inauguration of the term of the new Viceroy, whose solicitude for the agriculturist is not confined to lip sympathy, who has given us a voluminous report for the betterment of our lot and who has started his career with well-conceived plans as regards agricultural improvement. Then, Sir, we do not understand why the Government is so anxious to confine the Bill to one year only. If, as the Honourable the Leader of the House says, the intention is only to keep out the external importation of wheat, it would not matter even if the duty were raised to Rs. 10. Why then reduce it to the minimum figure of Re. 1 ; and why not have it higher for five years instead of one year ? It would have been far better if a certain higher rate had been imposed and a period fixed, so that the agriculturist would have at least this assurance that during the continuance of this period they would be assured of so much protection. For the protection of other industries it is thought advisable to fix a period, but for the protection of the staple industries of India there is no period required and no assurance is given to them. In the other place, the Honourable the Commerce Member stated that during the few days that there was no import duty there had been very little imports in India. But are we sure that clearances from bonded warehouses has been also negligible, because if clearances are taken at the period when there is no duty, they will be saved the payment of taxation.

Now, I come to a subject on which other Members of the House have not thrown much light, that is the question of rice. The rice producers, the

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unfortunate inhabitants of the Eastern Provinces, have always received step motherly treatment. The Legislative Assembly which was at the end of March converted into a sovereign Legislature with powers to shape its own tariff policy in the case of Ottawa was reduced to a nonentity when it came to the question of rice. The Resolution of the Assembly passed by an overwhelming majority asking for the imposition of a duty on whole rice has been disregarded by the Government. We, Sir, do not understand what is the exact implication of the tariff autonomy convention, how far the powers of the Legislature in India are like those of a sovereign Legislature and where do they become subservient to the will of a foreign bureaucracy. The plight of the rice-growers can very well be understood by a perusal of the price of Burma rice. Burma rice has come down from January, 1932, when it was at 8s. 7½d. to 7s. 9d. in September last. This is the latest figure that I have with me. I could not get any recent figure. We do not think that the Government is taking the right action in disregarding the verdict of the Assembly and excluding whole rice from the purview of this Bill. The rice-grower has an additional disadvantage which does not fall on the shoulders of the wheat-growers—we have to pay an export duty on the rice exported out of India. I am not aware of any other commodity of a like nature which is subjected to such a heavy duty except jute ; but in jute we have a monopoly product, and it helps the export of jute manufactures as they are free. In rice we have a great deal of competition from outside countries. Prices have fallen ; yet the Government does not think it wise to remove that export duty which is materially affecting the quantum of trade which Indians are able to obtain in foreign countries, due to competitive prices. Other countries of the British Empire have, because they have a sovereign Legislature, taken recourse to currency manipulations. The price of Australian wheat, as given by me, does not reflect the internal prices which Australians are getting, because these prices have been converted into sterling. If we look at the internal prices, we will find that there has been increase of much more than 25 per cent. in the price which they are getting now on what they were getting four years back. Compare that to our condition here. Our prices are not at all higher but lower than what they were in 1932 the average for the first four months of 1932 being 9s. 1d., but in September, 1935, it was only 7s. 9d. Yet the Government say that this measure has not been brought with the intention of raising the price level. Then, if so, what other measures do you propose to take for the purpose or are you going to sit idle and wait for something to turn up to do the work for yourselves ? If we ask for currency manipulation, we are considered visionaries ; we are told that it has become a King Charles' head with us. If we ask what practical measures are contemplated, we are told that the Government has no plan, Government do not intend to do anything in this matter. Then what is to happen ? Is this policy of drift the right policy to adopt ? Is this the attitude in which a civilised Government claiming to be democratic, always shouting from house-tops that it is being run for the interests of the masses, is this the attitude which the Government should adopt ? Is it not but right and fit that the Government should take early opportunity of so regulating its policy—whatever it might be—to bring about the desired effect of raising the price level ? I am not asking Government to do anything which they themselves have not admitted to be their intention. You will remember, Sir, that at Ottawa Sir George Schuster was very vehement in stressing on the fact that the first and foremost necessity of India was an increase in the price level of the prime products. Rice is an element which has a very high position in our export trade. The value during the last completed year, 1934-35, was Rs. 10 crores, and I am sure, Sir, that in foodstuffs there is no other item which can compete

with rice. Yet Rs. 10 crores worth of rice was exported, on which a tax of two annas a maund was imposed by Government. When someone asked, Sir, in the other place why does not the Government do something more for rice, as they are doing for sugar and for cotton the reply by one responsible Member of Government was: "Is the rice trade prepared to pay an excise"? As if the imposition of this export tax was not sufficient in itself to justify a demand for something better. We, Sir, on this side of the House have been placed in a very uncomfortable position. As the Honourable Raja Ghazanfar Ali Khan pointed out, we are actually between the devil and the deep sea. We can neither oppose this measure (since this would be committing suicide) nor can we support it since this would mean that we are a party to a manifestly bad Bill. But, Sir, I would like the Honourable the Commerce Secretary to point out to me the exact section of the Government of India Act which debars us from increasing the taxation.

THE HONOURABLE THE PRESIDENT: Order, order. It is too late to raise that point at this stage. If the Honourable Member had anything to say he ought to have got up after the Honourable Mr. Stewart had made his speech. I rule that it is not in order.

THE HONOURABLE MR. HOSSAIN IMAM: Mr. President, I did stand up but failed to catch your eye. I should just like to read the relevant portion of the Government of India Act.

THE HONOURABLE THE PRESIDENT: Everybody knows it.

THE HONOURABLE MR. HOSSAIN IMAM: But, Sir, the position is not clear. Section 67 (2) (a) says that it shall not be lawful—

THE HONOURABLE THE PRESIDENT: Let me tell the Honourable Member once again that the decision of the Governor General is final and I am not going to allow any further discussion.

THE HONOURABLE MR. HOSSAIN IMAM: I do not question the decision of the Governor General, Sir. My question is, what specific rule debars us from bringing a matter for increasing the taxation—because the language of the Government of India Act, 1919, is only that it shall not be lawful to introduce any measure which affects the public revenues of India.

THE HONOURABLE THE PRESIDENT: The Honourable Member has not read that section properly. If he reads clause 2 properly he will find that the reference is to any revenue or any tax.

THE HONOURABLE MR. HOSSAIN IMAM: Any charge, Sir, means expenditure. We are not allowed to impose upon the Government—

THE HONOURABLE THE PRESIDENT: I have already informed the Honourable Member that he is too late in raising this question at this stage and I will not allow it.

THE HONOURABLE MR. HOSSAIN IMAM: I was under the impression, Mr. President, that on a point of information (it is not a criticism) that questions could be asked during any stage of the discussion of a Bill, as long as I am not criticising the decision or asking for it to be changed? I am only asking for information from the Honourable the Leader of the House or the Mover as to

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where it is laid down, that any measure for increasing the tax should have the previous sanction of the Governor General. The relevant section of the Government of India Act refers only to any measure affecting the public revenues of India. If it is carried to its limit it will mean that we cannot bring any measure for either reduction or increase of taxation, whereas the practice of the House has been that reductions have been allowed without sanction but it is only when we ask for an increase of taxation that we are told that we cannot do so without the previous sanction of the Governor General. Mr. President, as I have said we have been placed in a predicament. We can neither oppose the measure nor be a party to its passage. Therefore, Sir, I cannot support it.

THE HONOURABLE THE PRESIDENT : Order, order. As the Honourable Member has raised the question at this stage, though too late, and has endeavoured to put an interpretation on section 67 (2) (a) which is not borne out either by the language of the section or the practice which has prevailed in the past, I should like to explain the position. The Honourable Member knows that this Bill was an altogether *de novo* Bill. It was introduced after the expiration of the previous Bill. The Government came out with a suggestion that in the Bill should be inserted a certain fixed duty. If any Honourable Member wanted to move an amendment he must obtain the sanction of the Governor General and this is also borne out by the previous practice. The wording of clause (2) (a) to my mind though not very happily worded is sufficiently elastic to cover any new or increased taxation which Honourable Members may desire. It is the province of the Government of India only to ask for an increase in taxation. No Member can ask that any particular tax may be increased to any extent which is not suggested by the Government of India. The very wording—"public debt or public revenues of India or imposing any charge on the revenues of India"—covers a case of this kind in which an increase from Re. 1 to Rs. 1-8-0 is sought.

THE HONOURABLE MR. T. A. STEWART : Sir, so far as the general questions are concerned which have been raised in the speech of my friend, Mr. Hossain Imam, I think those have been sufficiently covered in advance by the speech of the Honourable the Leader of the House. There are only a few points more relevant to this clause to which I would refer. The Honourable Mr. Hossain Imam quoted a certain number of price statistics which demonstrated that Indian prices were going down while outside prices were going up. I am quite prepared to accept his statistics but what they appear to me to demonstrate, in the present circumstances is the complete inability of the import duty to raise Indian prices. As a matter of fact, in 1934, when the import duty was at the rate of Rs. 2 per cwt. the average price of Lyallpur wheat in Calcutta was Rs. 2-15-7 per maund. Last year, when according to so many of our Honourable friends the Government committed the atrocity of reducing that duty by eight annas, the result was that the price of Indian wheat in Calcutta kept fairly steady between Rs. 3-4-0 and Rs. 3-8-0 per maund.

THE HONOURABLE RAJA GHAZANFAR ALI KHAN : What was the Lyallpur price then ?

THE HONOURABLE MR. T. A. STEWART : You get the price at Lyallpur by subtracting from the Calcutta figure a fixed allowance for railway freight and handling charges, I have not got the figure. It may be something like 10 or 12 annas.

THE HONOURABLE MR. HOSSAIN IMAM : Will Mr. Stewart say what was its parity with world prices ?

THE HONOURABLE THE PRESIDENT : I would request Honourable Members to allow the Government Member to give his reply. You have all had your say sufficiently.

THE HONOURABLE MR. T. A. STEWART : Mr. Hossain Imam also wondered what had happened in the interregnum when there was no duty. He wondered whether there had been clearances of Australian wheat from bond. I think I can assure him that his apprehensions are groundless. It is not the practice to bond Australian wheat. Finally, I refer to rice. If I understood him aright, he complained that nothing was being done for the rice producer. I may inform my Honourable friend that I understand from Sir Bryce Burt
 1 P.M. that there are from 20 to 30 research stations working now on problems of the rice-grower, striving to produce better strains, to command better prices. If the Honourable Member is prepared to discount those efforts, then I am afraid I have no argument which could possibly appeal to him.

THE HONOURABLE MR. HOSSAIN IMAM : I referred to the Assembly's vote on the imposition of the duty on whole rice. The Honourable Member has not replied to that.

THE HONOURABLE THE PRESIDENT : Order, order. We have nothing to do with the Assembly in this House.

The Question is :

" That clause 2 stand part of the Bill".

The Motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

THE HONOURABLE MR. T. A. STEWART : Sir, I move :

" That the Bill, as passed by the Legislative Assembly, be passed".

(The Honourable Raja Ghazanfar Ali Khan rose.)

THE HONOURABLE THE PRESIDENT : Have you got anything new to say ?

***THE HONOURABLE RAJA GHAZANFAR ALI KHAN :** Yes, Sir. I would not have taken part a second time in this debate, but there are two points which were raised by the Honourable the Leader of the House and I would like to have further information on them. The first was this. The Honourable the Leader said that a Marketing Officer has been appointed by the Government of India who is making inquiries as to what arrangements should be made to see that the agriculturist gets a proper price instead of the middleman making the profit. I would like to know when this officer was appointed ? Is it not a fact that this acute depression in agricultural prices started in 1930 ? After six years, Government have appointed that officer, and how long will it take him to submit his report ? The other point is this. The

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Honourable Leader repeated three or four times in his speech that they were advised by their experts. As a matter of fact, I was trying to ask him the question as to who those experts were to whom he was referring. Because I consider that on the question of wheat, they should be guided by the opinion of the Governments of those provinces who grow wheat. The Punjab Government were definitely opposed to the reduction of this duty. I also understand that the United Provinces Government were definitely opposed to the reduction of this duty. We would therefore like to know who were the experts who have advised the Government of India against the advice of the Punjab Government. The third point is this. It was raised by my Honourable friend Mr. Hossain Imam. I am myself doubtful whether it is not merely a myth that the Governor General's sanction is required to raise the duty.

THE HONOURABLE THE PRESIDENT : Order, order. That point has been ruled by me, and you cannot say anything further on it. My decision is final.

THE HONOURABLE RAJA GHAZANFAR ALI KHAN : I will not say anything about it, but I would like the Honourable the Commerce Secretary to throw some light on these two points as to when the expert is going to submit his report, and secondly, who the expert was who advised Government ?

THE HONOURABLE KUNWAR SIB JAGDISH PRASAD : I had better get on to the experts. I think that there is some misunderstanding on the part of the House that the Government of India wish to shirk their responsibility and wish to throw the onus on their experts. I should like to disabuse the House of that impression. We fully take responsibility for the proposals. I do not think it is necessary for me to say whom we consulted, but the decision was ours and the responsibility is ours. Therefore, the question as to how and what opinions were given, what were the discussions inside the Executive Council does not arise. The decision is there, and we take full responsibility for the decision.

THE HONOURABLE RAJA GHAZANFAR ALI KHAN : You said " experts " four times.

THE HONOURABLE MR. T. A. STEWART : May I, Sir, answer the second question that was asked by the Honourable Raja Ghazanfar Ali Khan. The Marketing Officer was appointed in March last year and his report is expected in July.

THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA (United Provinces Central: Non-Muhammadan) : Sir, I cannot congratulate the Government on getting this Bill passed either in the lower House or in this House in the teeth of opposition. They have shut out all the ways possible for both the Houses to get the duty raised to Rs. 1-8-0. Notwithstanding the Resolution moved last year by the Honourable Mr. Yamin Khan and accepted by the Government, that the duty on wheat should be raised, Government thought it proper to lower it last year and they are going to lower it still further this year. In spite of the fact that in the other House a Resolution was passed on the protection of rice the Government have not paid heed to the decision of that House also. What does this show ? It shows that Government has its own imperialistic ways. They do not stand for the interests of the country which they govern but for the interests of the countries with which they have got better connections and they want to please them. If it is a fact, as the Honourable the Leader has

said, that last year's reduction has not produced any effect, what was the necessity of further reduction? The whole object was to shut out wheat from Australia and other countries, and if a duty of Rs. 1-8-0 was sufficient, where was the necessity for Government to go against the wishes of the elected Members who represent the agriculturists of the country and to reduce it further? There is some ulterior object surely, and that is, to help other countries. Sir, the Leader of the House took part in the discussion and so did the Commerce Secretary, but nobody has placed the import figures before the House. They have placed the figures of stocks in the markets of the world. They have talked about world prices as well as prices in India. But they have not placed the import figures which are very pertinent in deciding this question, and the policy of the Government to shut out foreign wheat. The Honourable the Leader also said that they had taken advice from experts and that even with a duty of Re. 1, foreign wheat would not be imported into India. May I ask who was their expert? I understand that the Governments of the Punjab and the United Provinces, which are mostly concerned—

THE HONOURABLE THE PRESIDENT: Order, order. You have heard from the Honourable the Leader of the House that the Government of India take full responsibility in the matter. They have done this after taking advice and consideration. It is unnecessary for you to dilate upon that point about Provincial Governments.

THE HONOURABLE LIEUTENANT-COLONEL NAWAB SIR MAHOMED AKBAR KHAN: He has taken the responsibility on his shoulder, or has the Commerce Member too taken the responsibility?

THE HONOURABLE THE PRESIDENT: He has said that the Government of India takes full responsibility.

THE HONOURABLE RAJA GHAZANFAR ALI KHAN: He said "experts".

THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA: But he was also talking about experts and we are quite in our competence if we want to know who were their experts. We the representatives of the agriculturists also know a little, even if we cannot claim to be experts, and if our advice in matters in which the Government's financial position is not touched is not to be considered I do not know what these Legislatures are meant for? We come here only to give our advice and to let the Government know the position in the respective parts of the country from which we come. We are told that experts have been consulted, but even the names of those experts are not divulged. If that is not to be the function of the Legislatures I do not know what purpose they can serve? Sir, we are in a very difficult position in opposing this measure. Government has also played a trick in this matter.

THE HONOURABLE THE PRESIDENT: Order, order. I will not allow you to use offensive language. You have systematically on this and other occasions resorted to such practice, and I draw your attention once and for all to Standing Order 28 which says that a Member when making a speech shall not make a personal charge against a Member or make use of offensive expressions regarding the conduct of the Indian or any local Legislature.

THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA : Sir, I have not made any comment on any person. I am always talking about the Government of India.

THE HONOURABLE THE PRESIDENT : You made use of the word "trick" which I object to. It is an offensive word ; it is unparliamentary language.

THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA : Well, Sir, if it is so I am prepared to withdraw it. But they have manoeuvred in such a way that this Bill should be brought before the House when the other Bill has expired so that the Members may be required to obtain previous sanction before moving any amendment. In that object they have been successful and we have been defeated. Now, it is very difficult for us to oppose the Bill at this stage, because if we do so the little gain that will be derived from the duty of Re. 1 per cwt. will also be lost. Therefore ours is a very difficult position, and the most unsuitable time has been selected for bringing this important Bill before this House, and I do not support it.

THE HONOURABLE THE PRESIDENT : The question is :

"That the Bill, as passed by the Legislative Assembly, be passed."

The Motion was adopted.

THE HONOURABLE THE PRESIDENT : I would like now to know the sense of the Council as to whether they would like to sit till 2 o'clock to finish the Mines Bill or would like me to adjourn the Council.

THE HONOURABLE LIEUTENANT-COLONEL NAWAB SIR MAHOMED AKBAR KHAN : Sit tomorrow.

THE HONOURABLE THE PRESIDENT : I am not going to postpone that measure till tomorrow. We have a very important Bill tomorrow.

THE HONOURABLE MR. P. N. SAPRU : I think, Sir, it would be better if we sit till 2 o'clock and finish today.

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : I am quite prepared to sit till 2 o'clock or sit after lunch, as suits the convenience of Honourable Members.

THE HONOURABLE THE PRESIDENT : I understand that the general consensus of opinion is that we should proceed with the Bill.

INDIAN MINES (AMENDMENT) BILL.

THE HONOURABLE MR. A. G. CLOW (Industries and Labour Secretary) : Sir, I move :

"That the Bill further to amend the Indian Mines Act, 1923, for certain purposes, as passed by the Legislative Assembly, be taken into consideration."

As Honourable Members will see from the Statement of Objects and Reasons this is a Bill designed to secure greater safety in mines, and to secure safety more particularly from the dangers that arise from fire. I shall try

to explain as briefly as possible how the present situation arises. In the principal coalfields in India the seams are of considerable and sometimes of great thickness. For the most part they are of a thickness of 15 to 40 feet, and even exceed 40 feet in some cases. Moreover they lie in some places, and more particularly in the Jharia field, over each other, separated from one another often by comparatively thin strata of incombustible material. Consequently one of the big problems that faces those engaged in extracting coal is that of supporting the roof when the coal is extracted. Now the method of mining most usually employed is a system of extraction in two stages. You first drive galleries in two directions at right angles to each other. Those Members who have not been down a mine or seen the plan of a coal mine will grasp it most easily if they think of a wooden trellis with bars running in two directions, where the bars of wood represent the galleries from which the coal is first extracted and the square or oblong spaces represent coal which is left for the second extraction, that coal being known by the not very appropriate term of "pillars." In other words, you extract the coal first from galleries and you leave the pillars for the second extraction. Now one of the most important factors is the amount of coal that is left for the second extraction. To put the matter rather crudely, good mining consists in extracting a comparatively small percentage first and leaving a larger percentage standing in pillars. The extraction of a very large percentage in the first stage, leaving the pillars small, is ordinarily bad mining and leads to difficulties later when you have to start the process of depillaring, this naturally starts, if I may put it that way, from the back forward, rather in the order in which the galleries were extracted. If the pillars are of adequate size depillaring, though always a somewhat delicate operation, can be conducted without serious fear of untoward consequences. In other words, you can control the collapse of the roof. You can extract the pillars and let the roof gradually fall as and where you wish it to fall. But if your pillars are inadequate, not only is there always present the danger of the roof falling where you do not expect it, but that danger is naturally increased when you start depillaring operations. Now that gives rise to danger. It obviously gives rise to danger at the time, although falls of roof are fortunately frequently able to be foreseen. But the crushing of the coal consequent on premature collapse sets up a process of oxidisation, and that in turn leads to fires. As illustrating the seriousness of the situation I may mention that in the Jharia field, where the risk is most serious, there are at the present moment 47 fires in progress affecting 29 collieries. Some of these have been in progress for a considerable time and are likely to go on, I am afraid, for a considerable time longer. There are also fires in other coalfields.

Now this problem of colliery fires was viewed until recently mainly from the point of view of conserving the coal. We did not have accidents directly due to fire, but within the last 12 months. In June last—an accident occurred at a colliery known as Bagdigi, which was directly due to fire. It was an accident of a serious and unprecedented kind. There was no fire in the seam which was being worked, but there was a fire in the seam above that, the noxious fumes from which were being drawn upwards through the broken strata above. Owing to an exceptional inrush of water the air current was reversed, with the result that the noxious fumes went down into the seam below and there was an explosion and fire. Actually nearly all the workers were got safely out of the mine and if they had only sat down a little further from the opening there would have been very few casualties. Nineteen were killed and seven injured; all but five of these persons were sitting outside the mine and they were injured by flames which came from inside. Only five persons were killed inside the mine and one of these was a man who had gone

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in to rescue the others. This accident arose, so to speak, from fire and water and although it might appear strange to the layman—and it did so appear to me until I learnt the facts—actually the most dangerous period is the monsoon is respect of danger from fires. And that explains why this measure is a matter of urgency, because there are certain steps and certain changes that we are anxious to introduce before the next monsoon comes upon us. The Bagdigi accident and the Report of the Court of Enquiry which followed it has shown that our Regulations are in certain respects inadequate for the purpose of safety from fire.

The Bill and the Regulations which we hope to bring into force if this measure is passed into law have been framed with the assistance of an informal Conference which met in Delhi about two months ago and which included representatives of the Local Government of Bihar and Orissa and of the principal Mining Associations, the Mine Managers' Associations and the Labour Associations. I would like to acknowledge the co-operation that we have received both from them and from the interests we subsequently consulted.

With that explanation, I do not think I need dwell on the actual clauses of the Bill at any length. As Honourable Members will see, the Bill consists of six clauses. Of these the first is introductory and the fourth is merely consequential on the fifth which is a clause, somewhat apart from the main structure of the Bill, giving powers to set up rescue stations and rescue brigades. It will, I hope, be a very valuable measure for reducing casualties in the coalfields. Such stations have been set up in Great Britain and I believe there is one in India in the Kolar Gold field, but as yet there is none in our coalfields.

That leaves three clauses and the most important clauses are perhaps 3 and 6, which relate to the framing of Regulations. We have at present very nearly adequate powers to frame Regulations and the additions to that power which are contained in clause 3 are, as Honourable Members will see, of a comparatively minor character. But the main difficulty is that under the Mines Act as it stands today Regulations cannot be framed speedily. The Act provides that before we frame any Regulations we must send a draft to the Mining Boards and allow them time for consideration, and then we have to consider their criticisms and in some cases of course revise the draft. Thereafter the draft has again to be referred, this time to the public and to the interests concerned, by being published for criticism, and they have to be allowed a period of at least three months. So that however expeditiously the matter is carried on it takes at least nine months to make a change in any Regulations, and if they are complicated it often takes longer than that. The object of clause 6 therefore is to give the Government of India the power to frame Regulations promptly and to bring them into force at once. As Honourable Members will see, it contemplates only temporary Regulations. The intention is that after, or about the time these temporary Regulations are promulgated, a reference should be made to Mining Boards and thereafter to the public with a view to having them replaced by permanent Regulations made in the regular manner after the ordinary process of consultation.

The remaining clause of the Bill, clause 2, enlarges somewhat powers which are already vested in the inspectorate to make orders relating to individual mines and I hope that in view of the explanation I gave about fires its terms will be sufficiently clear. It is directly entirely to preventing premature collapse and the danger of consequent fire. But this clause, as Honourable Members will see, is intended to be temporary in its operation. It is proposed

that it should last only for two years. That is not because we have any hope that these fires will be extinguished within that period or that the danger will cease to exist. The position is that Government contemplate the appointment of a Committee to go into this question of danger from fires and some allied questions. I cannot conceal my opinion that the steps we are taking are not likely to prove entirely adequate and do not constitute a permanent solution of what is a very difficult problem. I might add that one of the questions which the Committee will probably be asked to look into, which is closely allied to this one, is that of the conservation of coal. It appears to be the case, and it is certainly fortunate, that those methods which are calculated to secure the best use of the national coal assets of the country are also likely to be the methods best calculated to secure the safety of those who work in mines. (Applause.)

*THE HONOURABLE MR. P. N. SAPRU (United Provinces Southern : Non-Muhammadan) : Sir, I desire to give my whole-hearted support to the Bill. The clauses of the Bill have been explained very lucidly by the Honourable Mr. Clow. They are designed to secure greater security for those who have to work in mines. Mining, as we know, is a very dangerous occupation, and anything that will secure some protection for those who have to work in mines is to be welcomed. The Honourable Mr. Clow has told us that Government have in contemplation the appointment of a Committee which would go into the question of dangers arising from fires in mines and other allied matters. Sir, the appointment of such a Committee is to be welcomed, but there are just one or two suggestions that I should like to make in connection with the work of this Committee. I hope, Sir, that on this Committee Labour will be adequately represented. It should not be merely an expert Committee. There should be some representation of Labour also on the Committee. After all it is the labour men who know best about the conditions in the mines and they know by actual experience what measures are necessary to protect them. Therefore I hope, Sir, that on this Committee Labour will be adequately represented. Then the second thing I should like to ask is that the terms of reference of this Committee should be as wide as possible. It should not be limited only to considering the question of danger from fire in mines but I hope, Sir, the term "allied subjects" will be interpreted in a wide sense. I should like the Committee, if that were possible, to investigate the question of wages and hours of work, particularly the question of hours of work. Long and excessive hours of work lead to inefficiency and therefore to neglect of mining regulations. Then, Sir, so far as clause 5 is concerned, that clause, Sir, provides powers to the Governor General in Council to set up rescue stations. I hope, Sir, that these rescue stations will be controlled not by employers but by the Government itself. This is all that I have got to say in regard to this Bill and finally I give it my hearty support.

THE HONOURABLE MR. A. G. CLOW : Sir, I should like to thank my Honourable friend, Mr. Sapru, for the support he has given to this Bill. With regard to the suggestions he has made, they will, of course, receive consideration. Government have not yet reached conclusions regarding either the terms of reference or the composition of the committee that may be set up and the one question is to some extent dependent on the other. They have not decided, for example, whether the committee shall be an expert one or a representative, I fully recognise that there is nobody more concerned than the miners themselves. But that does not necessarily mean, of course, that they are always the best advisers on the safety measures to be adopted.

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I am afraid I cannot hold out much prospect of the Committee going into the question of hours or wages. The question of hours was considered very exhaustively in recent years on various occasions,—for example, by the Whitley Commission. Then we had a subsequent inquiry at the instance of the Legislature with a view to the framing of the previous Bill amending the Mines Act. And when the effects of the present hours have, I think, been clearly demonstrated, there will probably be another inquiry on hours three years hence.

As regards rescue stations, my Honourable friend, I think, said that the section gave power to the Governor General in Council to set up rescue stations. If he will refer again to clause 5, I think he will find that that is not exactly the proposal. The proposal is that the Governor General in Council should be in a position to require groups of specified mines to set up the stations and the Government of India will not themselves have the power to establish the stations directly. If the stations are to be set up by the mines and paid for by the mines, I think the Honourable Member will recognise that the mines have at least the claim to be entrusted with the control of those stations.

THE HONOURABLE THE PRESIDENT: The Question is:

“That the Bill further to amend the Indian Mines Act, 1923, for certain purposes, as passed by the Legislative Assembly, be taken into consideration”.

The Motion was adopted.

Clauses 2, 3, 4, 5 and 6 were added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

THE HONOURABLE MR. A. G. CLOW: Sir, I move:

“That the Bill, as passed by the Legislative Assembly, be passed”.

The Motion was adopted.

STATEMENT OF BUSINESS.

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD (Leader of the House): Sir, the Bill further to amend the Indian Tariff Act, 1934, for certain purposes, as passed by the Legislative Assembly, was laid on the table of the House this morning. I would request you, Sir, to give a direction that this Bill be taken into consideration and discussed tomorrow. I very much regret that I should have to make this request but the circumstances are peculiar. The Bill was only passed by the Legislative Assembly yesterday afternoon while we were in session and I think it is the general desire of Honourable Members on all sides of the House that after their protracted stay in New Delhi they would like to go back and take a well-deserved rest and holiday. So, Sir, as I think there is a general consensus of opinion on this occasion, you may be pleased to suspend the Standing Order.

THE HONOURABLE THE PRESIDENT (to the Leader of the Opposition): Have you anything to say?

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: No, Sir.

THE HONOURABLE THE PRESIDENT: Then I will suspend the Standing Order and allow the Bill to be taken up tomorrow.

The Council then adjourned till Eleven of the Clock on Saturday, the 25th April, 1936.