

6th March 1940

THE

LEGISLATIVE ASSEMBLY DEBATES

Official Report

Volume II, 1940

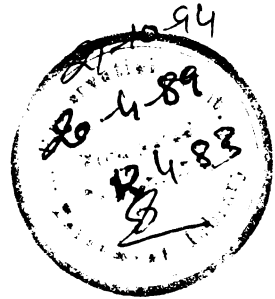
(6th March to 26th March, 1940)

ELEVENTH SESSION

OF THE

FIFTH LEGISLATIVE ASSEMBLY,

1940



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

© 1940

Legislative Assembly

President :

THE HONOURABLE SIR ABDUR RAHIM, K.C.S.I.

Deputy President :

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

Panel of Chairmen :

DR. SIR ZIAUDDIN AHMAD, C.I.E., M.L.A.

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

SIR COWASJI JEHangIR, BART., K.C.I.E., O.B.E., M.L.A.

MR. A. AIKMAN, C.I.E., M.L.A.

Secretary :

MIAN MUHAMMAD RAFI, BAR.-AT-LAW.

Assistants of the Secretary :

MR. M. N. KAUL, BAR.-AT-LAW.

KHAN SAHIB S. G. HASNAIN.

Marshal :

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

Committee on Petitions :

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

MR. A. AIKMAN, C.I.E., M.L.A.

SYED GHULAM BHIK NAIRANG, M.L.A.

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

SIR ABDUL HALIM GHUZNAVI, M.L.A.

CONTENTS.

VOLUME II.—6th March to 26th March, 1940.

	PAGES.		PAGES.
WEDNESDAY, 6TH MARCH, 1940,—		MONDAY, 11TH MARCH, 1940,—	
Member Sworn	957, 979	Starred Questions and Answers	1087—98
Starred Questions and Answers	957—75	Unstarred Question and Answer	1098
Unstarred Questions and Answers	975—79	Short Notice Question and Answer	1098—1100
Publicity of the Proceedings of the Meetings of Select Committees	979	Statements laid on the Table	1100—04
The Excess Profits Tax Bill—Presentation of the Report of the Select Committee	979	The General Budget—List of Demands	1104—58
Messages from the Council of State	980	Demand No. 12—Executive Council	1104—58
The Drugs Bill—Extension of the time for the presentation of the Report of the Select Committee	980—87	Forward Policy of the Government of India in the North-West Frontier Province	1104—17
The Coal Mines Safety (Stowing) Amendment Bill—Passed	987—92	Government of India's Policy <i>re</i> Recognition of Unions	1117—20
The Agricultural Produce Cess Bill—Referred to the Select Committee	992—1025	War aims of the British Government	1120—58
FRIDAY, 8TH MARCH, 1940,—		TUESDAY, 12TH MARCH, 1940,—	
Starred Questions and Answers	1027—40	Starred Questions and Answers	1159—76
Unstarred Questions and Answers	1040—42	Unstarred Questions and Answers	1176—83
The General Budget—List of Demands	1042—86	Publicity of the Proceedings of the Meetings of the Select Committee	1183—84
Demand No. 12—Executive Council	1043—86	The General Budget—List of Demands—	1184—1249
Importance of initiating a decisive policy of training Indians to undertake the defence of the Country and of establishing a Defence Advisory Committee	1043—70	Demand No. 12 —Executive Council—	1184—1237
Indianisation of the Indian Army	1071—82	Taxation Policy of Government	1184—1206
Forward Policy of the Government of India in the North-West Frontier Province	1082—86	Grievances of Government Employees	1207—23
		Indifferent Attitude of the Government towards the welfare of the Scheduled Castes	1224—36
		Demand No. 1—Customs	1237

TUESDAY, 12TH MARCH, 1940,—
contd.

The General Budget—List of
Demands—*contd.*

Demand No. 2—Central Ex- cise Duties	1237
Demand No. 3—Taxes on Income including Corpo- ration Tax	1237
Demand No. 4—Salt	1237
Demand No. 5—Opium	1237
Demand No. 6—Provincial Excise	1238
Demand No. 7—Stamps	1238
Demand No. 8—Forest	1238
Demand No. 9—Irrigation (including Working Ex- penses), Navigation, Em- bankment and Drainage Works	1238
Demand No. 10—Indian Posts and Telegraphs De- partment (including Work- ing Expenses)	1238
Demand No. 11—Interest on Debt and other Obligations and Reduction or Avoid- ance of Debt	1238
Demand No. 13—Council of State	1239
Demand No. 14—Legislative Assembly and Legislative Assembly Department	1239
Demand No. 15—Home De- partment	1239
Demand No. 16—Legislative Department	1239
Demand No. 17—Depart- ment of Education, Health and Lands	1239
Demand No. 18—Finance Department	1239
Demand No. 19—Commerce Department	1240
Demand No. 20—Depart- ment of Labour	1240
Demand No. 21—Depart- ment of Communications	1240
Demand No. 22—Central Board of Revenue	1240
Demand No. 23—India Office and High Commis- sioner's Establishment charges	1240

PAGES.

TUESDAY, 12TH MARCH, 1940,—
contd.

The General Budget—List of
Demands—*contd.*

Demand No. 24—Payments to other Governments, De- partments, etc., on account of administration of Agency Subjects and management of Treasuries	1240
Demand No. 25—Audit	1241
Demand No. 26—Adminis- tration of Justice	1241
Demand No. 27—Police	1241
Demand No. 28—Ports and Pilotage	1241
Demand No. 29—Lighthouses and Lightships	1241
Demand No. 30—Survey of India	1241
Demand No. 31—Meteorolo- gy	1242
Demand No. 32—Geological Survey	1242
Demand No. 33—Botanical Survey	1242
Demand No. 34—Zoological Survey	1242
Demand No. 35—Archæology	1242
Demand No. 36—Mines	1242
Demand No. 37—Other Sci- entific Departments	1243
Demand No. 38—Education	1243
Demand No. 39—Medical Services	1243
Demand No. 40—Public Health	1243
Demand No. 41—Agricul- ture	1243
Demand No. 42—Imperial Council of Agricultural Research	1243
Demand No. 43—Scheme for the improvement of Agri- cultural Marketing in India	1244
Demand No. 44—Imperial Institute of Sugar Techno- logy	1244
Demand No. 45—Civil Vete- rinary Services	1244
Demand No. 46—Industries	1244
Demand No. 47—Aviation	1244
Demand No. 48—Broad- casting	1244

PAGES.

	PAGES.
TUESDAY, 12TH MARCH, 1940,—	
<i>concl.</i>	
The General Budget—List of Demands— <i>concl.</i>	
Demand No. 49—Capital outlay on Broadcasting	1245
Demand No. 50—Indian Stores Department	1245
Demand No. 51—Commercial Intelligence and Statistics	1245
Demand No. 52—Census	1245
Demand No. 53—Emigration—Internal	1245
Demand No. 54—Emigration—External	1245
Demand No. 55—Joint Stock Companies	1246
Demand No. 56—Miscellaneous Departments	1246
Demand No. 57—Currency	1246
Demand No. 58—Mint	1246
Demand No. 59—Civil Works	1246
Demand No. 60—Central Road Fund	1246
Demand No. 61—Superannuation Allowances and Pensions	1247
Demand No. 62—Stationery and Printing	1247
Demand No. 63—Miscellaneous	1247
Demand No. 64—Grants-in-aid to Provincial Governments	1247
Demand No. 65—Miscellaneous Adjustments between the Central and Provincial Governments	1247
Demand No. 66—Delhi	1247
Demand No. 67—Ajmer-Merwara	1248
Demand No. 68—Panth Piploda	1248
Demand No. 69—Andaman and Nicobar Islands	1248
Demand No. 70—Indian Posts and Telegraphs	1248
Demand No. 71—Indian Posts and Telegraphs—Stores Suspense (not charged to revenue)	1248
Demand No. 72—Indian Posts and Telegraphs—Capital outlay on Telephone Projects (not charged to revenue)	1248

	PAGES.
TUESDAY, 12TH MARCH, 1940,—	
<i>concl.</i>	
The General Budget—List of Demand— <i>concl.</i>	
Demand No. 73—Capital outlay on Vizagapatam Harbour	1249
Demand No. 74—Delhi Capital outlay	1249
Demand No. 75—Commuted Value of Pensions	1249
Demand No. 76—Interest-free advances	1249
Demand No. 77—Loans and Advances bearing Interest	1249
WEDNESDAY, 13TH MARCH, 1940,—	
Starred Questions and Answers	1251—71
Election of the Standing Committee for Roads	1272—73
Election of the Standing Committee for the Department of Communications	1273—75
The Excess Profits Tax Bill—Discussion on the motion to consider not concluded	1275—1308
THURSDAY, 14TH MARCH, 1940,—	
Member Sworn	1309
Starred Questions and Answers	1309-15
Unstarred Questions and Answers	1316
The Agricultural Produce Cess Bill—Appointment of Khan Sahib Abdul Hamid to the Select Committee	1317
The Excess Profits Tax Bill—Consideration of clauses not concluded	1317—61
FRIDAY, 15TH MARCH, 1940,—	
Starred Questions and Answers	1363—73
Unstarred Questions and Answers	1374—76
The Drugs Bill—Presentation of the Report of the Select Committee	1376
The Excess Profits Tax Bill—Discussion on the consideration of clauses not concluded	1376—1424

PAGES.	PAGES.
MONDAY, 18TH MARCH, 1940,—	WEDNESDAY, 20TH MARCH, 1940,
Member Sworn 1425	— <i>contd.</i>
Starred Questions and Answers 1425—56	Notification <i>re</i> certain amendments to the Motor Vehicles International Circulation Rules 1612
Unstarred Questions and Answers 1456—58	The Excess Profits Tax Bill—Passed as amended 1612—60
Statements laid on the Table 1458—60	THURSDAY, 21ST MARCH, 1940,—
Election of the Standing Committee for the Department of Communications 1460	Members Sworn 1661
Election of the Standing Finance Committee for Railways 1460—65	Starred Questions and Answers 1661—71
Election of the Central Advisory Council for Railways 1466	Short Notice Question and Answer 1671—73
Election of the Standing Committee for the Labour Department 1466	Election of the Standing Committee for the Labour Department 1674
Election of the Standing Committee for the Department of Commerce 1466—68	Statement laid on the Table 1674
Election of the Standing Committee on Emigration 1468—70	The Agricultural Produce Cess Bill—Presentation of the Report of the Select Committee 1674
Election of the Standing Finance Committee 1470—75	The National Service (European British Subjects) Bill—Introduced 1674
The Indian Mines (Amendment) Bill—Introduced 1476	The Petroleum (Amendment) Bill—Introduced 1675
The Excess Profits Tax Bill—Discussion on the consideration of clauses not concluded 1476—1511	The Indian Tariff (Amendment) Bill—Introduced 1675
TUESDAY, 19TH MARCH, 1940,—	The Insurance (Amendment) Bill—Introduced 1675
Starred Questions and Answers 1513—23	The Indian Tariff (Second Amendment) Bill—Introduced 1675—76
Election of Members to the Standing Committee for Roads 1523—24	The Indian Finance Bill—Discussion on the motion to consider not concluded 1676—1725
The Excess Profits Tax Bill—Discussion on the consideration of clauses not concluded 1524—81	TUESDAY, 26TH MARCH, 1940,—
Report of the Committee on Conveyance Allowances admissible to Members of the Indian Legislature 1581	Starred Questions and Answers 1727—35
Appendix 1582—84	Unstarred Questions and Answers 1736
WEDNESDAY, 20TH MARCH, 1940,—	Election of the Standing Committee for the Department of Commerce 1736
Starred Questions and Answers 1585—1602	Message from the Council of State 1737
Unstarred Questions and Answers 1602—11	The Motor Vehicles (Amendment) Bill—Introduced 1737
Statement of Business 1611	The Indian Finance Bill—Discussion on the motion to consider not concluded 1737—90

LEGISLATIVE ASSEMBLY

Wednesday, 6th March, 1940.

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

MEMBER SWORN.

Pandit Pyare Lal Sharma, M.L.A. (Cities of the United Provinces: Non-Muhammadian Urban).

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

STAFF IN THE BRIDGE ENGINEERING WORKS AT MANMAD, GREAT INDIAN PENINSULA RAILWAY.

279. *Mr. J. Ramsay Scott (on behalf of Lieut.-Colonel Sir Henry Gidney): Will the Honourable the Railway Member be pleased to state:

- (a) how many officials, subordinates and workmen, are employed in the Bridge Engineering Works at Manmad on the Great Indian Peninsula Railway, giving designation and pay of each cadre of employees;
- (b) how many of them are Europeans and Anglo-Indians, Muslims, Hindus, etc.;
- (c) how many of the officers are on the permanent cadre and how many temporary;
- (d) how many of the subordinates are permanent and how many temporary;
- (e) why officers alone are on the permanent cadre, and some of the subordinates are working for ten to eighteen years as temporary; and
- (f) whether any representations have been made to take this temporary staff on the permanent cadre; what is the reason for not doing so?

The Honourable Sir Andrew Clow: (a) and (b). I lay a statement on the table giving the required information.

(c) Three permanent, and none temporary.

(d) 74 permanent and four temporary.

(e) In view of the reply to part (d) this does not arise, but I may add that the Bridge Department is organised to provide a permanent nucleus which is supplemented by a temporary cadre when additional works are taken in hand.

(f) No representations have been received by Government. Subordinate temporary staff, if suitable are in due course likely to fill vacancies in the subordinate permanent cadre.

Assistant General Foreman	275—15—375	300	..	..	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..	1
Bridge Inspector	300—20—500	350	..	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	1
Bridge Inspector	300—20—500	300	..	..	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..	1
Mechanical Supervisor	170—10—250	200	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	1
Total			1	3	2	..	..	..	..	..	..	..	..	..	..	..	..	..	..	6
<i>Clerical Staff.</i>																				
	Rs.																			
Clerks	120—8—160	120	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	2
Clerks	80—8—120	100	4	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	4
Clerks	60—5—80	30—4—50—5—80	21	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	22
Clerks	40—5—60	30—4—50—5—80	17	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	17
Material Checkers	30—4—40	30—4—50	9	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	9
Total			52	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	54
<i>Drawing Office Staff.</i>																				
	Rs.																			
Head Draftsman	240—5—300	350	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	1
Draftsman	160—10—200	160	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	1
Draftsman	120—8—160	120	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	1
Draftsman	80—8—120	50—5—80	4	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	4
Tracers	60—5—80	30—4—50	2	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	2
Tracers	40—5—60	40—5—60	4	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	5
Total			12	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	14

Statement showing the Officers and Subordinates in the Bridge Engineer's Workshop, Mamnad—contd.

Description.	Scale of pay.		No.								Total.	
	Old.	New.	Hindos.	Europeans.	Anglo-Indians.	Muslims.	Indian Christians.	Parsis.	Sikhs.	Jews.		
Bridge Inspectors	Rs. 170—10—250		..	..	2	..	..	..	..	..	..	2
Assistant Bridge Inspectors	120—8—160		..	..	2	..	..	..	..	..	..	2
		Total	..	..	4	..	..	..	..	..	..	4
		Total Subordinates	65	3	6	..	2	2	..	..	..	78

TEMPORARY.

Subordinate Supervising Staff.

Rs.

170—10—250

120—8—160

Total

Total Subordinates

Statement showing the Workmen in the Bridge Engineers' Workshop, Mamnad

Description.	Scale of pay.		No.								
	Old.	New.	Europeans.	D. Europeans and Anglo-Indians.	Hindus.	Muslims.	Sikhs.	Indian Christians.	Parsis.	Other Communities.	Total.
Nowghanies	Rs. 18-1-23	Rs. 17-1-21	..	..	97	11	..	6	..	1	115
Heaters	14	20	..	..	10	2	..	1	..	..	13
Assistant Drivers	45/12	30-2-45	..	..	4	..	1	..	..	..	5
Coolies	15-1-21	14-1-20	..	..	106	4	..	4	..	1	115
Assistant Assemblers	22/12	22	..	..	22	2	..	2	..	..	26
Assistant Fitters	26	20-2-26	..	..	6	2	..	..	..	1	9
Erectors . . . . .	..	S. 36 O. 24	..	..	11	..	..	..	..	..	11
Mechinists	52	26-3-52	..	..	30	3	..	4	..	..	37
Dollymen	22/12	22	..	..	8	1	1	..	..	..	10
Assemblers	32/8	22-2-30	..	4	44	2	1	3	..	1	55

Mason	26-3-42	26-2-42	1	1					1
Store Issuer	22/12	22	3	3					3
Moulders	56/8	30-3-52	18	18					19
Chippers	22-1-30	S. 20	7	7					10
Carpenters	39	O. 26-2-42 S. 43-3-49	3	3					3
Carpenter Boys	13	12	2	2					2
Strikers	17-1-24	16-1-22	6	6					6
Assistant Blacksmiths	26	20-2-26	11	11			2		13
Blacksmiths	52	O. 26-3-48 S. 49-3-52	21	21				1	22
Gatekeepers	14-1-16	13-1-15	2	2					2
Candidate Craneman	19/8	20	1	1					1
Muccadum	20-1-27	18-1-25	1	1					1
Ticket Issuers	22/12	22	2	2					2
French Polishers	39	26-2-40	1	1					1
Superior Carpenters	39	43-3-49	3	3					3
Mochi	30-2-40	S. 30	1	1					1
Hammermen	17-1-24	16-1-22	7	7					9
Tent Repairer	22/12	22	1	1					1
Turners	52	26-3-48	7	7				1	10

Furnace men	18-1-22	22	..	..	2	..	..	..	..	2
Assistant Carpenters	26	24	..	..	4	..	..	..	..	4
Cabinet Makers	45/8	26-2-42	..	..	3	..	..	..	..	3
Caneman	22-1-30	20-1-27	..	..	1	..	..	..	..	1
Pattern Makers	45/8	26-2-42	..	..	2	..	..	..	..	2
Watchmen	14-1-18	13-1-17	..	..	7	1	..	..	..	8
Naik	20-1-30	20-1-26	..	..	1	..	..	..	..	1
Peons	14-1-19	13-1-18	..	..	9	1	..	..	..	10
Waterman	13-1-16	13-1-16	..	..	1	..	..	..	..	1
Maistries	80-5-100-10/2-	65-5/2-85	..	..	7	..	..	..	..	7
Chamemen	120 45	..	..	..	7	1	..	..	..	8
Total			..	16	557	51	6	30	..	7	687

DISABILITIES OF THE SUBORDINATES OF THE BRIDGE ENGINEERING WORKS AT MANMAD, GREAT INDIAN PENINSULA RAILWAY.

280. *Mr. J. Ramsay Scott (on behalf of Lieut.-Colonel Sir Henry Gidney): Will the Honourable the Railway Member please state:

- (a) whether the subordinates of the Bridge Engineering Works at Manmad; Great Indian Peninsula Railway, are not permitted:
 - (i) to subscribe to the Provident Fund,
 - (ii) to have carriages when on duty and out of their headquarters, and
 - (iii) to take their families with them unless travelling on a privilege pass;
- (b) whether when working away from headquarters, their *batta* is restricted; and
- (c) what is the specific rule for the restriction of their *batta* referred to in part (b) above?

The Honourable Sir Andrew Olow: (a) (i). No. All permanent subordinate staff detailed in the statement laid on the table of the House today in connection with the reply to the preceding question are entitled to subscribe to the Provident Fund. Two temporary Bridge Inspectors governed by the Great Indian Peninsula Railway Company Rules also subscribe to the Provident Fund.

(ii) Five carriages have been provided for the use, while on duty, of four Bridge Inspectors and two Assistant Bridge Inspectors.

(a) (iii), (b) and (c). I have called for certain information and will lay a reply on the table of the House in due course.

COMPULSION TO OCCUPY QUARTERS BY THE BRIDGE INSPECTORS, BRIDGE ENGINEERING WORKS AT MANMAD, GREAT INDIAN PENINSULA RAILWAY.

281. *Mr. J. Ramsay Scott (on behalf of Lieut.-Colonel Sir Henry Gidney): Is the Honourable the Railway Member aware that the Bridge Inspectors on the Great Indian Peninsula Railway, Engineering Works, Manmad, are compelled to occupy railway quarters, though their actual stay at headquarters is for four days at the most and that they are compelled to pay full rent for such occupancy?

The Honourable Sir Andrew Olow: Bridge Inspectors appointed prior to 1st April, 1932, are entitled to free quarters when available, and if not available, an allowance in lieu of free quarters. Those appointed after 1st April, 1932, are not entitled to free quarters, but may be granted quarters if they require them and if available. Staff leaving Manmad, without a change in their Headquarters, are liable to pay rent for their quarters at Manmad if they are not vacated.

CONFIRMATION OF WORKMEN IN THE BRIDGE ENGINEERING WORKS AT MANMAD, GREAT INDIAN PENINSULA RAILWAY.

282. *Mr. J. Ramsay Scott (on behalf of Lieut.-Colonel Sir Henry Gidney): (a) Will the Honourable the Railway Member kindly state

whether it is a fact that many of the men in the Bridge Engineering Works at Manmad, Great Indian Peninsula Railway, have over fifteen years service and are denied being graded as permanent cadre workmen?

(b) Are Government prepared to make this department a permanent concern and confirm all the staff, as in the case of the officials? If not, why not?

(c) Are Government aware that the keeping of such a large number of workmen in the temporary establishment, while not a single official is temporary, is looked upon as just another method of economy against the subordinates and workmen, and acts to their prejudice?

The Honourable Sir Andrew Clow: (a) I understand that there are five men with over 15 years' service.

(b) I would refer the Honourable Member to my reply to parts (d) and (e) of his question No. 279. Of the workmen, 215 are treated in the same way as workshop staff on Railway workshops and have the privilege of subscribing to the Provident Fund and are entitled to one month's notice of discharge or one month's pay in lieu.

(c) No.

EXPENDITURE ON IMPROVEMENTS IN THE BRIDGE ENGINEERING WORKS AT MANMAD, GREAT INDIAN PENINSULA RAILWAY.

283. ***Mr. J. Ramsay Scott** (on behalf of Lieut.-Colonel Sir Henry Gidney): Will the Honourable the Railway Member be pleased to state the total amount of expenditure incurred by the railway in making improvements in the Bridge Engineering Works, Manmad, Great Indian Peninsula Railway, giving details for each department?

The Honourable Sir Andrew Clow: Enquiries are being made from the Railway Administration and a reply will be laid on the table in due course.

DENIAL OF THE BENEFITS OF PROVIDENT FUND TO MENIALS ON THE ASSAM BENGAL RAILWAY.

284. ***Mr. Akhil Chandra Datta:** Will the Honourable the Railway Member be pleased to state:

- (a) if Government are aware of the fact that many menials of the Assam Bengal Railway, though drawing a pay of over Rs. 20 and as such entitled to the advantage of Provident Fund, are not allowed the same advantage?
- (b) the number of such menials;
- (c) the reasons therefor; and
- (d) if Government are aware of the demand of the menials getting below Rs. 20 for the advantage of the Provident Fund and if they are prepared to consider the advisability of extending this advantage to them?

The Honourable Sir Andrew Clow: (a) and (c). Under the Rules of the Provident Institution on the Assam Bengal Railway Company Ltd., which they have forwarded to Government, menial servants are not subscribers to the Provident Fund.

(b) Government have no information.

(d) No: the staff employed on this railway are not Government servants and the matter is one for the Company to consider in the first instance.

DEMAND FOR WAR BONUS BY THE ASSAM BENGAL RAILWAY EMPLOYEES.

285. *Mr. Akhil Chandra Datta: Will the Honourable the Railway Member be pleased to state if Government are prepared to take into consideration the rise in prices and to consider the demand for war bonus by the Assam Bengal Railway employees?

The Honourable Sir Andrew Clow: No: the staff employed on this railway are not Government servants and the matter is one for the Company to consider in the first instance.

PROVISION OF MEDICAL RELIEF FOR THE CONSULATE STAFF, ETC., AT JALALABAD.

286. *Maulvi Abdur Rasheed Chaudhury: Will the Secretary for External Affairs please state:

- (a) whether it is a fact that there is neither a hospital nor a doctor in the British Consulate at Jalalabad;
- (b) whether there exists an Indian colony at Jalalabad, and whether it is a fact that a number of respectable guests now and then stay at the Consulate; and
- (c) what steps Government are taking for the arrangement of medical relief for the Consulate staff, visitors and Indian residents at Jalalabad?

Mr. O. K. Caroe: (a) Yes.

(b) Government are unaware of the existence of an Indian colony of any size at Jalalabad. It is true that guests of the order suggested in the question occasionally stay a night at the Consulate.

(c) In view of the very small staff of the Consulate and its comparative proximity to India, Government do not consider any special local arrangements for medical relief necessary. Further in an emergency medical assistance can be sent to the Consulate from His Majesty's Legation at Kabul, as has been done in the past.

Maulvi Abdur Rasheed Chaudhury: What arrangements exist for the medical treatment of people in the Consulate who may fall ill?

Mr. O. K. Caroe: As I have already said in answer to part (c), in the past a doctor has been sent down from His Majesty's Legation at Kabul. Also, it would be possible to obtain early medical relief by a telegraph to Peshawar.

Maulvi Abdur Rasheed Chaudhury: How far is that from Jalalabad?

Mr. O. K. Caroe: Jalalabad is situated about 40 miles beyond the Indo-Afghan frontier in the eastern province of Afghanistan.

PROMOTIONS TO ASSISTANT'S GRADE IN THE RAILWAY DEPARTMENT.

†287. *Mr. Umar Aly Shah: Will the Honourable Member for Railways please state:

- (a) the total strength of the first, second and third division clerks, separately, in the Railway Department as it stood on the 1st May, 1930;
- (b) the number of vacancies that occurred in the first division since 1st May, 1930;
- (c) the number of new posts that were created in the first division since 1st May, 1930;
- (d) the number of vacancies in the first division which were filled by promoting either second division or third division clerks;
- (e) the number of vacancies which were filled by appointing outsiders through the Public Service Commission or the Home Department, as the case may be; and
- (f) in how many cases a departure from the fifty-fifty per cent. rule was made in filling up the vacancies which occurred since the 1st May, 1930?

The Honourable Sir Andrew Clow: (a) The permanent strengths were 33, 45 and 29 respectively.

(b) and (d). I regret that I cannot undertake to trace all the vacancies, permanent or temporary; but of the men now in the first division, 19 have been promoted since the date mentioned by the Honourable Member. Of these, 12 were promoted from the second division, and none was directly promoted from the third division.

(c) 12 posts have been created and ten abolished, resulting in a net increase of two posts.

(e) One.

(f) The fifty per cent. rule regarding recruitment to the first division was introduced in the Railway Board's office from the 1st September, 1937. Since then three vacancies have been filled, two by promotion, and one by direct recruitment and one man was promoted to the first division when the special post he was holding was converted into a first division post.

PROMOTIONS TO ASSISTANT'S GRADE IN THE DEPARTMENT OF COMMUNICATIONS.

†288. *Mr. Umar Aly Shah: Will the Honourable Member for Communications kindly state:

- (a) the total strength of the first, second and third division clerks, separately, in the Department of Communications as it stood on the date of its creation;
- (b) the number of vacancies that occurred in the first division since that date;
- (c) the number of new posts created in the first division since that date;
- (d) the number of vacancies in the first division which were filled by promoting either second division or third division clerks;

†Answer to this question laid on the table, the questioner being absent.

- (e) the number of vacancies which were filled by appointing outsiders through the Home Department; and
- (f) in how many cases a departure from the fifty-fifty per cent. rule was made in filling up the vacancies which occurred since the date of the creation of the Department?

The Honourable Sir Andrew Clow: (a) 16, 14 and 18 respectively.

- (b) 4, of which 2 were purely temporary.
 (c) 9, of which 4 were purely temporary.
 (d) 9, of which 6 were purely temporary.
 (e) Four.
 (f) None.

PROMOTIONS TO ASSISTANT'S GRADE IN THE EXTERNAL AFFAIRS DEPARTMENT.

†289. ***Mr. Umar Aly Shah:** Will the Secretary for External Affairs please state:

- (a) the total strength of the first, second and third division clerks, separately, in the External Affairs Department as it stood on the date of its separation from the Political Department;
- (b) the number of vacancies that occurred in the first division since that date;
- (c) the number of new posts created in the first division since that date;
- (d) the number of vacancies in the first division filled by promoting either second division or third division clerks;
- (e) the number of vacancies filled by appointing outsiders through the Home Department; and
- (f) in how many cases a departure from the fifty-fifty per cent. rule was made in filling up the vacancies occurred since the date of separation?

Mr. O. K. Caros: (a) On the bifurcation of the late Foreign and Political Department on the 1st August, 1937, the total strength of the First, Second and Third Division Clerks in the External Affairs Department was as shown below:

Asaistants.	Second Division Clerks.	Third Division Clerks.
32, including one appointment of the Superintendent, Nepal.	27	14

- (b) 8 vacancies.
 (c) 3 temporary posts.
 (d) 4 permanent vacancies and 2 temporary vacancies likely to become permanent were filled by promotion.
 (e) 5 vacancies.
 (f) None.

†Answer to this question laid on the table, the questioner being absent.

ALLOTMENT OF FUNDS FOR CONSTRUCTION OF ROADS IN SIND.

290. *Mian Ghulam Kadir Muhammad Shahban: (a) Will the Honourable Member for Communications be pleased to state whether Government have received any representation from Sind Government for allotment of more funds from the 'Road Development Fund' for construction of roads in Sind? If so, how was the same disposed of?

(b) Is the Honourable Member aware that in Sind there are no metalled roads worth the name? If so, do Government propose to allot more funds for construction of such roads? If not, why not?

(c) What is the criterion for allotment of funds for road constructions to various Provinces in India?

(d) Are there any roads in Provinces which have been constructed directly by the Government of India? If so, why no such roads are being constructed by the Government of India in Sind Province also?

The Honourable Sir Andrew Clow: (a) Yes. The Provincial Government have been invited to put forward a short-term programme commensurate with the amount of money, which can be made available during the next two years, and as soon as this is approved it is proposed to make a further grant of Rs. 3 lakhs from the Central Reserve of the Road Fund.

(b) Government are aware that there is a very small mileage of metalled roads in Sind, but the need for better rural communications in Sind is such that it cannot be met merely by the extension of the mileage of metalled roads and the development of cheaper types is necessary. Government have made grants, and propose to make further grants, to assist programmes of road development which include both types of roads.

(c) The Honourable Member is referred to paragraph 3 of the Resolution on road development adopted by this Assembly on the 10th February, 1937. Grants from the Reserve with the Government of India are made for schemes of intrinsic importance and, particularly, in order to assist the less developed provinces and areas.

(d) The Government of India do not directly construct roads in provinces. They allocate to the provinces their shares in the Road Fund in accordance with the principles laid down in the Resolution referred to and make grants, where necessary, from the Central Reserve in the Road Fund. From the latter they have so far made grants totalling 14 lakhs to Sind.

BOOK-STALL CONTRACT ON THE NORTH WESTERN RAILWAY.

291. *Bhai Parma Nand: (a) With reference to the answer to my question No. 133, dated the 23rd February, 1940, will the Honourable the Railway Member state the General Manager of which Railway has renewed the contract?

(b) Has that General Manager got power to act for all Railways which enter into contract with the firm of Wheeler and Company?

(c) Has he been given full authority to make contracts on his own option?

(d) Was it not his duty to call for tenders on the expiry of the term of the contract?

(e) For how long has this firm enjoyed the privilege of this contract?

The Honourable Sir Andrew Clow: (a) As Messrs. Wheelers' contract with the North Western Railway was mentioned in the Honourable Member's question, my reply referred to the General Manager of that railway.

(b) No.

(c) The contracts which General Managers and other railway officials are empowered to execute are listed in Home Department Notification No. F.-10/1/36-Judicial, dated the 23rd August, 1937.

(d) There was no obligation on the part of the General Manager, North Western Railway, to call for fresh tenders on the expiry of this particular contract.

(e) Since 1888.

ABSENCE OF WAITING ROOM BEARERS AT MALAKWAL RAILWAY STATION.

†292. ***Khan Bahadur Shaikh Fazi-i-Haq Piracha:** (a) Will the Honourable the Railway Member please state whether Government are aware that Malakwal is a very important railway station and railway junction on the North Western Railway?

(b) Is it a fact that there are separate waiting rooms for first and second class passengers, and that there used to be two bearers (waiters) for each waiting room, who, since some months back, have been removed?

(c) Why were the waiters removed? Are Government aware that in the absence of waiters, passengers feel very great trouble and inconvenience?

(d) Are Government prepared to consider the question of reappointing the waiters (bearers) for each of the waiting rooms at Malakwal railway junction?

The Honourable Sir Andrew Clow: (a) No. It is a junction on the North Western Railway but I should not regard it as a very important railway station.

(b) There are separate first and second class waiting rooms. There used to be two bearers only, who were removed in October, 1939.

(c) Because their retention was not justified. The daily average of first and second class tickets issued and collected was only four; connecting trains are conveniently timed, and long halts at the station are unnecessary.

(d) No.

RECRUITMENT OF GUARDS ON THE NORTH WESTERN RAILWAY.

†293. ***Mr. Muhammad Azhar Ali:** (a) Will the Honourable Member for Railways be pleased to state if it is a fact that a certain number of Muslims were recruited as guards grade II on the North Western Railway in 1936?

(b) Is it a fact that a selection for existing vacancies in grade III was held in 1936, but the vacancies are going to be filled in 1940?

(c) Is it a fact that those Muslim employees who were recruited as guards in grade II in 1936, were not called in the selection for grade III held in 1936?

†Answer to this question laid on the table, the questioner being absent.

(d) Is it a fact that now those guards, mentioned in parts (a) and (c) above, are blocked on the maximum of grade II?

(e) Is it a fact that a delay of four years in filling the vacancies has put back for long years the prospects of these youngmen recruited in 1936?

(f) For what definite reasons the selection held in 1936 for promotion to grade III is considered current and up to the mark in 1940 and, when the vacancies were not to be actually filled in 1936, 1937, 1938 and 1939, why the selection was held so early?

The Honourable Sir Andrew Clow: With your permission, Sir, I propose to reply to questions Nos. 293 and 294 together. I have called for information and will lay a reply on the table of the House in due course.

RECRUITMENT OF GUARDS ON THE NORTH WESTERN RAILWAY.

†‡294. ***Mr. Muhammad Azhar Ali:** (a) Will the Honourable Member for Railways please state how many candidates in the list of selected candidates for promotion as guards on the North Western Railway from grade II to grade III prepared in 1936, belong to the Muslim and Hindu community?

(b) How many of the guards in grade II, who are recruited in 1936 and are now blocked on the maximum of grade II, are Muslims and Hindus?

(c) Is it a fact that these guards recruited in 1936 in grade II have also been denied an opportunity to qualify in T-5, i.e., Senior Assistant Station Masters' course? If so, why?

(d) How many Muslims and Hindus have been qualified in T-5 course during the last five years?

REPRESENTATION OF MUSLIMS IN THE RANKS OF SIGNAL AND BLOCK INSPECTORS ON THE EAST INDIAN RAILWAY.

†295. ***Mr. Muhammad Azhar Ali:** (a) Will the Honourable Member for Railways be pleased to enquire and state if he is aware that amongst the class of Signal Inspectors, Block Signal Inspectors, Assistant Signal Inspectors and Assistant Block Signal Inspectors, on the East Indian Railway, Muslim representation is practically *nil*?

(b) How many Muslims have worked as Signal Inspectors and Block Signal Inspectors on the said Railway during the last 25 years?

The Honourable Sir Andrew Clow: (a) The Classified List of Subordinate Staff of all Departments on Scales of Pay rising to Rs. 250 and above on the East Indian Railway shows that there are two Muslims in a cadre of 81 Inspectors and Assistant Inspectors in the Signal Department.

(b) Information for the last 25 years is not available, but for the last five years there has been none.

†Answer to this question laid on the table, the questioner being absent.

‡For answer to this question, see answer to question No. 293.

ASSISTANT SIGNAL AND BLOCK INSPECTORS EMPLOYED ON THE OUDH AND ROHILKUND AND EAST INDIAN RAILWAYS.

†296. *Mr. Muhammad Azhar Ali: (a) Will the Honourable the Railway Member please state how many Assistant Signal Inspectors and Assistant Block Signal Inspectors (separately) are employed now on the Oudh and Rohilkund Railway and East Indian Railway sections of the East Indian Railway?

(b) How many of them are Europeans, Anglo-Indians, Indian Christians, Hindus and Muslims?

(c) What are their grades on the two sections (East Indian Railway and Oudh and Rohilkund Railway)?

The Honourable Sir Andrew Clow: (a), (b) and (c). Such information as is available with Government will be found on pages 31 to 35 of the East Indian Railway Classified List of Subordinate Staff of all Departments on Scales of Pay rising to Rs. 250 and above, a copy of which is in the Library of the House.

SENIORITY OF ASSISTANT SIGNAL AND BLOCK INSPECTORS ON THE EAST INDIAN RAILWAY.

†297. *Mr. Muhammad Azhar Ali: (a) Will the Honourable the Railway Member please state whether it is a fact that seniority of Assistant Signal Inspectors and Assistant Block Signal Inspectors on the East Indian Railway is counted from the date of confirmation in the cadre?

(b) Is it a fact that some of them with greater length of service are held junior to those with less service?

(c) If the reply to part (b) be in the negative, will the Honourable Member be pleased to lay on the table a complete list of Assistant Signal and Assistant Block Signal Inspectors employed on the entire Railway in order of seniority and with the date of initial appointment and date of confirmation of each of them?

The Honourable Sir Andrew Clow: (a) and (b). Yes.

(c) Does not arise.

REPRESENTATION OF MUSLIMS IN THE RANKS OF SIGNAL AND BLOCK INSPECTORS ON THE EAST INDIAN RAILWAY.

†298. *Mr. Muhammad Azhar Ali: Is the Honourable Member for Railways prepared to take steps to ensure adequate Muslim representation in the rank of Signal and Block Inspectors on the East Indian Railway? If not, why not?

The Honourable Sir Andrew Clow: These posts are filled by promotion. Government have issued instructions regarding the communal representation of minority communities in direct recruitment to the Railway Subordinate Services, and as qualified Muslims become available in the Assistants' posts from which promotion is made, they will be considered for selection.

TRANSFER OF WORK CONNECTED WITH PILGRIMAGE TO HEDJAZ TO THE DEPARTMENT OF EDUCATION, HEALTH AND LANDS.

†299. *Khan Bahadur Shaikh Fazl-i-Haq Piracha: Will the Secretary for External Affairs please state :

- (a) whether it is a fact that the subject of Pilgrimage to Hedjaz, before it was transferred to the Department of Education, Health and Lands, was dealt with by the Foreign and Political Department; if so, what the reason for this transfer was; and
- (b) whether it is a fact that the work connected with pilgrimage to holy places in Iraq and Iran is being dealt with in the External Affairs Department; why this work was not transferred to the Department of Education, Health and Lands, like the work of the subject—Pilgrimage to Hedjaz?

Mr. O. K. Caroe: (a) No. Prior to the last war the Haj pilgrimage was dealt with by the Education Department. After the war the late Foreign and Political Department were drawn in more and more owing to political factors caused by the altered situation arising from the war. There was considerable overlapping and it was therefore decided that the then Education Department should be responsible for the transport arrangements and matters affecting sanitation and quarantine, while the late Foreign and Political Department should be responsible for all political matters.

(b) The External Affairs Department are dealing with the pilgrimage to the holy places in Iraq and Iran as no special transport arrangements are necessary and the questions arising from this pilgrimage are mostly political.

UNSTARRED QUESTIONS AND ANSWERS.

RAIDS, DACOITIES AND KIDNAPPINGS IN AGENCIES AND CERTAIN DISTRICTS.

60. **Maulvi Abdur Rasheed Chaudhury:** (a) Will the Foreign Secretary please give details in the following form of the raids, dacoities and kidnappings in the agencies and in the districts of Bannu, Kohat and Dera Ismail Khan, during the last three months, *viz.*, November, 1939, to January, 1940:

- (i) Serial number,
 - (ii) date of occurrence,
 - (iii) place of occurrence,
 - (iv) property looted,
 - (v) persons killed, and
 - (vi) persons kidnapped?
- (b) What steps are Government taking to stop these raids?

Mr. O. K. Caroe: (a) A statement containing the details asked for is laid on the table.

† Answer to this question laid on the table, the questioner being absent.

(b) The Honourable Member is referred to the reply given to part (b) of question No. 56C, asked by Mr. Lalchand Navalrai in this House on the 9th February, 1940.

Details of raids, dacoities and kidnappings that took place in the Tribal Areas of the North West Frontier, and in the Districts of Bannu, Kohat and Dera Ismail Khan, during the period 1st November, 1939 to 31st January, 1940.

Serial No.	Date of occurrence.	Place of occurrence.	Property looted.	Persons killed.	Persons kidnapped.
1	1-11-39	Bannu-Miranshah Road	Possessions of the passengers of a lorry.	...	...
2	2-11-39	Bannu Kohat Road	...	...	2 Hindus and 1 sub-inspector of police. (1 Hindu since killed).
3	3-11-39	Haider-i-Kach	Lorry looted of contents	...	...
4	3-11-39	Near Gul Imam	...	1 Hindu	...
5	5 6-11-39	Hasanni in Surani area	...	...	1 Mohammedan sub-inspector, Telephone Department.
6	5/6-11-39	Shah Alam (Near Tank)	...	...	1 Hindu.
7	6-11-39	Bannu-Razmak Road	...	...	2 Muslims.
8	7-11-39	Musakki	...	...	1 Hindu.
9	19-11-39	Bannu-Isha Road	Lorry looted of contents	...	...
10	24-11-39	D. I. Khan Tank	...	2. (1 Sikh) (1 Hindu).	Major Duggal with 2 Hindus.
11	25/26-11-39.	Mullazai	Ghee tins and other food stuff.	...	...
12	26-11-39	Khirgi-Jandola Road	Lorries looted of contents.	...	...
13	29-11-39	Bannu-Razmak Road	Food stuff and cash from lorry.	...	...
14	2-12-39	Landiwan (North Waziristan).	...	...	2 Hindus.
15	2-12-39	Bannu-Razmak Road.	Sheep from lorry	...	...
16	8-12-39	Near Khar Kamar	One letter and passengers' kit from a mail lorry.	...	...
17	8/9-12-39	800 yards from Wana Camp.	...	3 Hindus 1 Wazir badragga.	...
18	12-12-39	Bannu-Razmak Road.	Lorry looted of contents	...	3 men.
19	12/13-12-39.	Bazani Post	Bania shop looted of contents.	...	...
20	14-12-39	Bannu Datta Khel	Mail bag and passenger's property.	...	...
21	15-12-39	Kanirogha	Private lorry looted	...	...
22	19-12-39	Tal-Damdil Road (Waziristan).	...	...	2 Muslims.
23	24-12-39	Tanal Gulkach Road (Waziristan).	...	...	2 Hindus (M. E. S. employees).
24	25-12-39	Damdil Razmak Road (Waziristan).	Lorry looted of contents	...	...
25	25-12-39	Malagan (D. I. Khan)	...	...	9 of Frontier Constabulary.
26	26-12-39	Bannu-Razmak Road (Waziristan).	Lorry looted of contents	...	...

Serial No.	Date of occurrence.	Place of occurrence.	Property looted.	Persons killed.	Persons kidnapped.
27	26-12-39	Mama Khel (Bannu)	...	1	1
28	27-12-39	Bannu-Miranshah Road (Waziristan).	Clothes and other material from a lorry.	...	1 Hindu, 2 Muslims.
29	28-12-39	Razmak Tauda China Road (Waziristan).	Lorry looted of contents (sheep etc.).	...	...
30	29-12-39	Wana Camp	...	...	2 Hindus.
31	30-12-39	Bizal Khel (Bannu)	Lorry looted of contents	...	2 Muslims.
32	30-12-39	Plazha Baghza	Mall lorry looted	...	...
33	30-12-39	Plazha Baghza	Wana Mahsud Battalion lorry looted.	...	...
34	31-12-39	Bannu-Razmak Road.	Lorry looted of contents	...	1 Muslim.
35	2-1-40	Bannu-Razmak Road.	...	...	2 Hindus.
36	3-1-40	Between Faqir Chauki and Khru Khel (Bannu).	...	...	4 Muslims.
37	3/4-1-40	Plazha	Bania's house looted	...	...
38	5-1-40	Near Marai Naral (Waziristan) (Mall lorry searched and then allowed to proceed).	...	...	...
39	6-1-40	Bannu-Razmak Road.	Lorry looted of contents	1 Khassadar	1 postal official.
40	6-1-40	Tiarz a Ladha Road (South Waziristan).	...	...	1 Sikh.
41	7-1-40	Near Bizan Khel (Bannu).	...	...	1 Hindu, 1 Muslim.
42	7-1-40	Bannu	...	...	3 Hindus (1 died since).
43	7-1-40	Near Teriwam	Lorry held up. No loss	...	...
44	8-1-40	Near Gandali (Bannu)	...	...	1 Hindu.
45	8-1-40	Doaba Darsamand Road (Kohat Distt.)	...	...	4 persons.
46	9-1-40	Amandal near Bannu (School burnt).	...	...	...
47	10-1-40	Bannu Datta Khel Road.	Mall bag stolen from Mall lorry.	...	...
48	10-1-40	Daudshah Village (Bannu).	...	...	Frontier Constabulary sepoy.
49	11-1-40	Akbar Khan Takhti Khel.	...	...	2 women.
50	12/13-1-40	Manjiwala Village (Bannu).	...	...	1 Muslim.
51	14-1-40	Ghoriwala Village (Bannu).	...	...	5 Hindus (2 men 2 girls, 1 woman). (1 woman found killed later).
52	15-1-40	North of Zam Post	...	...	2 Khassadars
53	15-1-40	Lakki (Bannu)	...	1	...
54	18-1-40	Landidak	...	...	1 Hindu boy, 1 Muslim boy.
55	18-1-40	Jaler Algad	Civil lorry looted	...	...
56	20-1-40	Between Khirgi and Manzal.	Mall and civil lorry looted.	...	6
57	22/23-1-40	Jhandu (School burnt)	...	...	...
58	23/24-1-40	Shamshi (School damaged and furniture burnt).	...	...	...

Serial No.	Date of occurrence	Place of occurrence.	Property looted.	Persons killed.	Persons kidnapped.
59	24-1-40	Pirdill Killi			2 Hindu men, 1 Hindu woman.
60	25-1-40	Jandola-Razmak Road	Lorry looted of contents	...	8 Muslims.
61	25-1-40	Naurang Sarai . . .	...	...	3 Muslims, 3 Hindus.
62	28/29-1-40	Bharth . . . . .	...	...	1 Hindu and his wife.
63	29-1-40	Daud Shah . . . . .	...	...	1 Police constable.
64	29/30-1-40	Lakki (School burnt) .	...	...	...

DIESEL CARS PURCHASED BY THE NORTH WESTERN RAILWAY.

61. Khan Bahadur Shaikh Fazl-i-Haq Piracha: (a) Will the Honourable the Railway Member please state if it is a fact that some Diesel Cars were purchased by the North Western Railway in or about the year 1938? How long did each of the cars work? How many of them are still working, and how many of them are out of order?

(b) What was the amount spent in purchasing the cars, and what was the net earning from the cars?

(c) Is it a fact that these cars proved an utter failure?

(d) Is it a fact that in order to work the cars and to train persons here, men were imported from Hungary, who neither knew English nor Urdu to train the persons?

(e) How much salary was paid to these men, and for how long? Are they still in service?

(f) Who was the officer responsible for purchasing these cars?

The Honourable Sir Andrew Clow: (a) Eleven cars were ordered from Messrs. Associated Electrical Industries (India) Limited in 1938 and delivered in 1939. Each car completed 50,000 miles approximately during seven months in service. They have recently all been withdrawn from service for overhaul and modification by the contractors.

(b) The purchase price of the cars is about 15 lakhs, which is payable on certain conditions prescribed in the contract. As these conditions have not yet been fulfilled, no payment has yet been made. At this stage, I cannot state the exact net earnings from the cars, but the average occupancy was over 50 per cent. of the seating capacity and on this basis net earnings would be about $1\frac{1}{2}$ annas per car mile. Further savings are expected to accrue when heavier haulage units are released for other work on replacement by these cars.

(c) No.

(d) Under the terms of the contract, the manufacturers, Messrs. Ganz and Company, Budapest, had to provide maintenance engineers and staff for the initial trials and to instruct the North Western Railway staff in the maintenance of the cars. The engineers have sufficient knowledge of English to discharge this duty.

(e) These men are the employees of the contractor and not of Government, who are not responsible for their salary.

(f) This is not a matter in which responsibility rests with a particular officer. The project was sanctioned by Government and approved by the Standing Finance Committee for Railways as an experimental measure to prevent further loss of traffic to the roads by providing more frequent and faster services at a lower operating cost between certain important centres in the Punjab. This type of vehicle had, I understand, proved its suitability for this purpose in Europe. The order was placed through the Indian Stores Department.

MEMBER SWORN.

Mr. President (The Honourable Sir Abdur Rahim): The Chair is informed that Mr. Shrivastava, who proposes to take the oath today, is unwell and unable to move from his seat. In the circumstances, he may take the oath from his seat in the presence of the Secretary.

[Babu Hari Saran Prasad Shrivastava, M.L.A. (Muzaffarpur *cum* Champaran: Non-Muhammadan) was sworn in in his seat.]

PUBLICITY OF THE PROCEEDINGS OF THE MEETINGS OF SELECT COMMITTEES.

Mr. F. E. James (Madras European): Sir, I would like to draw your attention to a matter in regard to which I suggest the Chair should take some notice. Last Saturday, a report from a certain press agency alleging certain decisions which had been arrived at in the course of the Select Committee proceedings on the Excess Profits Tax Bill was published in a number of newspapers, and I understand that precisely the same message was broadcast by the Government of India itself from the All-India Radio Station in Delhi on Friday evening. I have always understood that the proceedings of a Select Committee are confidential, and I think it would be of very great value, not only to Members of this House, but also to the press generally for their guidance if you would give some explicit directions on this matter and put beyond the shadow of a doubt the position of Members of the Select Committee and the confidential nature of their proceedings. I hope, Sir, you will be good enough to take notice of this matter and to clear up any doubts that there may be from previous rulings of the Chair.

Mr. President (The Honourable Sir Abdur Rahim): The Chair has seen that report in one of the press messages. The Chair will consider the matter and give its ruling afterwards.

THE EXCESS PROFITS TAX BILL.

PRESENTATION OF THE REPORT OF THE SELECT COMMITTEE.

The Honourable Sir Jeremy Raisman (Finance Member): Sir, I present the Report of the Select Committee on the Bill to impose a tax on excess profits arising out of certain businesses.

MESSAGES FROM THE COUNCIL OF STATE.

Secretary of the Assembly: Sir, two Messages have been received from the Council of State. The first Message runs as follows:

"I am directed to inform you that the Council of State at its meeting held on the 5th March, 1940, agreed without any amendment to the following Bills which were passed by the Legislative Assembly at its meetings held on the 15th and 23rd February, 1940, namely:

1. A Bill to provide for the registration and more effective protection of Trade Marks;
2. A Bill further to amend the Indian Coinage Act, 1906;
3. A Bill to facilitate the changing of the date on which the annual accounts of the Reserve Bank of India are closed;
4. A Bill further to amend the Indian Emigration Act, 1922;
5. A Bill further to amend the Reserve Bank of India Act, 1934; and
6. A Bill to consolidate and amend the law relating to Arbitration."

The second Message is as follows:

"I am directed to inform you that the Bill further to amend the Factories Act, 1934, for a certain purpose, which was passed by the Legislative Assembly at its meeting held on the 23rd February, 1940, was passed by the Council of State at its meeting held on the 5th March, 1940, with the amendments, shown in the enclosed statement. The Council of State requests the concurrence of the Legislative Assembly in the amendments."

I lay on the table the Bill, as amended by the Council of State.

THE DRUGS BILL.

Sir Girja Shankar Bajpai (Secretary: Department of Education, Health and Lands): Sir, I move:

"That the time appointed for the presentation of the Report of the Select Committee on the Bill to regulate the import, manufacture, distribution and sale of drugs be extended up to the 15th March, 1940."

The position is that we have been able to hold only one meeting so far. We intend examining certain expert witnesses and we do not therefore feel that we should be in a position to present the report earlier than the 15th March.

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

"That the time appointed for the presentation of the Report of the Select Committee on the Bill to regulate the import, manufacture, distribution and sale of drugs be extended up to the 15th March, 1940."

Maulvi Muhammad Abdul Ghani (Tirhut Division: Muhammadan): Sir, I move:

"That in the motion for the figures and word '15th March' the figures and word '30th June' be substituted."

In moving my amendment I want to submit to the House that this is a Bill which requires careful examination. It is necessary to examine experts and visit various localities. The Bill deals not only with the control of drugs but also manufacture. How drugs are manufactured requires to be seen or at least the eliciting of information from expert witnesses. I cannot see why the Government should be in a hurry about it. This is not a taxation measure: it is a measure for the protection of the lives of the public and it requires careful consideration. The Bill was introduced in this House very recently and it was published in the Gazette in the month of February; and yet every step is being taken to expedite the measure. If Government have a genuine desire, as they appear to have, to guard public health, they should give some time to go through all the requirements before taking up this measure. There has been very little time for the persons affected by this Bill to give their opinions. Very few opinions have come up so far because the Bill was published only in the month of February. This measure should have been circulated for eliciting opinion but that was not done. I, therefore, thought it desirable to move this amendment so that there would be some time for the consideration of this Bill. So far as I have gone through this Bill, it does not provide for any safeguard or control over Ayurvedic and Tibbi patent medicines. If these patent medicines are not going to be controlled, then Allopaths will easily take shelter under a Unani or Ayurvedic name and they will commit any number of mischiefs on the health of the public. Therefore, very important things are wanting in this Bill, and we have to see how such patents, whether under the name of Unani or Ayurvedic, should be controlled. With these few words, I move my amendment.

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

"That in the motion for the figures and word '15th March' the figures and word '30th June' be substituted."

Pandit Lakshmi Kanta Maitra (Presidency Division: Non-Muhamadan Rural): Sir, I rise to support the amendment moved by my friend, Mr. Abdul Ghani. This Bill is apparently designed to control and regulate the import and manufacture of drugs in India. It is an outcome of several years' agitation on the part of the public to have a measure which will have the effect of controlling not only the import of drugs from abroad, but also of regulating the manufacture of local drugs and also their distribution. Sir, the Honourable Member in charge introduced a Bill relating to this subject in 1937. Then the idea was simply to control the imports. The Bill went into Select Committee which then came to the conclusion that mere control of import would not meet the needs of the situation but that a more comprehensive Bill was required, and that all the Provincial Governments should co-operate with the Central Government in bringing about legislation which would not only control the import but also regulate manufacture and distribution of drugs in all the different provinces. Accordingly, Sir, that Bill was withdrawn. Later on, another Bill was drafted and circulated. That was in August last. Sir, the opinion of the Provincial Governments was obtained thereon, but this time this Bill has been brought in in an entirely new form, quite different from the one in which it was circulated to Provincial Governments. This Bill was introduced here in February and published

[Pandit Lakshmi Kanta Maitra.]

for information at about the same time. Immediately it was referred to a Select Committee. The original date for submitting the Report of the Select Committee was, I believe, the 31st of March

Sir Girja Shankar Bajpai: 1st March.

Pandit Lakshmi Kanta Maitra: Thank you. I stand corrected. Now, the Honourable Member himself feels that as the Select Committee could not finish its deliberations having met only once, the time for submitting its report should be extended up to the 15th March. Sir, this Bill is of such a complicated nature and is of so technical a character and if enacted into law, its effects would be so far-reaching that we do not feel that Government will be justified in rushing it through in this manner. For instance, for the first time in the history of legislation of this kind, we find an attempt has been made in this Bill to define the word 'drugs', which has not been defined anywhere in any legislation bearing on the subject in any part of the world. What is a drug? According to the definition introduced here, many things which cannot be technically called medicines come within the meaning of the expression 'drug'. This is a highly technical matter, and I am told that the Select Committee has decided to examine on evidence Col. Chopra and others next week. But, Sir, the difficulty is that in a Bill of this kind

Sir Girja Shankar Bajpai: Sir, may I just draw your attention to the fact that the Honourable Member is mentioning what is supposed to have happened in the Select Committee.

Pandit Lakshmi Kanta Maitra: I am not mentioning anything of that kind, for I am not even a member of the Select Committee; but I am given to understand that expert evidence would be taken

Mr. President (The Honourable Sir Abdur Rahim) The Chair does not think the Honourable Member can say anything as to what transpired in the Select Committee.

Pandit Lakshmi Kanta Maitra: I do not know what happened there, but I just now heard from the Honourable Member himself that expert evidence would be taken, and I am taking my stand on the statement just made by the Honourable Member himself on the floor of the House . . .

Sir Girja Shankar Bajpai: But my Honourable friend is doing more; he is mentioning names and so on.

Pandit Lakshmi Kanta Maitra: I am not supposed to know what is going on in the Select Committee; I am not a member of the Select Committee.

My point is that in this Bill it is not only the import of drugs that would come up for consideration, but also the manufacture of therapeutic substances, which forms the subject matter of a different piece of legislation, and, therefore, the Bill is going to be all the more complicated, drastic and comprehensive. In such a scheme of legislation one can

legitimately urge that the interests of manufacturers should be looked into and their views on these particularly technical questions obtained. I understand that there is the Indian Chemical Manufacturers' Association, representing the manufacturers of pharmacopoeic drugs and medicines. They should be consulted and their views obtained. There are also special circumstances and factors envisaged by the Pharmacy Act of Great Britain which should be taken into consideration and the views of experts on those matters obtained. This is really a very important measure, and, as such we cannot allow it to be rushed through in this fashion. It cannot be contended that it is a war measure. I am certain it is not going to be pleaded that this Bill should be passed immediately so as to help the effective prosecution of the war, unless, of course, there is the object of carrying on a war against the indigenous products. I, therefore, submit, that the time which the Honourable Member wants for concluding the deliberations of the Select Committee is very short; evidence has to be taken from experts, from the Indian Chemical Manufacturers' Association, the Indian Medical Association, which is a body recognised by the Government whose views had been sought in the past on very important and vital matters, and also from people who are interested in the import, distribution or sale of these drugs.

Sir, there is one other matter to which I should like to draw the attention of the Honourable Member. Apparently, the idea is to control the allopathic drugs. From the very definition of the word 'drugs' in the Bill, it appears that homœopathic and biochemic products are not to be brought within the purview of this legislation. How far the Bill which seeks to regulate the import, manufacture and distribution of drugs should legislate in respect of these matters is also a matter demanding very careful consideration, and all these vital matters cannot be considered and finished within such a short time as my friend proposes. I, therefore, submit that the amendment of my friend, Maulvi Abdul Ghani, is a very modest one, and it should be accepted, inasmuch as a number of important bodies and experts have to be examined. The Bill was published only last month, and public opinion has not been elicited on it, nor even has the medical profession been consulted in the matter. I think, therefore, that no useful purpose will be served by rushing through legislation of this kind in this manner. Even if this Bill is passed in its present form it will alienate the sympathies of the Provincial Governments who in their turn will make its provisions nugatory in actual working. Sir, I support this amendment.

Mr. Suryya Kumar Som (Dacca Division: Non-Muhammadan Rural).

Sir, I support the amendment

Sir Girja Shankar Bajpai: Sir, it might help to shorten the debate if I were to make the position of Government clear. I think, Sir, I ought to make a preliminary point, and it is this. The first suggestion that I made when I suggested that the Bill be referred to a Select Committee was that the Select Committee should report by the 1st of March. All the consideration which have been urged now by my friend, Pandit Lakshmi Kanta Maitra, must have been present to his mind then, and it seems to me that the speech which he has made now would have been more appropriate on that occasion. The complexity of the Bill has not been magnified since the Bill was referred to a Select Committee. In

[Sir Girja Shankar Bajpai.]

any case, the position is this. We do not suggest that the 15th of March should be treated as a *Medic date* beyond which consideration of the Bill, if necessary, by the Select Committee should not proceed. The Bill is in the hands of the Select Committee of this House. The Select Committee have, as a preliminary measure, decided to examine an expert. It is open to the Select Committee, when they have examined the expert, to come, if they like, to the conclusion that they want to examine more people. I suggested 15th March merely as a convenient point of time, not necessarily as the final point of time. I can give my Honourable friends an assurance that, while Government do not wish to delay, indefinitely, consideration of a measure which has been in suspense for nearly eight to ten years, they certainly are not in such a desperate hurry as to overlook the claims of those who are entitled to be heard. I hope that in the face of that assurance my Honourable friend, Mr. Abdul Ghani, will not find it necessary to press his motion nor my Honourable friend, Mr. Som and others who may be similarly inclined, to make more speeches.

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadian Urban): May I ask if the Honourable Member will give an assurance that other experts will be invited?

Sir Girja Shankar Bajpai: It is for the Select Committee to decide that.

Pandit Lakshmi Kanta Maitra: In the Select Committee those Members who want to do so are in a hopeless minority. I want an assurance from the Honourable Member that the Select Committee will be given an opportunity to examine the representatives of different interests concerned in the matter.

Sir Girja Shankar Bajpai: My Honourable friend is very learned. I did not know that he was also an expert in divination. I do not know how he knows that we are in a majority and others are in a minority.

Pandit Lakshmi Kanta Maitra: The very constitution of the Committee shows that.

An Honourable Member: He is also an astrologer.

Pandit Lakshmi Kanta Maitra: Moreover, two Members of the Committee are ill and are, therefore, absent.

Mr. Suryya Kumar Som: I should like to support the amendment. The introduction of this Bill has a history behind it. After long public agitation the Government were convinced of the necessity of a Bill like this and for that purpose they appointed a Committee known as the Drugs Enquiry Committee, which is now known as the Chopra Committee. That Committee was appointed in 1930 and it reported in 1931. The Treasury Benches took ten years to bring in a Bill after the report was submitted in 1931, and now they are in dead earnest to hurry it through this month. In the year 1937 when the first Bill was introduced, the draft was circulated to all business concerns, and to Local Governments and their opinions were invited. They submitted their opinions and after that, the Bill was introduced, and as has been already stated, it was referred to a Select

Committee; the Select Committee recommended the dropping of that Bill and asked the Government to bring in a comprehensive Bill.

Now, the present Bill is a very comprehensive one, the subject matter of which is highly technical, and there is not a single man in the Select Committee who knows anything about the preparation of drugs or anything about pharmacy. This Bill was published in the Gazette on the 3rd February and introduced in this House on the 6th February, and on the 12th February it was referred to a Select Committee. So, it is clear that the Government did not ask for the opinions or comments of the experts interested or of the Local Governments on this Bill at all. They got permission of the Local Governments to pass a law which would ensure uniformity throughout India. It being a provincial subject, Government had to take their opinions and they have given their opinions. At the time of asking their opinions, they were given to understand that they would be sent a copy of the draft Bill, and after getting their opinions they were assured that a Bill would be finally drafted. From the 3rd February to 12th February nobody can think that the Central Government sent any draft to the Provincial Governments, whereas, in August, 1939, they sent a preliminary draft which was quite a different one from the present Bill. The opinions of the Local Governments on that preliminary draft are not before this Select Committee or before anybody else. I do not know whether my Honourable friend has got them, but we have not been supplied with copies of them nor the Members of the Assembly. Sir, this is a new Bill quite different from one on which opinion was invited, and on this present Bill no opinion has been asked for from the Local Governments nor from any expert associations. Ten blind men of the Select Committee who know nothing about pharmacy, nothing about the preparation of drugs—these ten blind men are being led by another blind man, and one can presume what these blind men can be led to. From my personal acquaintance with all the Members of the Select Committee I know that none of them—because I am not entitled to say what took place in the Select Committee—I can say this much that none of them do know anything in connection with the preparation of drugs or pharmaceutical works. I am told by very respectable men and experts that Colonel Chopra who has been called to give evidence before the Select Committee knows nothing about the preparation of drugs. . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member should not mention any names.

Mr. Suryya Kumar Som: Why this hurry? The Bill is introduced; in the very same Session it is referred to a Select Committee, and they want it to be passed in the same Session. Why this hurry? This Bill does not concern the Government so much as it concerns the public. It is the public who are concerned with the effect of this Bill.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has said that very often.

Mr. Suryya Kumar Som: On behalf of the public I protest against this hurry on the part of the Government to pass the Bill without consulting the interests concerned, that is, the drug manufacturers, the pharmaceutical workers, as well as the medical associations. Therefore, I hope that Government will agree to the extension of time and that they will

[Mr. Suryya Kumar Som.]

not be in a hurry. In the next Session the Select Committee's report will be ready and the Bill may be passed. It will only take four or five months more. It is not going to affect the Bill one way or the other. I do not know why they are in this hurry. To be plain, this hurry about this Bill raises a suspicion in the public mind that something may be behind this Bill.

The Honourable Sir Muhammad Zafrullah Khan (Leader of the House): Political motives behind it!

Mr. Suryya Kumar Som: Yes, there may be. The Bill provides for the establishment of various laboratories and experts in the provinces which would cost lakhs and lakhs of rupees, and though you pass the Bill now, it will not be possible during the war time for the provinces to put up those establishments. So, the provinces will not be in a position to work according to this Bill within the next four or five years. In the meantime, foreign manufacturers will have a very easy time to dump the country with their products, while this Bill will be forced down upon our drug producers and pharmaceutical works, because Provincial Governments will not be sufficiently equipped to give certificates of license and so on. In the circumstances, I pray that we must be given more time and that the Government should take the opinion of experts and businessmen concerned and of medical experts before we proceed further with the Bill.

If necessary, the Select Committee should examine experts in pharmacy and drugs preparations and medical experts. If necessary, they should inspect some of the pharmaceutical and drugs works in this country to know something before they enact a law about that very thing and I do not know why this modest prayer of my friend should be so much opposed by the Government side.

Several Honourable Members: The question be now put.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That the question be now put."

The motion was adopted.

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

"That in the motion, for the figures and word '15th March' the figures and word '30th June' be substituted."

The Assembly divided:

AYES—25

Abdoola Haroon, Seth Haji Sir.
Abdul Ghani, Maulvi Muhammad.
Abdullah, Mr. H. M.
Abdur Rasheed Chaudhury, Maulvi.
Azhar Ali, Mr. Muhammad.
Banerjee, Dr. P. N.
Essak Sait, Mr. H. A. Sathar H.
Fazl-i-Haq Piracha, Khan Bahadur
Shaikh.
Ghiasuddin, Mr. M.
Ghulam Bhik Nairang, Syed.
Ghuznavi, Sir Abdul Halim.
Joshi, Mr. N. M.

Laljee, Mr. Huseenbhai Abdullabhai.
Maitra, Pandit Lakshmi Kanta.
Malaviya, Pandit Krishna Kant.
Nauman, Mr. Muhammad.
Parma Nand, Bhai.
Rafiuddin Ahmad Siddiquee, Shaikh.
Raza Ali, Sir Syed.
Sant Singh, Sardar.
Som, Mr. Suryya Kumar.
Umar Aly Shah, Mr.
Yamin Khan, Sir Muhammad.
Zafar Ali Khan, Maulana.
Ziauddin Ahmad, Dr. Sir.

NOES—42

Abdul Hamid, Khan Bahadur Sir.
 Abdul Hamid, Khan Sahib Shaikh.
 Aikman, Mr. A.
 Bajpai, Sir Girja Shankar.
 Bewoor, Sir Gurnath.
 Buss, Mr. L. C.
 Campbell, Mr. D. C.
 Caroe, Mr. O. K.
 Chambers, Mr. S. P.
 Chapman-Mortimer, Mr. T.
 Chettiar, Dr. Rajah Sir S. R. M.
 Annamalai.
 Clow, The Honourable Sir Andrew.
 Daga, Seth Sunderlal.
 Dalal, Dr. R. D.
 Dalpat Singh, Sardar Bahadur
 Captain.
 DeSouza, Dr. F. X.
 Dumasia, Mr. N. M.
 Griffiths, Mr. P. J.
 Gwilt, Mr. E. L. C.
 Ismail Ali Khan, Kunwar Hajee.
 Jawahar Singh, Sardar Bahadur
 Sardar Sir.
 Kamaluddin Ahmad, Shams-ul-Ulema.
 Khan, Mr. N. M.

Kushalpal Singh, Raja Bahadur.
 Lillie, Mr. C. J. W.
 Mackeown, Mr. J. A.
 Maxwell, The Honourable Sir
 Reginald.
 Miller, Mr. C. C.
 Muazzam Sahib Bahadur, Mr.
 Muhammad.
 Mudaliar, The Honourable Diwan
 Bahadur Sir A. Ramaswami.
 Oulnam, Mr. S. H. Y.
 Pillay, Mr. T. S. S.
 Rahman, Lieut.-Col. M. A.
 Raisman, The Honourable Sir
 Jeremy.
 Scott, Mr. J. Ramsay.
 Sen, Rai Bahadur G. C.
 Shahtan, Mian Ghulam Kadir
 Muhammad.
 Sheehy, Mr. J. F.
 Sher Muhammad Khan, Captain
 Sardar Sir.
 Sivaraj, Rao Sahib N.
 Spence, Sir George.
 Zafarullah Khan, The Honourable Sir
 Muhammad.

The motion was negatived.

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

"That the time appointed for the presentation of the Report of the Select Committee on the Bill to regulate the import, manufacture, distribution and sale of drugs be extended up to the 15th March, 1940."

The motion was adopted.

THE COAL MINES SAFETY (STOWING) AMENDMENT BILL.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar (Member for Commerce and Labour): Sir, I move:

"That the Bill to amend the Coal Mines Safety (Stowing) Act, 1939, be taken into consideration."

The House will remember that it passed a Bill to make a further provision for safety in coal-mines quite recently. Since then, the Chairman of the Coal Mines Stowing Board has been appointed and a Board has been constituted over which he presides and takes into question all matters relating to the safety of mines as provided for in that Act. One of the objects of that Act was to see that the danger of fires in coal-mines should be minimised as far as possible. A process called "blanketing"—a process by which sand is spread over the surface of coal-mines to stop fissures from which air escapes and fire goes on—was intended to be also provided for. The funds of the Coal Mines Stowing Board were intended to be used for the purpose. But owing to an amendment, a drafting amendment as it was then supposed, which was adopted in this House,

[Diwan Bahadur Sir A. Ramaswami Mudaliar.]

it is now found that the funds could not be utilised for this process, called "blanketing", that is spreading sand over the surface so as to stop the fissures: any expense can only be incurred for underground measures. The Board has strongly recommended that the original idea which was put forward by the Report of the Coal Mines Stowing Committee should be adopted and that provision should be made immediately for spending the necessary amount from the fund for such purposes. At present, there are fires raging in the Jharia coal-fields and the abandoned fields round about that locality which are endangering the neighbouring fields across the railway line, and it is urgent that provision should be made for this expenditure.

There is a second amendment which is proposed to be adopted by this Bill. Under section 7 of the Act, it was stated that the expenditure should be audited as determined in sub-section (1) of section 144 of the Government of India Act. Now, under that sub-section, it will be seen by Honourable Members that the Auditor-General is the auditing authority; but, under the Government of India Act, the Auditor-General can only audit all accounts except railway accounts; and as this money is collected along with the freight and passes into the railway accounts, the Auditor-General is not the authority to audit these accounts. Provision is sought to be made whereby the corresponding railway audit authority would audit these funds. We have also taken the opportunity of widening the scope of the purposes for which these funds should be utilised, again in accordance with the recommendations of the Report on Coal-Stowing, for purposes of research. There is a small amendment which has to be made for clarifying the position. In the original Act as passed by this Assembly, it was provided that a cess would be collected and also an import duty correspondingly would be collected from coal imported into this country. Now, the reading of the section suggests that no other import duty may be collected. That was not the purpose. An import duty equivalent to the cess would be collected, in addition to the other import duty which may be levied under the Tariff Act of 1894. That position also is sought to be clarified by this measure. There are consequential amendments following these main amendments. Sir, I move that the Bill be taken into consideration.

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

"That the Bill to amend the Coal Mines Safety (Stowing) Act, 1939, be taken into consideration."

Sardar Sant Singh (West Punjab: Sikh): Sir, I do not want to make any speech on this measure, but I just want to know the facts. By the amendment of section 6, as it is proposed to be done in clause 3 of the Bill, it is stated in the notes on clauses:

"this is intended to make it clear that the duty of customs referred to in section 6 of the Act is additional to the duty ordinarily leviable under the Indian Tariff Act, 1934, and that the duty can also be imposed on coal and coke coming into British India from the territories of Indian States which have been declared as foreign territories under section 5 of the Indian Tariff Act."

May I know if this duty will be in addition to the duty already levied, and what will be the amount which will be collected under this amendment?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: As I said, Sir, this is only to clarify the intention of the Act. This duty will be in addition to the normal import duty which is levied. This is a cess which is levied for certain purposes, namely, to find the resources for the Coal-Mines Stowing Board. This has nothing to do with the ordinary import duties which are levied for revenue purposes under the Indian Tariff Act. Therefore, this duty will be in addition to that import duty and the proceeds, so far as this duty is concerned, will be credited to the Coal-Mines Stowing Board. The Government of India do not get anything out of this.

Sardar Sant Singh: I also wanted to know the amount.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: That I cannot say.

Mr. N. M. Joshi (Nominated Non-Official): Sir, I should like to have some information and if necessary some assurance from the Honourable Member in charge of this Bill. He has stated in the Statement of Objects and Reasons and in his speech that the extension of the objects on which the coal-stowing funds should be spent was originally contemplated. I do not know on what authority he made that statement. I do not remember all that happened last year on this Bill. But so far as I can remember, the spreading of sand on the surface was not one of the objects on which the funds were expected to be spent. Sir, I feel an interest in this extension of the objects on which money is to be spent, for this reason. I am very anxious that nothing should be done by this Legislature to weaken the safety in coal-mines. If you extend the field on which money could be spent out of these funds, there will not be sufficient money for stowing sand underground. I do not wish to state that the extinguishing of fires on the surface by spreading sand is not important from the point of view of safety; but if we extend the object, there will be less money for stowing. I would, therefore, like the Honourable Member to tell me that if more money is necessary if he extends the objects on which money is to be spent out of the coal stowing funds, whether he proposes to increase the cess from which the fund is to be collected. If he says that it is not to be increased and the fund is to be spent on wider objects, then, Sir, I have no doubt in my mind that the object which we have in view will not be properly served and the provision for safety will be weakened. I would like the Honourable Member to give me that information.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member, the Chair thinks, in replying to the whole debate, will reply to this point also.

Mr. N. M. Joshi: I would like the Honourable Member to tell me, if more money is necessary to serve these additional objects, whether he will be prepared to increase the cess which is intended to form the fund of the Coal Stowing Board?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Sir, I have already said that this process of "blanketing", as it is called, to spread sand over the surface to stop the fissures and

[Diwan Bahadur Sir A. Ramaswami Mudaliar.]

so prevent fires from continuing or spreading further, was one of the original objects for which this Board was constituted, and the fund or the cess levied, and the unanimous recommendation of the Board now constituted is also to enable them to spend this amount. It was only by a verbal amendment of a formal character that we found ourselves, from the point of view of lawyers, prevented from spending money out of this fund. As regards the cess itself, as my Honourable friend knows, this has been the subject of negotiations with coal-miners and it was only in consultation with them and to the extent that they have been able to come to a unanimous conclusion that we were in a position to levy the cess. If the Board finds that more money is required to carry out the essential objects of this fund, it will certainly come to the Government and then it will be time enough to consider whether a further amendment of the Act is necessary. At present I am assured both by the Chairman and by the Members of the Board that this amount can be found comfortably out of the cess amount that has been collected or will be collected in the course of the next few months.

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

"That the Bill to amend the Coal Mines Safety (Stowing) Act, 1939, be taken into consideration."

The motion was adopted.

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

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

"That clause 5 stand part of the Bill."

Mr. N. M. Joshi: Sir, I listened to the short speech of the Honourable Member in charge of Industries. He seems to feel that it is not the responsibility of Government to provide funds for the Coal Stowing Board and he feels that Government ought to consult and go by the advice or consent of the Coal Stowing Board. I feel the Government do not realise that it is their duty to maintain safety in the coal mines. The Honourable Member further said that if the Coal Stowing Board feels that there is not enough money they will make proposals to the Government of India to increase the cess. The Honourable Member perhaps has not studied the constitution of the Board which is to manage this fund. That Board has a majority of the owners of coal mines. Are the owners of the coal mines going to come to the Government and say: "Please increase the cess on us?" They are not going to say that. This ought to be the duty of the Government. I hope the Honourable Member will realise that the safety in the coal mines is the duty of the Government. This Board will manage the fund after it has been collected. Therefore, it is not right to expect the Coal Stowing Board to come to the Government asking that the cess on themselves should be increased. I hope the Honourable Member will take this point into consideration.

Sir Abdul Halim Ghuznavi (Dacca *cum* Mymensingh: Muhammadan Rural): **Mr. President,** Sir, I am afraid my Honourable friend on the left has not understood the Bill. Will he kindly read the Statement of Objects and Reasons carefully?

Mr. N. M. Joshi: I have read it twice or thrice.

Sir Abdul Halim Ghuznavi: Then, he ought not to have made the speech that he made just now. My friend's apprehension is that the Board consists of members who are the owners of collieries, and, therefore, they would be the last persons to come before the Government and ask them to legislate a further cess to be paid by them.

Mr. N. M. Joshi: Hear, hear: That is the point.

Sir Abdul Halim Ghuznavi: The Honourable the Industries Member has explained that if the Government find. . . .

Mr. N. M. Joshi: He said if the Board finds.

Sir Abdul Halim Ghuznavi: If my Honourable friend will not interrupt me for a minute, I will be able to explain the whole position. No doubt, some members of the Board will be the owners of collieries, but there are two Government members also.

Mr. N. M. Joshi: May I inform the Honourable Member that out of six members of the Board, four come from the coal owners and Government is represented only by two. The Honourable Member does not know the constitution of the Board.

Sir Abdul Halim Ghuznavi: Mr. Joshi wants to impress upon this Honourable House that I do not know anything about the collieries.

Mr. N. M. Joshi: You do not know the constitution of the Board.

Sir Abdul Halim Ghuznavi: What about the other two members?

Mr. President (The Honourable Sir Abdur Rahim): The two Honourable Members are sitting too close to each other. The Honourable Member had better address the Chair.

Sir Abdul Halim Ghuznavi: I can assure my Honourable friend that he need have no apprehension whatever.

Mr. N. M. Joshi: That is a different matter.

Sir Abdul Halim Ghuznavi: The Board is fully aware of the circumstances and it will protect everybody's interests. Do not be afraid that it will not do its duty. If the two members who represent the Government consider that the other four members are not doing their duty, it is for the Government of India to legislate on the report of these two members and not on the report of the other four members who, as my friend said, are the owners of collieries. Sir, I support this motion.

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

"That clause 5 stand part of the Bill."

The motion was adopted.

Clause 5 was added to the Bill.

Clauses 6 and 7 were added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Sir, I move:

"That the Bill be passed."

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

"That the Bill be passed."

The motion was adopted.

THE AGRICULTURAL PRODUCE CESS BILL.

Sir Girja Shankar Bajpai (Secretary, Department of Education, Health and Lands): Sir, I move:

"That the Bill to make better financial provision for the Imperial Council of Agricultural Research be taken into consideration."

At the outset, I should like to seek the indulgence of the House for a post-influenzal huskiness of voice which has for the time being deprived it of its carrying quality. I will do my best to make it carry to every Honourable Member, but, if I fail, Honourable Members will understand the reason.

Sir, the Imperial Council of Agricultural Research has been in existence now for nearly eleven years. It has on it two representatives of this House, elected by itself. In addition, every Honourable Member is supplied every year with a copy of the annual report of the activities of the Council. It follows from this that an elaborate explanation of the functions, the working or the constitution of the Council is not necessary. Nevertheless, I am the very first to recognise that events these days crowd thick and fast upon the attention of the Honourable Members and that they may not have the opportunity, even if they have the desire, to study the somewhat detailed report which the Council published every year. I would, therefore, attempt to state broadly what the functions, the procedure and the constitution of the Council are.

Sir, the Council exists, broadly speaking, for the purpose of co-ordinating and promoting agricultural research throughout India. In order that it should have the capacity to do so, throughout India, it consists, besides the representatives of the Government of India, who, I believe, are three or four in number, of the Minister of Agriculture of each province, two Members of this House, one Member of the Council of State, one member of the Federation of Indian Chambers of Commerce and Industry, one member of the Association for which Honourable Members on my right here speak.

Mr. Muhammad Nauman (Patna and Chota Nagpur *cum* Orissa: Muhammadan): Which Association is that?

Sir Girja Shankar Bajpai: The European Association of Commerce. I think it is the Associated Chambers of Commerce, that is the expression generally used. Then it also includes representatives of Universities and of two or three Indian States. The procedure of the Council is that it allocates funds, placed at its disposal by Government, to schemes which have passed through two stages; first, the stage of preparation by a number of departments of agriculture, by Universities, by scientific Institutes like the Institute of Science in Bangalore; the second examination and classification in order of priority by the Advisory Boards of the Council itself, which is representative of all those who are in a position to give informed and competent advice as to the manner in which funds should be allocated and the order in which the recommendations made by the different Provincial Governments and other learned bodies should be arranged in order of priority and practical utility.

Sir Syed Raza Ali (Cities of the United Provinces: Muhammadan Urban): Will the Honourable Member please state what is the constitution of the Governing Body?

Sir Girja Shankar Bajpai: That was what I tried to do. I said that the Governing Body consists of a number of representatives of the Government of India, representatives of the Provincial Ministries, two representatives of this House and one Member of the Council of State, one Member of the Indian Federation of Chambers of Commerce and Industry and one Member of the Associated Chamber of Commerce.

Now, Sir, the position as regards the functions and the constitution, as also the procedure of the Council having been explained, I should like to pass on to the financial position of the Council, because that is germane to the Bill which is now before the House. The Royal Commission on Agriculture had recommended that the Council should be started off with a capital grant of fifty lakhs of rupees and that in addition, it should receive substantial grants in aid from the State. The position, broadly speaking, is this that, apart from fundamental research or general research the Council has been doing work—special kinds of work relating to sugar research and work relating to the organisation of marketing of agricultural produce. Inasmuch as this Bill does not propose to allocate any portion of the proceeds of the cess envisaged in this Bill for sugar research or marketing, those are to continue to be dependent upon State aid in the future as they have been in the past, I do not propose to go into details of that; I propose to limit myself to the position in so far as general research is concerned. There, Sir, in brief the position is that Government have made so far a total contribution to the Council of a sum of 85 lakhs.

Maulana Zafar Ali Khan (East Central Punjab: Muhammadan): What is the total annual budget of this?

Sir Girja Shankar Bajpai: There is no such thing as a fixed total annual budget, apart from the administration budget, that is to say the budget for the administration of the Councils affairs, which is a little over two lakhs. But if my Honourable friend will wait for a minute, I propose to tell him in brief, how the expenditure of the Council has varied for the last few years. That would give him an opportunity of seeing for himself what the scope of the fluctuations of that expenditure is.

[Sir Girja Shankar Bajpai.]

I said when I began that the Council started in 1929. Now, just to give the House an idea of the growth of expenditure: In 1929-30, the Council spent only 0.9 lakhs, because it began rather late in the financial year; in 1930-31, it spent, 2.55 lakhs; in 1931-32, 3.19 lakhs; in 1932-33, 4.06 lakhs, in 1933-34, 6.47 lakhs; in 1934-35, 8.3 lakhs, in 1935-36, 9.20 lakhs, in 1936-37, 11.13 lakhs, in 1937-38, 11.39 lakhs, and in 1938-39, 11.22 lakhs. Two main conclusions may be drawn from this statement, namely, that in the earlier stages the expenditure was very low but it has been steadily rising, that is the first conclusion. The second is that during the last three years it has been more or less steady in the neighbourhood of eleven lakhs a year. I would, incidentally, say that, in the initial stages, the expenditure was low because, naturally, it takes an organisation of this kind sometime to get going. Now, Sir, the present financial position of the Council is of some importance. I think I am correct in saying that at the end of this financial year, that is to say on the 31st March, 1940, the Council will be in possession of funds to the extent of 22.61 lakhs. As against this they have liabilities to the extent of 18.15 lakhs with regard to schemes which have not only already been sanctioned but which are in continuation and which must be either continued or completed if the work already done on them is not to be completely wasted. That, Sir, then leaves a balance of 4.46 lakhs for any expenditure which the Council might have to incur in the course of the next financial year if no money whatsoever comes to it.

What the liabilities of the Council are going to be in the next financial year, I should explain later, but at this stage, I wish to point out that even this balance of 4.46 lakhs is really illusory, because the Council must spend 1.27 lakhs on sugar research, and a sum of 1.07 lakhs represents appreciation in the value of securities in which money is held and which may easily be wiped out if the securities have to be realised suddenly and at a time when their value has dropped. In broad terms, therefore, the position of the Council financially at the moment is that they have just enough to bring to completion certain schemes, and to continue other schemes; nothing more with which to carry on for the next financial year.

Now, I will give the House an account of schemes which have either already been approved or recommended by the different Advisory Bodies for the approval of the Council. The cost of current schemes is 14.05 lakhs for the total period for which the schemes are to last and the annual expenditure is 3.51 lakhs. Then, as regards current schemes which will have to be recommended and which have not yet come up before the Advisory Board, the total is 15.36 lakhs, and the annual average is 3.53 lakhs. Now, schemes passed by the Advisory Board and likely to be submitted to the governing body, total cost 10.69 lakhs, annual cost, 2.69 lakhs. Schemes not yet taken up by the Advisory Board, but strongly recommended by Sir John Russell and Dr. Wright, two experts who at the end of five years' of working of the Council reviewed its activities and made recommendations as to the directions in which research work should be continued in future: 4.58 lakhs. Other important schemes, 1.34 lakhs a year, total annual requirements, 15.35 lakhs a year, with practically no money in the till. That is what practically it comes to because I have already explained to Honourable Members that the 22.61 lakhs in hand have been earmarked for schemes which have been approved and which must be completed.

Sir Syed Raza Ali: Do the additional requirements amount to 15.35 lakhs a year?

Sir Girja Shankar Bajpai: The future financial annual requirements of the Council come to 15.35 lakhs a year.

Sir Syed Raza Ali: And what is the amount budgeted for in 1940-41?

Sir Girja Shankar Bajpai: Nothing unconditionally.

Sir Syed Raza Ali: But, surely, there must be something for recurring expenditure?

Sir Girja Shankar Bajpai: The only amount definitely budgeted for is the cost of the administrative staff of the Council, *viz.*, the Vice-Chairman, the Secretary, two agricultural experts, and so on. So far as the actual research work of the Council is concerned, no certain provision has been made because the expectation of Government has been that the proposal for the cess will receive the support of this House and we shall find our money from the cess.

Sir Syed Raza Ali: My point is this. The Honourable Member read out a list of grants made by Government every year varying from three lakhs to eleven lakhs. Has a sum like that been budgeted for in the year 1940-41 or not?

Sir Girja Shankar Bajpai: In the first place, I should like to correct a misapprehension on the part of my Honourable friend. What I read out was not the sums of money that Government had been giving every year. I gave the total amount which Government had given for general research as an amount of 85 lakhs of rupees. The figures per annum which I mentioned were figures which the Council had allotted for expenditure. But the position is that for the year 1940-41 which began really on the 1st March, 1940, Government have made absolutely no unconditional provision at all.

Maulana Zafar Ali Khan: Sir, there is just a tiny doubt in my mind. . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member need not be interrupted. The question may be put after the Honourable Member has finished.

Sir Girja Shankar Bajpai: I was going to say that, in view of the description that I have given of the background of expenditure and financial support of Government on the one hand and coming commitments on the other, I think the Governing Body asked in December, 1937, from Government for a non-recurring grant of 16 lakhs of rupees. That request, because of the then prevailing stringency, was refused by Government. Then again in July, 1938, the Governing Body at which all Provincial Ministers were present unanimously recommended an increase of Government's annual grant to the Council from five lakhs to 25 lakhs a year. That request also was turned down. So, finally in July, 1939, the majority of the Governing Body made a recommendation that we should resort to

[Sir Girja Shankar Bajpai.]

a small cess on certain agricultural exports in order (a) that the Council should be able to meet its liabilities, and (b) that it should financially be independent of the fluctuations in the financial position of Government; fluctuations which would reflect uncertainty on the work of the Council.

In passing, I think it is worth while drawing attention to one fact. India is a country where we have 280 million acres of land under crops and I think there are something like 215 million heads of cattle. Agriculturally alone we have more than ten times the area under cultivation in the United Kingdom for example; and whereas the United Kingdom in 1938-39 spent something like £650,000, equivalent to 80 lakhs of rupees, in one year, on agricultural research, the account that I have been trying to give to the House of our activities will show that we have spent 85 lakhs of rupees in as many as very nearly eleven years. So that, the request for an expenditure of eleven or twelve lakhs a year is, considering the importance to this country of agriculture, by no means an exorbitant or exaggerated one. There is another point which also is worth making, namely, that the principle of imposing a cess on an agricultural commodity for the purpose of research is by no means new. There is cotton which pays a cess and the proceeds of which are managed by the Indian Central Cotton Committee; there is lac, tea, coffee,—I can give a number of instances but it is really not necessary to multiply them. The point which is worth emphasising, however, at this stage is that in the schedule which is appended to the Bill, care has been taken not to include any agricultural commodity which already pays an export cess; and it is the intention of Government that no commodity should pay a double cess, namely, one for the purpose of the research and one for any other purpose.

That, Sir, practically completes what I have to say regarding the activities of the Council so far, its programme of past work, its programme of future work, and its financial position. But there are two constitutional points which it seems worth while to emphasise. The first is that by resort to the method that we have proposed in this Bill neither the House nor Government have decided to abdicate control over the activities of the Council. The idea is that the Council shall be required to appoint a Standing Finance Committee on which Government will have a representative, and which representative will have the right, not merely to record a minute of dissent, if he so feels disposed, but also to insist that the minute of dissent shall be placed before the Governing Body and brought by the Governing Body to the notice of Government. The second safeguard which is even more important is that the administrative charges of the Council will continue to come before the House annually for vote in the ordinary way, so that the House will be fully at liberty to call the Council to account if the Council does anything which is either unconstitutional or undesirable.

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadan Urban): Are any members of the Council to be elected by the Assembly?

Sir Girja Shankar Bajpai: The Assembly does elect two members to the Governing Body of the Imperial Council of Agricultural Research. That will continue; there is no question whatsoever of changing in any way either the constitution or the functions of the Council. It is merely the financial aspect of the problem that I have been trying to explain.

To sum up, the commodities that already pay an export duty or a cess are not to be mulcted in any additional burden. The rate of duty is a half per cent. *ad valorem*. Honourable Members will agree that it is a very light impost indeed. The principle of levying such an impost is not new; it has already received the approval and sanction of the House which passed the Acts to which I have already referred. My own submission is that what we are seeking the approval of the House to at the moment is something moderate, something sound and something beneficent; and I hope, therefore, that the Bill will have the cordial support of the House. Sir, I move.

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

"That the Bill to make better financial provision for the Imperial Council of Agricultural Research be taken into consideration."

The Chair finds, there are two amendments in the name of Maulvi Abdul Ghani. Which one does the Honourable Member wish to move?

Maulvi Muhammad Abdul Ghani (Tirhut Division :Muhammadan): Sir, I move:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 31st July, 1940."

Sir Girja Shankar Bajpai: Sir, if I may just mention one thing: I think you asked the Honourable Member to indicate his preference for one of his two motions.

Mr. President (The Honourable Sir Abdur Rahim): He has put down two motions: The Chair does not know whether he wishes to move both. It depends on him.

Maulvi Muhammad Abdul Ghani: I want to see the fate of the first amendment before I move the other.

Mr. President (The Honourable Sir Abdur Rahim): If he is going to move the first amendment, the Chair will then decide whether the other one is in order or not.

Maulvi Muhammad Abdul Ghani: Sir, up till now I was under the impression that there are only three pet children of the Government. but a fourth one has now cropped up. Railways, Posts and Telegraphs, and Finance Department were there, and now this is the fourth pet child of the Government of India

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions : Muhammadan Rural): On a point of order, Sir, can he move both his amendments at this stage?

Mr. President (The Honourable Sir Abdur Rahim): Let him go on with the first one.

Maulvi Muhammad Abdul Ghani: Under the pretext of increased war expenditure, the three pet children brought up various financial measures and steps to secure or extort money. Now it is the turn of the fourth

[Maulvi Muhammad Abdul Ghani.]

child to come before us. This Bill is to tax the agriculturist only. Every association, every organisation and every government here express their heart-felt sympathy for the poor agriculturist; but if you look into this Bill it is apparently a charge upon the exporters, but the burden of it will fall upon the shoulders of the agriculturist ultimately. The exporters are not so foolish as to take it on themselves and they will pay the price to the agriculturist only after deducting the amount of the cess. Besides, I am opposed to this principle of giving power of taxation to a body like the Imperial Council of Agricultural Research. This body consists of two bodies, one called the Advisory Council and the other the Advisory Board. The former consists of 29 members and the second body consists of 61 members. I understand that this Imperial Council of Agricultural Research has spent during nine years a sum of Rs. 1,30,29,900 and more. If we go through the report, we find there are 253 experts under it, by direct appointment or by selection or promotion. In spite of this large number, this Council is fond of giving grants to universities for research work. I fail to understand what these 253 experts are doing when work is taken from the Agra University or the Dacca University and other institutions: it is going to spend about six lakhs over the veterinary investigations

Mr. President (The Honourable Sir Abdur Rahim): Will the Honourable Member resume his seat for a minute? It has been suggested to me that both the motions should be moved at the same time, so that Honourable Members may make up their minds whether to support one motion or the other. There will perhaps be a difficulty about that in this case—to allow the Honourable Member who has moved his first amendment, to move his other motion also at the same time. The scope of the two motions is different. Under the first motion, the Honourable Member cannot discuss the principle of the Bill: he can only ask for time in order that public opinion may be consulted. But as regards the motion for reference to Select Committee, the House will be entitled to discuss the principle of the Bill before agreeing to it. So, the Chair thinks, under the circumstances, the only course left is to let the Honourable Member go on with his first motion; and the House will give its verdict on that; and then if necessary the Honourable Member can move his second motion. But the Honourable Member must now confine himself to the motion and must not go into the merits of the Bill.

Maulvi Muhammad Abdul Ghani: I do not require more time. I am a very short speaker. I was only saying what was the necessity of money for the Imperial Council of Agricultural Research. However this is not the time to go into their budget and what they have done. So far as I have understood, they are Jack of all trades but master of none: they have worked for a number of years, but the results are before us. They now want to raise money by this Bill, and as I have just submitted the agriculturists are affected and their opinion is very essential. It has been urged that there is necessity for the money but those upon whom the burden of taxation will fall should be consulted or at least given some opportunity for expressing their opinion. I have not demanded any very long time—only till the 31st of July, 1940, and there will be no harm if the matter is going to be thrashed out before the next Session. With these few words. I move my motion.

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

“That the Bill be circulated for the purpose of eliciting opinion thereon by the 31st of July, 1940.”

Sir Syed Raza Ali : Sir, I rise to give my strong support to the motion for circulation of the Bill for the purpose of eliciting public opinion. I don't propose to make a long speech, but I shall confine myself to the main point as to why this Bill should be circulated for eliciting public opinion thereon. I shall not go into the question of the unsatisfactory financial position of the Department at this stage, but I will only say that it is unfortunate that my Honourable friend and his Department did not succeed in persuading the Finance Department to render help to the Department as in previous years. I understand that the grant made by the Government to the Department varied from three lakhs to eleven lakhs a year

Sir Girja Shankar Bajpai : No, Sir, if I may again explain the position, the expenditure of the Council varied from three to eleven lakhs a year, but Government have never given in a year a larger grant than five lakhs.

Sir Syed Raza Ali : I take it that the permanent grant made by the Government to the Council is five lakhs.

Sir Girja Shankar Bajpai : The annual grant has never exceeded five lakhs a year.

Sir Syed Raza Ali : Very well.

Now, they propose to incur a recurring expenditure of 15 lakhs a year. Sir, I have every sympathy with the Department in its desire to strengthen the position of the Imperial Council of Agricultural Research. This Department, let me make it quite clear, is doing very important work, and we all appreciate the work that has already been accomplished by the Council during the period it has been in existence. We would like the Council to go ahead with the start they have made in the matter of initiating new schemes, but the questions we have to consider at this stage are these. The Bill proposes to confer very wide powers on the Government, powers which I don't think any Legislature would be prepared to confer upon the executive Government in the manner proposed in clause 4 of the Bill. I agree it is of the utmost importance that public opinion should be elicited on these questions, but I will take only two questions. Sub-clause (1) of clause 4 gives power to Government to include any number of articles of agriculture, horticulture and other things in the list of articles which are subject to the duty of eight annas per Rs. 100. Now, if you look at the other end, the next sub-clause (2) of clause 4 empowers the Government to exclude from this list any articles of agriculture, horticulture and things like that, that they may deem fit to choose. Sir, these are very extensive powers, arbitrary powers which it is proposed to be conferred. We find in the Schedule attached to the Bill that there are 23 articles mentioned, but they don't stop there. It is open to the Government, after the Bill is passed, to include any number of articles in this Schedule. Similarly, it is also open to them to withdraw any number of articles.

Mr. President (The Honourable Sir Abdur Rahim) : The Honourable Member is really going into the merits of the Bill.

Sir Syed Raza Ali: The matter is very important, Sir. I am not going, strictly speaking, into the merits, but these are points

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member can mention the point why public opinion should be elicited, but he cannot go on discussing the merits of the Bill on this motion.

Sir Syed Raza Ali: My contention is this, that these are points on which it is very necessary to elicit public opinion, and I am putting them before the House. Let me come to the list itself. Again, it is very important that public opinion should be ascertained as to what articles should be included in the list. Sir, this list in the Schedule goes against the policy which has been pursued by the Government of India since the outbreak of hostilities. And what is that policy? The policy is to help promising industries which have already given promise of serving the country. Another aspect of this policy is that the Government have undertaken to control the rise of prices. Now, let us see how these two questions would be affected by this Schedule. Take, for instance, the articles mentioned here, wheat, wheat flour

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is again discussing the merits of the Bill. That cannot be allowed. The Honourable Member cannot go on discussing the merits of the Bill.

Sir Syed Raza Ali: I thought, Sir, it was necessary for me to do so to establish my point, but if you think, Sir, I should not

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member can mention the points. That is all. He can point out why public opinion should be elicited, but he cannot go on discussing the merits of the Bill.

Sir Syed Raza Ali: This House, Sir, I am afraid, will not be in a position to take a proper decision unless it knows the public opinion on two points. The first is, having decided to control prices whether Government would be well advised to go against their policy by introducing this Bill, because, according to my contention, it will certainly lead to a rise in prices so far as certain articles are concerned. Then, the second thing is, it will hit hard some of the industries which already have made a good start. For instance, take skins and hides. The Bill proposes to impose a duty on skins and hides. I may again submit that in many countries the Governments are trying to help new industries, for instance, the export of fruit in South Africa. In South Africa, the Government heavily subsidise the companies which are engaged in the export of fruit trade. What this Bill proposes to do is,—I am discussing the principle

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member cannot even discuss the principle. He can point out whether public opinion should be elicited, and his reasons for it.

Sir Syed Raza Ali: Then, Sir, this Bill, instead of helping the export of fruits, will handicap it inasmuch as it proposes to put a duty of eight annas on every Rs. 100 worth of fruits. These are very important points.

and I submit that this motion should be accepted and the Bill circulated. Unfortunately, we find ourselves in a very precarious position owing to the attitude of my Honourable friends who are sitting on my right. They have chosen in their wisdom even to abstain from voting when any important measure is before the House. I do not know what their attitude will be on this question, but, in any case, I hope that my Honourable friend will see his way to agreeing to circulate this Bill in order to ascertain the opinion of the public. I do not think that Government will be losing anything thereby. On the other hand, this House will be in a much better position to gauge the extent of public opinion on the important points embodied in the Bill. Sir, I strongly support the motion for circulation.

Mr. N. M. Joshi (Nominated Non-Official): Before I give my support to the motion made by the Honourable Member in charge of the Bill I would like him to give me some information. He stated that the Imperial Council of Agricultural Research makes research into various aspects of agriculture in this country. I would like to know whether the Imperial Council interests itself in research into the conditions of agricultural wage earners, whether they get adequate wages or not, and whether they work under proper conditions. Then, I would like to know whether the Council makes research into the conditions of agricultural tenants, what are the tenancy systems under which they work, whether the rents in different districts are reasonable or unreasonable, and whether the tenants get sufficient to eat by the cultivation in which they engage themselves. Then, I would like to know whether this Imperial Council makes researches into questions of methods of payment of rent, whether rent is paid in kind or in cash, and what weights and measures are used in making payments of rents. I would like also to know whether the Imperial Council makes researches into the systems of servitude that exist in Indian agriculture. In some provinces the agricultural wage earners and even tenants are tied to the land; in some cases the agriculturists are forced to render some kind of labour, free sometimes, and sometimes paid very partially. I am anxious to get information on these points. The Imperial Council of Agriculture is established to see that agriculture in India prospers and that there is improvement in agriculture. I am sure that the Honourable Member in charge of this Bill will agree with me that the matters which I have mentioned have very close connection with the improvement of agriculture in this country and I am anxious that the Imperial Council should interest itself in these matters. One word more. I should like to know from the Honourable the Mover of the Bill whether on the Governing Body of this Imperial Council there is sufficient representation given to the tenants of land and whether, as there is representation for the Chambers of Commerce and bodies like that which have nothing to do with agriculture, there is any representation given to *kisan sabhas* on the Imperial Council. I have no doubt that the Honourable the Mover will agree with me that the *kisans* in this country are vitally interested in this matter. I am sure that he will agree with me that they are more vitally interested than the Chambers of Commerce in the improvement of agriculture. I would like to get information on all these points from the Honourable the Mover of this Bill before I decide to vote either in favour of or against this Bill.

Sardar Sant Singh (West Punjab : Sikh): Sir, I rise to support the motion for circulation. First of all, I want to congratulate the Honourable

[Sardar Sant Singh.]

the Mover of the Bill on the lucid manner in which he has put his case before the House. With his usual eloquence he has tried to convince us of the utility of the Imperial Council of Agricultural Research. I can assure him that there is no difference of opinion so far as the importance and usefulness of this body is concerned. But the angle from which we look at this question is entirely different from the one from which he has approached the subject. It is not the importance or the maintenance of this body that is involved in the introduction of this measure. It is rather new principle which he has enunciated, of taxing the export of the articles included in the schedule, and we are not in agreement with the Honourable the Mover on that principle. So far, Government have been rightly contributing towards the existence and the maintenance of this body and I think, if I mistake not, the recommendations of the Royal Commission on Agriculture were such as to lay an obligation on the Government of India to maintain this body. But now, in this year, as has been rightly pointed out by the Honourable the Mover of the motion for circulation, under the garb of helping an admittedly good Council, he has come to raise more money from the taxpayers of India. That is a thing which we are very jealous to guard against. At the same time, the point which requires thorough consideration and for which the Bill ought to be sent to the country for circulation is what shall be the effect of this measure on the export trade of India dealing with the commodities which are mentioned in the list itself. In other countries, during recent years the Governments of those countries have been trying to subsidise and encourage their export trade. But in this country, from the very beginning of the Session we find that prices are being depressed by various measures that are being adopted under the guise and name of war necessity. Particularly in the case of agricultural produce the agriculturists are suffering terribly on account of the lean years that have preceded. It was only recently after the declaration of war that prices showed some tendency to rise. We find another measure being thrust upon the country to suppress the export of agricultural commodities. Not only that. We want to know, first, what will be the effect of this measure on the export trade in agricultural commodities; secondly, what will be the effect on the prices of agricultural commodities by the passage of this Bill, and thirdly, what is the attitude of the Provincial Governments with regard to this measure. That is an important matter. I am sure the Punjab Government will take strong exception to the passage of such a measure at this time of the year.

Sir Girja Shankar Bajpai: May I just, on a point of information, tell my Honourable friend that the Punjab Government, as represented by their Minister, did not take exception to this measure at the meeting of the Governing Body in July 1939?

Sardar Sant Singh: May I know the name of the Minister?

Sir Girja Shankar Bajpai: My Honourable friend, coming as he does from the Punjab, ought to know the name of the Minister very well.

Sardar Sant Singh: This piece of information comes as a news to me because the Punjab Government has been trying to be the advocate of the zamindars for a very long time, and really I was interested in knowing the name of the gentleman.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member need not go into all that.

Sardar Sant Singh: I am not entering into that in any controversial spirit but it has been a revelation to me however. The other question is an important one. Why should not the Provincial Governments who are as a matter of fact empowered under the Government of India Act to deal with agriculture contribute to the cess and to all these experiments and why should the Central Government alone be bearing all the expenses of this Research Council? Let us have their opinions on this point. Therefore, without going into the merits of the Bill or the principles underlying the Bill itself, I would strongly urge that the opinions of the agriculturists, the zamindar *sabhas*, the *kisan sabhas* and the Provincial Governments should be invited, also the opinions of commercial bodies. They ought to tell us what will be the effect of this cess on the export of agricultural commodities. That is an important matter to look into before the Bill is proceeded with. I, therefore, support this motion for circulation.

Dr. F. X. DeSouza (Nominated Non-Official): Mr. President, this Bill impinges on so many different interests and has such wide repercussions, to which the Honourable the Mover has discreetly refrained from referring, that I think I should like, as a practical agriculturist, to place before the House certain observations, before they are asked to vote on this Bill. Sir, every one of us highly appreciates the good work that the Imperial Council of Agricultural Research has done in this country to improve agriculture. It can justly claim pride for the fact that during the last year, in one year alone, the area which they have brought under cultivation under the improved methods of seed and other methods of cultivation has been substantially increased. In 1933-34, it was 8.6 million acres and in the year 1935-36 it was 21.4 million acres, an increase of 14 million acres in 12 months. That is something about which the Imperial Council can feel justly proud but I ask, has there been any improvement in the productive capacity of the acres under cultivation? The proof of the pudding is in the eating.

Now, let us see what are the improved methods of agriculture of which the Imperial Council are so proud and let us see what they have done for agriculture.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is going beyond the scope of the Bill.

Dr. F. X. DeSouza: I am asking what improved methods

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is discussing what the Council of Agriculture has done so far. That is not the point before the House. The point is whether public opinion ought to be consulted with regard to this Bill.

Dr. F. X. DeSouza: It is from that point of view that public opinion should be consulted and before public opinion is consulted, we cannot be asked to vote blindly on this Bill.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member can give his reasons why public opinion should be consulted. So far the Honourable Member has been saying that the Agricultural Research Council has not been doing good work in certain respects. That is not the subject matter of the motion before the House and public opinion cannot be asked on that.

Dr. F. X. DeSouza: We do not get our money's worth from their researches.

Mr. President (The Honourable Sir Abdur Rahim): There may be some clauses to which that question may be relevant.

Dr. F. X. DeSouza: I come to another point. As pointed out by my Honourable friend, Sardar Sant Singh, we want to know what would be the effect of levying this cess upon the prices of agricultural produce? It is elementary economics that if an export cess is levied on produce, which is not the sole monopoly of the exporting country, then the cess is paid by the producer. In other words, this cess of $\frac{1}{2}$ per cent. on the *ad valorem* price of the export will eventually be borne by the producer, the agriculturist and if you remember that in addition to that the poor agriculturist has to suffer from the rapacity of the middlemen, you can easily imagine that the agricultural producer will have to pay a great deal more than this $\frac{1}{2}$ per cent. *ad valorem* value. That is one aspect of the matter. What will be the effect of this rise in prices? Will it not interfere with the ability of the agricultural producer to compete in the international markets of the world?

An Honourable Member: It is bound to.

Dr. F. X. DeSouza: If so, does it help the agriculturist or does it restrict his power of export? This Session has been a Session for imposing taxes on all sorts of war profits

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member need not go into all that.

Dr. F. X. DeSouza: I shall not be wrong if I refer to this cess as an Excess Profits Tax on agricultural produce. Apart from that, what about the Provincial Governments? They must have a say in the matter. By raising the price of agricultural produce in this manner and restricting the exportable capacity, this Bill has the effect of reducing the taxable capacity of the agriculturist and the power of taxing the agriculturists is a subject for the Provincial Governments. Will they look with equanimity upon a reduction of their taxable capacity? Anyhow, their opinion should be called for. I do not think the Government of India have any right to encroach on the rights of the Provincial Governments. It is for them to determine to what extent their taxable resources are infringed.

Then, it is widely felt that the results of the researches of the Imperial Council, greatly beneficial as they are, are not brought home to the agriculturists. Where are the village demonstration farms and experimental farms to demonstrate to the villager the improvements that have been effected by the Imperial Council of Agricultural Research? There are none

at all. So far as I know, what happens in the provinces is this. The Agricultural Department is run as the department of Government. It is a soul-less department. It is a heartless department. You ought to make the agriculturist a partner with the Government in running the cultivation of land. Do as they do in a model State. I will tell you what they do. In Mysore every agriculturist feels that he can always fall back upon the experts of the Government for any help that they require. Whenever, I for one required the services of the Agricultural Department, they sent me the Agricultural Director himself, then the Agricultural Chemist and the Mycologist and every other expert. Will the Government of Madras' experts make a visit to the farm and give the agriculturist advice if he is in need of it? If I make a similar request to the Government of Madras, they will tell me to go to a very warm place

Sir Girja Shankar Bajpai: And yet this is the Government which my Honourable friend wishes to consult?

Dr. F. X. DeSouza: In any case, as I have indicated although I sympathise with the objects of the Bill and I sympathise with the necessity for researches, I think the finances should be found not by taxing the exports of agricultural produce but they should be found from the general revenues. What do we get? What do the agriculturists get from the revenue

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is again discussing the merits of the Bill.

Dr. F. X. DeSouza: I have already said enough and shall not trespass beyond the limits permissible; I think I have urged enough to show that this Bill should be circulated for the purpose of eliciting opinion thereon, by the 31st of July, 1940.

Maulana Zafar Ali Khan: Sir, I will not inflict a long speech on the House, but there are certain points to which I wish to draw the attention of my Honourable friend, Sir Girja Shankar Bajpai. A very beautiful song has been sung by him—the constitution, and the functions of the Imperial Agricultural Research Institute, everything about it has been put in an excellent way, but there is another angle of vision from which we look at the work of the Agricultural Institute. What do the people say? The people say that it is a luxury, it is all high-sounding title, but the lot of the agricultural population of India remains as deplorable now as it was when the Agricultural Research Institute was not brought into existence.

Mr. M. S. Aney (Berar: Non-Muhammadan): Not worse—quite sure?

Maulana Zafar Ali Khan: Then he wants to impose on agricultural commodities a cess the proceeds of which will be handed over to the Agricultural Institute for making a better financial provision for them. I think this is a vicious principle. Only the other day we heard a high authority in England declare from the housetops that only two things kept England alive,—a strong army and navy and aircraft also and exports. England can be kept alive if only she can export goods to other parts of the world, but directly the flow of exports from England ceases, England

[Maulana Zafar Ali Khan.]

dies. That is the principle for England. Then why not, Sir, should the same principle be applied to India also? India, they say, is an agricultural country. So concentrate all your energies on developing agriculture on a scientific basis, but you do not do even that. Our industries are starving, and you are levying cess upon cess and tax upon tax,—one day there is the Excess Profits tax, another day another tax, and so on and so forth

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member must really address himself to the motion before the House. He can resume his speech after Lunch.

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. Deputy President (Mr. Akhil Chandra Datta) in the Chair.

Maulana Zafar Ali Khan: To resume the thread of my story. I was pointing out, Sir, that the imposition of a cess on agricultural commodities intended to be exported from India is a vicious principle and I had pointed out that England for its very life was obliged to declare that unless the army and navy are there and unless the exports are there, there is no life for England. So, I wanted that principle to be applied in the case of India and if my Honourable friend in his Bill had used the word 'import' instead of the word 'export', I would have quite agreed to it. My Honourable friend, Sir Girja Shankar Bajpai, says that this duty would amount to about twelve lakhs, which is a very modest sum. It is a modest sum for you because you deal in astronomical figures. You deal in crores and *arabs*. One day's expenditure of war incurred in Britain comes up to nine crores, whereas twelve days war expenditure means the total revenue of India for one year. So, when you deal in these colossal figures, the sum of twelve lakhs may be a flea-bite for you, but for the poor agriculturists, like ourselves, it is quite a big sum. So, if you want to make a definite provision for the Imperial Council of Agricultural Research, do it in some other way. Why should not England pay for it? Why should we pay for it? We have been paying already so much that nothing is left with us. You have already imposed so many taxes on us and you want to impose still another.

Then, Sir, there is another point. If I were in the confidence of the Government, I would have suggested to them to keep this Bill in a state of suspended animation till such time as the war is over. Faced as we are with a deficit budget, which is mounting up, God knows when the war will come to an end, and you are indulging in these luxuries. It is not a time for luxuries. It is a time for bare existence. So, keep this Bill in a state of suspended animation till the war is over. If you do not accept this proposal, then I would point out that agriculture is a transferred subject.

Have you invited the opinion of the Governments of the various provinces? Evidently, you have not. You ought to invite their opinion if there is any sense of responsibility with you. We know that you are irresponsible. Power makes one irresponsible. Once plain Mr. Morley

said: "I am the guide, the philosopher and the friend of India and India must be given independence." Later on, when he became Lord Morley, he said: "Indians cannot get anything more for 500 years. We cannot give them anything more". When somebody asked him the reason of this inconsistency, he replied: "Power sobers." So, agriculture is a transferred subject and the opinion of the Provincial Governments must be invited. May I ask what will be the effect of the imposition of this cess on the industries generally and on the price limit? There will be a tremendous effect, a most deplorable effect. Industries and agriculture are allied subjects in this country. You levied a certain duty on hides and skins, commodities in which mostly Muslims and the depressed classes deal. The result was the loss of one crore. Afterwards, the duty was removed and the things balanced themselves. Now, you want to levy another duty on hides and skins which are agricultural produce, because Sir Girja Shankar Bajpai has already informed the House that agriculture includes 'livestock' also. The result will again be that poor Muslims will suffer because this is the only industry in which they have a proper share. The poor depressed classes will also suffer. The effect would be disastrous to these two classes. In giving my strongest support to the amendment before the House, I would ask the Government to circulate the Bill for eliciting public opinion; for there was never more need for eliciting public opinion than in the case of this Bill. With these words, I support the motion for circulation.

Mr. P. J. Griffiths (Assam: European): Mr. Deputy President, I rise to support the principle involved in the amendment moved by my Honourable friend, Maulvi Abdul Ghani, although, as I shall explain at a later stage, our action at the time of voting will be determined by the response of Government to our attitude. In speaking on a dilatory motion of this nature, it has become customary in this House to explain that one's intentions are not, in fact, dilatory but that for some technical reason or other one considers that a Bill should be referred to a Select Committee or should be sent for circulation and that the last thing present in one's mind is any kind of wish to delay the passage of a Bill. For my own part, I propose to depart from that practice today and to make it quite clear that my attitude is determined entirely by a wish to delay the passage of this Bill. I wish to delay its passage, not because I regard it as a bad Bill, but because I regard it as a Bill which, in detail, requires very much greater examination than could possibly have been given to it in the short space of time available since its presentation. I wish, further, to speak on this particular amendment in order to take the opportunity of uttering as emphatic a protest as possible against the growing Governmental tendency towards hasty legislation in general and hasty taxation legislation in particular.

In the old days, when the legislative output of Government was judged by quality rather than by quantity, for a Bill of any kind reasonable time was allowed for its due consideration by the public and by the Legislature. But in these days, when so much that was of value is gone, we are presented with a taxation measure on a Thursday morning and we are told forsooth on the Wednesday next following that this Bill must be passed today—that if we do not pass this Bill here and now, the Imperial Council of Agricultural Research will be put into difficulties and, perhaps, even the fabric of Empire will totter. And so, with this threatened disaster staring us in the face, we are asked, after five days consideration, to deal with a

[Mr. P. J. Griffiths.]

Bill which, in some respects, is of very great importance to a very large section of the people. After all, let me put this plain question to my Honourable friend, Sir Girja Shankar Bajpai. Does he believe that in the five days which have elapsed since he introduced this Bill, we have had enough time to receive replies from our constituents or from those who will have to pay this tax, if this Bill is passed as it now stands? Does my Honourable friend consider it proper that in dealing with a measure of this kind, our constituents—those whose interests we are here to defend—should be deprived of all opportunity of expressing to us the views which they hold with regard to the Bill and its proper working? I know that my Honourable friend, with his usual dialectical skill, may try to argue that this Bill, after all, is a very unimportant Bill, that the incidence of the tax proposed will be slight, that the volume of taxation to be realised is little and that, therefore, there is really no reason why we should undergo a long and elaborate procedure. But I want to reply to him on that point to the effect that no taxation measure, however slight be the incidence of tax proposed, can ever be regarded as unimportant. When you accept a tax, you are accepting a principle. You are laying down that certain classes of people must make contributions towards a particular form of expenditure although the incidence of the tax may be light, once you have accepted that principle, you have very little defence, at any rate on the question of principle, at a later stage when it becomes necessary to increase that tax. Sir, I would contend that any taxation measure is sufficiently important to demand a reasonable time for its proper consideration. But quite apart from that contention the argument that the incidence of the tax is light and so the Bill does not very much matter, is an argument which we, in this House, can never accept. For although the incidence of the tax may be slight, the practical inconvenience and trouble and the bother involved in paying that tax, as everybody who has experience of export duties knows, are very considerable. It is quite true that the amount you have to pay is small. But those of us who have to pay export duties know, to our cost, that we have to fill up innumerable forms, then waste a lot of time before anybody in the office concerned will receive payment. I can assure the House from my knowledge of the particular industry which I represent, that to pay an export tax is really a difficult business which really involves very much expense and trouble to the people who are trying to export.

My Honourable friend, Sir Girja Shankar Bajpai, does not realise that there is a very great difference between the expedition of Government in dealing with a measure of this kind and the expedition—or its absence—in the offices of their subordinates when they are receiving money that the exporters have to pay. We are expected to pass this taxation measure after studying it for five days. I can assure my Honourable friend with regard to the export duties of which I have experience that it very often takes you very nearly five days to pay export duty on a single article of export of slight value. I am not using this as an argument against this Bill. There may be very good reasons why the tax has got to be levied, and if such reasons are given, we shall have to put up with the resulting inconveniences. But what I am trying to establish is the fact that the slight incidence of this tax is no reason, whatsoever, for regarding it as an unimportant measure which can be rushed through without due consideration.

After all, if you examine this Bill, which I do not propose to do, in detail at this stage, you will find on a cursory reading that there are a

number of points regarding which we need further information before we can finally commit ourselves to accept it as it stands. In the first place we are told that the rate of tax, which has been fixed, is such that it is expected to realise the sum required to meet the expenses of the Imperial Council of Agricultural Research. Is there any single Member of this House who has yet had time to study the export figures and satisfy himself that the amount yielded by this tax will be the amount required? (Interruption.) Possibly my Honourable friend, Dr. Banerjea, has satisfied himself, because, comparatively speaking, he is a man of leisure. (Interruption.) I am delighted to hear that even my Honourable friend, Dr. Banerjea, in spite of his leisure, and in spite of his earnestness and industry has not yet had time to study this Bill carefully. It is for the House to consider the Bill carefully and to say whether the sum likely to be produced out of this tax will be roughly comparable to the amount that will be required. To consider that aspect of the Bill will take some time. Quite apart from that, when I turn to this Bill, I find that there are 23 items set down for the imposition of export duty. Has any Honourable Member of this House yet had any time to consider whether these 23 items are the right items, whether some of them should not have been left out or whether some fresh items should not have been included? How can such an examination be conducted without prior reference to those whose interests are concerned? I know quite well that these questions have been examined by the Government in the department concerned.

My Honourable friend, Sir Girja Shankar Bajpai, has a well-earned reputation for meticulous accuracy and I have not the least doubt that he has satisfied himself fully on these points and I hope that the governing body of the I. C. A. R. has similarly satisfied itself on these points. But no amount of satisfaction to themselves by the Government or by the I. C. A. R. can absolve us in this House from insisting on a chance of satisfying ourselves as to whether the particular 23 items chosen in this Bill are the 23 items which should have been chosen. We cannot abdicate our responsibility. We cannot say, 'yes, we are willing to pass this Bill today and take it for granted that the choice made by the department is a wise choice or a proper choice'.

I know there are practical difficulties. I know that Government will tell us that unless we pass this Bill the financial position of I. C. A. R. will be unsatisfactory. I know they will tell us that provision has not been made in the budget this year for the I. C. A. R. to carry on its activities and that unless we pass this Bill, its work may be brought to an end. Whose fault is that? Let me ask my Honourable friend, Sir Girja Shankar Bajpai, whose fault is it that no provision has been made in the Budget? Is it for the Government to assume that the Bill will be passed by this House? Is it for the Government to say in regard to this important item of work, which has been continuing for some time, "We propose this year to make no budget provision because of course the Assembly is duty bound to be quite amenable and to accept the measure which we shall place before it"? I submit with the greatest respect that we cannot allow Government, however good their intentions may be, to make assumptions of that kind. After all there is nothing new, there is nothing special this year in the position of the I. C. A. R. Its position this year is very much the same as it was two or three or four years ago. If Government felt it particularly necessary to make this particular change this year, then, surely, it was up to the Department to have brought this Bill forward in the Simla Session of last year. If they could not do that it was incumbent upon

[Mr. P. J. Griffiths.]

them, not to assume that this Bill would be passed forthwith, but to make budget provision for the I. C. A. R., a provision which would merely have become unnecessary if the House had passed this Bill. I know that in many respects—possibly in more respects than some of us like, but certainly in many respects—Government are very far from imitating the businesslike practice of commercial concerns, but I do think that the time has come when Government should at least imitate commercial concerns sufficiently to try to look ahead. I do maintain that the House has a right to expect that Government will once for all put an end to this business of coming along to the House with a taxation measure saying the matter is urgent and that the measure should be passed forthwith.

Sir, if I took my stand on the grounds of pure theory, I should have no hesitation in supporting the motion for circulation of this Bill for public opinion. But, at the same time, we do try in this Group to recognise practical necessities, and much as we blame Government for having put themselves in their present difficult position, we are prepared to meet their views to this extent that if Sir Girja Shankar Bajpai can, at this stage, assure us that Government propose to accept the amendment for reference to a Select Committee, which will at least ensure a certain amount of time for the examination of these important details, we shall not support the present amendment when it comes to the division lobbies. But if, on the other hand, such an assurance is not forthcoming, Government will leave us no option except to support this amendment which has been moved by my Honourable friend, Maulvi Abdul Ghani.

Dr. Sir Ziauddin Ahmad: Sir, some time ago, a person employed a servant and on being asked about the salary replied that he must earn it either by begging or by robbing. That is just the position of my Honourable friend, the Education Secretary. The Finance Department told them there was no salary for the Council of Agricultural Research that they should have it by begging or robbing and so he is now committing robbery on those who are interested in agriculture.

Sir Girja Shankar Bajpai: With the approval of the House.

Dr. Sir Ziauddin Ahmad: No, with the help of the Treasury Benches.

My Honourable friend's only argument was that some of the Provincial Ministers on the Council who were present at one of the meetings were in favour of this. But I may tell him that the position of the Ministers is different from that of Government. The Government are responsible to their parties and to their legislatures where their actions may be questioned, but a Minister, in his individual position, is responsible only to himself. Nobody knows what opinions a particular Minister gave, but we know definitely that our representatives on the Council of Agricultural Research did not support this motion, because they did not like it. Therefore, it is only fair and just that we should give an opportunity to the Provincial Governments to express their opinion before we pass a measure like this. My friend, Mr. Griffiths, asked how they chose these 23 items for taxation? My reply is that they put the names of all agricultural items in a box and by lottery these 23 items were chosen. They were conscious of their shortcoming and they noticed some important items may have been left out and so in a clause of the Bill they provided that they should have power to remove any of the items from the list or

add new ones to it. It is clear that they never approached this problem in a scientific manner. They did not calculate how much each item would earn and I expected the Education Secretary to tell us what each item would bring and what the total would be. It is just like what was done in the Second Finance Bill of 1931 when the customs duty on all commodities was increased by 25 per cent.

My friend spoke a lot about the Imperial Council of Agricultural Research but the prevailing opinion in the country is that it is no better than the rural uplift programme. At one time Mr. Brayne wanted to make Gurgaon an ideal place, but with his transfer the whole scheme of making it a model place disappeared. I am afraid that it may die out in the same way as the Village Uplift Movement died out. So I am not very much impressed with the account of this department's work as was given by the Education Secretary. I should rather like to have the views of the agriculturists themselves and the zamindars who are vitally interested and also of the Provincial Governments. So, unless we have these views and unless we have scientific and well-studied proposals, it is hard to support this.

We know of import duties and export duties and excise duties for revenue purposes and we also swallowed cess duty on certain commodities which require improvements. But I never heard of a cess duty on agricultural products which may or may not need any improvement. Therefore, no case has been made out at all and my Honourable friend perhaps brought forward this Bill because Congress Members are not here to vote it down. It is a fantastic proposal. I do not know in what manner each one of these particular articles will be improved by this cess, and no programme has been laid before us. Take bones, for instance. We do not know the condition of this industry. It is really the railways who stand in the way of the development of these industries by not giving them sidings or places for storing. I do not know how it is proposed to improve bones, and the same applies to all these articles. In the years 1931 to 1934 we had debates here about the export duty on hides and skins, and Government were so much convinced that they abolished the export duty by the certification of the Viceroy. When they were convinced that it cannot stand any export duty how is this new cess sought to be imposed now when there is so much curtailment of export? On the one hand is the Commerce Member who is putting all sorts of restrictions on export and on the other hand is the Education Secretary proposing an additional duty on an article which is already under difficulties on account of war conditions. These things should be carefully studied and not rushed through simply because the police in the shape of Congress Members are not here.

Mr. P. J. Griffiths: Are not the special police here?

Dr. Sir Ziauddin Ahmad: The police is the Congress Party and the special police is the conscience of my Honourable friends on the Treasury Benches. So both are absent and the Government are trying to rob the people and bring up a proposal of this kind. If the existence of this department was considered so essential by the Government of India why did they not put it as an item of expenditure? They might have added one more duty on a small article and collected seven or eight lakhs. It would have been easy for them. But the Finance Department is not convinced of the necessity of continuing this department from the public exchequer.

[Dr. Sir Ziauddin Ahmad.]

If he thought that it was necessary for him to find money for the continuation of this department, it would have been very easy for ^{3 P.M.} him to do so. He found money for the Delhi University but he refused to find money for the continuation of this Imperial Council of Agricultural Research on the ground that the Government of India did not consider it was necessary or profitable to the country to justify their asking the taxpayer to find the money for it. Probably, the Government of India told my Honourable friend to go about the country and find the money if he wanted to continue the department, and this Bill is the outcome of the refusal of the Finance Department. I think it is a great moral crime if this Bill is pressed at this particular moment: they ought to accept the verdict of the non-official Members who are supposed to know the desires of the people much more than the official Members, and we should get an opportunity to find out the opinions of those whom we represent whether they do or do not want this Bill. I am for circulation of the Bill and not for rushing it through.

Mr. Muhammad Nauman: Sir, my Honourable friends have explained the position and practically all of them support the motion for circulation. I only want to say this, whether it is the desire of this Government to run this Agricultural Council also as a commercial institution. From the Statement of Objects and Reasons it certainly looks so. They say that certain commodities should be taxed for the benefit of the agriculturists for the advancement of which this Council exists so that it may be self-contained. There are already two Government Departments, Railways and Posts and Telegraphs, run on commercial lines and we have seen to our bitter experience that since their assumption by the Government there has been little or no relief even to the man in the street, not to speak of higher sections. This is the third Department introduced to us on same pretext. I do not know whether in the long run Government propose to run all their departments on commercial lines. Then, probably, even the high offices will be auctioned out to the best bidder and a plea will be made that every department must pay its own expense.

The most important question arising out of the principle of this Bill is whether it is not the duty of the Government to look to the development of the resources of the country. If they can conscientiously feel and say that the Agricultural Research Council is in the interests of the country, then what is the difficulty in providing funds? I will not repeat what Sir Ziauddin Ahmad has said so very ably regarding the reason why no provision was made in the Budget but I will say that the reason why you did not provide in the budget for this expenditure was because you were definite in your mind that you could compel the sanction of this House. If you can appreciate the sense of protest that has been made you ought to know that we have our great feelings of resentment about this matter. We have told you that this Bill must be circulated and a referendum taken from the people whom you are taxing.

As Mr. Griffiths of the European Group said, it is very strange that the Honourable the Secretary for Education should come before us with a piece of legislation which involves important matters of principle and expects us to study the whole pros and cons of it in five days. If we are to show our faces to our constituencies we cannot take any responsibility at all for this Bill which we have hardly had even time to study.

I hope that for this reason the Government will accept the motion for circulation. The Government can by virtue of their majority compel the House to ignore the sanction of the people and I do not know if that is their desire. If that is the intention of the Government, then I can only repeat the Urdu line which probably Sir Girja Shankar Bajpai will appreciate :

“ Mujh se meri haaron ka poochna besood hay

Tum vehi akhir karoge jo tumhare dil men hay.”

Which means : “It is no use asking us to say what we want, when you have decided to do what you will”. Do not ask for our sanction; do not come with a Bill and do not make it appear as if you are doing everything constitutional when you have a certain advantage to ignore the opinion of the elected section of this House and which you can take and thrust the taxation measure on unwilling taxpayers.

I do not want to speak on the merits of the Bill. I have already said that one important principle here is whether the Council has to be run on commercial lines or not. The other principle is that we are going to tax our exports. In all countries exports have been developed and encouraged; and in this country, where if we cannot export any appreciable quantities of finished goods, we can at least export our raw produce. I find in the list attached to the Bill there are certain items of which I have some knowledge—hides and skins, for example. Sir Ziauddin Ahmad has already referred to the debates on this subject in this House between 1931 and 1935. I would say further that in 1936 the then Finance Member, Sir James Grigg, was convinced that the principle of the duty on skins was bad and had adversely affected the trade and so he removed it. Now, again, we find that Sir Girja Shankar Bajpai wants to tax that commodity and cripple skins and hides trade, which is run mostly by depressed classes and the Muslims. I shall not dilate on that point now as I shall have another opportunity when the Bill comes before the House again, but, at present, I want to impress this: will the Honourable Member explain to the House the average amounts of products in the list with tonnage and total export value. On what basis has he come to the conclusion that he will get only 14 lakhs, and not more? My own estimate is that he will be able to collect far more, but he has given us a small figure in order that the House may not be alarmed that a huge amount is being extracted out of the taxpayers. Sir, so far as I know, the total value of the export of skins alone is about three crores; the total value of hides is about a crore or thereabout, and the total value of seeds exported is about another crore and half, and all these commodities are those the bulk of which are exported in big quantities. There is no doubt that the export of these products has been affected very much recently by difficulties in obtaining freight and quota system and the trades in these commodities are not flourishing as they used to do about 20 years ago, but it cannot be said that they have at all deteriorated to such an extent as not to have no importance in export trade.

Then, Sir, another point is, where is the guarantee that the Agricultural Research Institute will be maintained at this figure of 14 or 15 lakhs? They may require another 50 lakhs tomorrow, and as Mr. Griffiths has very ably pointed out, there is a question of principle involved when we give sanction to this Bill, and as such we should have enough time to go into the question and to consult our constituencies and also to elicit the opinion of important bodies which are interested in the development of

[Mr. Muhammad Nauman.]

agriculture. If we find that the public hold the view that the Agricultural Research Institute and Council should be maintained, then, of course, we will be bound to give our sanction to its finance. Sir, I must say there is a general feeling that this Council is a white elephant, and it has not helped the development of agriculture in this country at all. There is a lot of propaganda carried on in favour of this department; it is a place, as Sir Henry Gidney once said, "where minutes are kept and days are lost". I do not know what advantages average agriculturist of this country has been able to derive so far. I mean ever since the establishment of this white elephant. To maintain this white elephant you want to tax the whole country and the poorest of the poor may be affected. Later on, when opinions have been ascertained, if it is found that this Institute has been doing good work, that the peasants and agriculturists have reaped good benefits, we may agree to give our sanction, and then you can add even a few more items; but as things stand at present I do not think we shall be justified in giving our sanction to this measure. Of course, we can oppose this Bill, but at the moment we are only concerned with the question whether the Bill should be circulated for public opinion or not, and when opinions have been collected and placed before us, we shall be able to decide what line we should take in regard to this matter.

Mr. Husenbhai Abdullabhai Laljee (Bombay Central Division: Muhammadan Rural): Sir, let me first thank you for giving me an opportunity today to have my say on this matter, because before now I stood up for about a dozen times to catch the eye of the Chair and yet I could not get a chance to speak on this most important matter. I know this is a most unfortunate position for any Member who has not joined any Party in the House. However, I never had this experience in my life of 24 years in different legislatures. Here it seems one is forced to join one or the other Party to catch the eye of the Chair. However, as necessity has no law we will now have on every question to move an amendment in order to represent the views of our constituency.

Now, Sir, coming to the question before us, to my mind this is one of the most important Bills that we have had before us for some time. This Bill looks very simple and innocent as some people have tried to point out as such but it is not so. The issue before us is one wherein the Government want to do something new and the representatives of the people, who shout as the true friends of the poor agriculturists, do not show sufficient or any interest. In season and out of season it is said that a very large part of the population of this country are agriculturists, they are entirely dependent on agriculture, that the welfare of the agriculturists is our first concern and foremost concern should be shown to them and all that sort of thing, but may I ask in all earnestness whether this Bill does not really show the depth of the anxiety of the Government for the poor agriculturists? Now, what are you asked to do by this Bill? What do the Government want to do? They want to tax the agricultural products, practically all of them, excepting, of course, rice, jute and cotton. All the items have been put down in an alphabetical order in the schedule. Perhaps it would be wise if somebody on behalf of the Central Board of Revenue tell us as to why the first three items, namely, Bones, Bristles and Butter have been put when these have never been exported from this country and how have they been included in this. That is how things

are done to delude many, but ordinarily business men are not so foolish as not to look at these seemingly superficial things. I do not know what is meant by item No. 4 cereals, (other than Rice and Wheat), because in item No. 21 again wheat appears, whether this item No. 21 refers to Punjab wheat or Khandesh wheat or what. The experts who must have put down these articles must know the true position and that is that all the wheat is included.

Now, Sir, it is a well-known fact that the first care of every Government should be to see that the interests of the very large number of people who pay the most for the maintenance of the Government are protected. I contend, Sir, as representing the people of the Central Division of the Bombay Presidency, that a large portion of the revenue which the Centre and the Provinces derive comes from the agriculturists. If that is the position, what have the Central and Provincial Governments done to help the agriculturists? Of course, we know this much, that after years of agitation to improve the condition of agriculturists a Royal Commission was appointed, and after that Commission had made their recommendations, one would have expected that the Government would devote at least a few lakhs of rupees for the development of agriculture out of the crores and crores they get out of this country by way of revenue. Now, see what are they going to do for these 15 or 20 lakhs, and how for this small sum they have made bold to come forward here with a Bill like this? I ask what are all the taxes collected for? Again, Sir Girja Shankar Bajpai has just pointed out, there is in India over 280 million acres of agricultural land and about 250 million heads of cattle, but still this Government would not like to spend about 15 or 20 lakhs from the crores and crores of revenue they collect from the people for its development for agriculture? May I know, Sir, if they can't spend any moneys on agriculture, for what other better and important purpose are they going to spend our money?

My friend opposite alluded to the absence of the Congress Party in the afternoon. They were present in the morning and the Leader of the Opposition though an eminent lawyer he represents the agriculturists constituency's interest here and not the legal profession, similarly, I represent the Central Division, agriculturist constituency here and I am very sorry to find that, although he and his Party were here in the morning, although he and his Party claim that they represent 90 per cent. of the agriculturists, yet not one of them is present now when this and other measures of such momentous importance are before the House, during this Session. In a way I am glad that they have not come just now or they would have been very sorry. All the same, I ask once again in the name of the public, what are the Government going to do with our moneys if they are not going to spend 15 or 20 lakhs on the welfare of the agriculturist, what other duty than this all important one are they going to perform?

Let me now take another important question that arises. Every Government have always and ever been now waging great wars with only one object, and that is, with the object of finding markets. What is the meaning of finding a market? Throwing their own produce on others and getting out money from them. That is really the object. Your produce ought to be sold somewhere and encouragement is necessary for the purpose. My Honourable friend, Sir Girja Shankar, gave us just now some important figures. He spoke of eighty lakhs being spent by the British

[Mr. Husenbhai Abdullabhai Laljee.]

Government on agricultural research in England. May I ask, was any special Bill produced there? England is not an agricultural country. Out of four crores of people in England I do not think more than four lakhs are agriculturists and you find that Government which rules here are spending there 80 lakhs for the welfare of only four or five lakhs of her people. But here our Government is unable to spend 14 to 15 lakhs, and they want to tax for this purpose all the commodities. I admire their persistency. Again, you have got also to consider the commercial and business point of view. When you sell and export these articles, the Honourable the Finance Member will tell you that those who sell and export large quantities, enormous quantities of agricultural produce, do not and cannot earn even two per cent. and that out of that two per cent., invariably one per cent has to be given away to the other side. So this huge business is carried on with about one per cent.

The Leader of the European Group—I would call the British Group, because here we have nothing to do with the European community—will surely say that he is doing business, and many great firms even like Rallis and Volkarts are doing business, on one per cent, and what is their income and what amount of income-tax is paid by them? That will show what one per cent. really means, and what half a per cent. means. When the Finance Member has included four or five lakhs for the Delhi University for graduates in the Budget and even referred to it in his speech the same Member who is responsible for looking after all our money that he gets from the poor cultivators does not provide 15 lakhs, but it falls upon the Member who is to look after the welfare of the agriculturist to come forward with a proposal to tax the agricultural commodities is really very queer. Above all, you have also got to consider this, namely, under what circumstances your exports are being sold by your countrymen in foreign countries. Wherever you send your goods, wherever your business people are trading, there is nobody to help them, and in many parts of the British Empire your own merchants who sell your raw produce which is now going to be improved by this research—I do not know to what extent and as my Honourable friend, Dr. DeSouza, said how much will be the yield—they are treated as dogs there. No protection, no police, no judiciary, no Trade Commissioner or Consul. With this handicap 90 per cent. of the agricultural produce is being pushed forward, and to grudge to provide 15 lakhs to make special researches,—and that too after the Royal Commission came down upon you and forced the Government to do their first duty by the agriculturist,—they still bring forward a special Bill, and nobody on the opposite side comes forward and says that this is not at all fair and right is really a great misfortune of ours. I should like to congratulate the Muslim League Party on the fact that no less than six of their Members have been given a chance to speak on the subject. I also agree with every word that has been said by my Honourable friend, Mr. Griffiths. I would only say that it is not at all wise and prudent for the Government even at this time to bring in a Bill like this. The only fair and equitable and dutiable thing for Government is to withdraw this Bill and say that they do realise what their duty is; if they do not do it, let the Bill go out. Let even now the whole agriculturist people throughout India know how much care is being taken, let the commercial and business men know how the Government are bringing forward special Bills for everything. Let people know that for education, medical health, social work, for labour, for everything separate Bills will come, and that all money that is coming

now is earmarked for something which has been going on, and that for every and any improvement we must have a separate tax Bill. With these observations I submit that this Bill ought to be sent out for eliciting public opinion.

Sir Girja Shankar Bajpai: Mr. Deputy President, the Chair observed this morning that, in discussing the motion for circulation, one should avoid going into the merits of the Bill and should concentrate on the merits or demerits of circulation. With your permission, that is the objective which I propose to set to myself. But before I go on to that, there are one or two preliminary observations that I should like to make.

The Honourable Member from Etawah, Dr. Sir Ziauddin Ahmad, suggested that we had been as haphazard as one picking chits from a lottery, in selecting those items which figure in the schedule to this Bill. I do not plead guilty to that charge for a moment, but even if it were true, I should say I was in very good company, because my impression is that the learned Doctor himself picks his points for debate more or less in the same fashion. Turning to my Honourable friend, Mr. Griffiths, who made some very pertinent points, there is one that I should like to single out for special comment. He twitted us,—being in a position of greater freedom and less responsibility—he twitted us with being a Government not given to expedition. May I remind him that he was taken by “business” from Government, and as such, in my judgment there is much to be said for a Government which can reinforce business with men like Mr. Griffiths.

Mr. A. Aikman (Bengal: European): That's very rare.

Sir Girja Shankar Bajpai: It is simply because the business community has not the good fortune to approach the Government for officials in the numbers that it really needs them.

Moving on to what I might call the serious part of the discussion, the suggestion is that the Bill be circulated for the purpose of eliciting opinion. Whose opinion? (Interruption by Mr. Muhammad Nauman.) I did not interrupt the Honourable Member when he was speaking. The opinion of the Provincial Governments? The Provincial Governments are represented on the Governing Body by their Ministers. My Honourable friend, Dr. Sir Ziauddin Ahmad, did try to draw a distinction between Ministers and Governments, but I should have thought that under any democratic system a Minister represents the Government. In any case, we are not prepared to go behind the representative character of the Ministers. And inasmuch as the majority of the Ministers, that is to say, provincial representatives, present at the meeting of the Governing Body last July expressed themselves in favour of this particular measure, I submit that by circulation we are not likely to get popular and official Government opinion different in any large measure from what we have secured already.

Then, Sir, comes the next party—the agriculturist. What is the basis of representative government? Why have an elective system? Simply because the ministers are supposed to represent constituencies formed on a fairly wide franchise. That being the position, Sir, I submit that we are

[Sir Girja Shankar Bajpai.]

justified in assuming that the Ministers, when they expressed themselves in favour of the proposal which we have put before the House, took fully into account, the opinions of their constituents, namely, the agriculturists.

An Honourable Member: Not at all.

Sir Girja Shankar Bajpai: My Honourable friend is perfectly entitled to differ but I am expressing my point of view.

Then, the third point—made by my Honourable friend, Mr. Griffiths,—was that this Bill was introduced into the House only a week ago, perhaps less than a week ago, and the House is now being called upon to express a verdict upon it. It really cannot be done, because there has not been time enough to examine all the implications and complexities of the measure. Well, Sir, in the first place, I should like to point out that it is not because of our seeking that the Bill has come into the House rather late in the Session. There were one or two difficulties in getting the Bill ready and we could not overcome those difficulties earlier. Otherwise, the Bill would have been introduced earlier but the point that my friend, Mr. Griffiths, made, namely, that more time should be given to the House for the consideration of the Bill is a perfectly valid point, and I am quite prepared to see that it receives the careful consideration of Government. Now, the objective which my friend, Mr. Griffiths, has in view, in my humble judgment, cannot be achieved only by the process of circulation. As a matter of fact, if it is the House which has to have the time for a closer examination of the Bill, then I suggest the more regular and the more expeditious procedure is for the House to have a Select Committee which would go into this Bill. And I, on behalf of Government, am prepared to give the House an assurance now that if such a motion is made, Government will be prepared to accept that motion.

Now, Sir, that disposes of the main point as between circulation and immediate consideration of the Bill. But there are one or two other major points which I should like to deal with before I resume my seat. The first is the financial one—that Government wish to put this thing on a purely commercial or self-sufficient basis. That is not the idea. If my Honourable friend had done me the honour of listening to what I said in my opening speech, he would have observed that I said that Government would continue to pay, as they have paid so far, for the administrative staff of the Council which costs little over two lakhs a year. I also said that Government would continue to pay for sugar research, which in recent years has consumed a considerable sum of money. Government have not said that once this Bill is placed on the Statute-book, they will enter into a compact with themselves, in no instance, hereafter to entertain any proposal that may come from the Council for additional assistance. But the point to be borne in mind is this, that the demands of the Council have grown and the finances of Government have not progressively prospered. What is to happen in the circumstances? Either the work has to come to an end or as I already pointed out

An Honourable Member: Economy.

Sir Girja Shankar Bajpai: Yes, my Honourable friend will practise economy at the expense of Government servants but not at the expense of anybody else. Now, Sir, the point I was making was that either the work has to come to an end or other means have to be found for supporting and financing the Imperial Council of Agricultural Research.

Mr. Muhammad Nauman: The State should do it.

Sir Girja Shankar Bajpai: My Honourable friend says that the State should do it. He seems to assume that we are doing something now which has never been done before. In the first place, I have already explained that the State not merely has done it in the past to the extent of 85 lakhs of rupees but the State proposes to continue to do it to the extent of a considerable sum of money in the future also with regard to such matters as sugar and so on. But the other point to be borne in mind is that the principle of taxing agricultural commodities for the benefit of those particular commodities or research in those commodities has already been accepted by this House. I mentioned three instances. I mentioned cotton, lac and coffee. Where on earth is the heresy in our suggesting that we should now take power unto ourselves in order to tax certain other commodities?

Then, Sir, a great deal was said about the crushing burden that this impost would throw upon the commodities that are exported. I do not propose at this stage to go into every item that constitutes this list. I may say for the information of the House that the bulk of the 14 lakhs that we expect—incidentally, that is not an under-estimate, if anything it is an over-estimate—we expect to get it from oil seeds and possibly from hides. Now, what is the position with regard to oil seeds—let me say—groundnuts. The burden on the agriculturist will be 5·1 pies, a little over a pice, in other words, per maund of groundnuts exported. On linseed, it will be 5·8 pies per maund, on hides it will be 4·5 pies per 20 pounds. Honestly we might have our own particular points of view in order to develop an argument and that is perfectly consistent with the rules of dialectics, but in making an appeal, in all fairness, to the conscience of Honourable Members, I think I can claim that the figures I have given are not likely to have a cataclysmic effect upon the export trade in these particular commodities.

Sir Syed Raza Ali: Does the Honourable Member believe that the middleman will add on to the cost only the amount he has mentioned and no more?

Sir Girja Shankar Bajpai: If my Honourable friend were suggesting that there is no export of these commodities now and that it is the imposition of the export duty which will start exports, then possibly the exporter will have opportunities for manipulation. But, as it happens, the export trade is there all the time. And, according to such economic laws as I am familiar with, the result of levying the cess will be that, at the worst, this will, in its entirety, be a burden on the agriculturist but in all likelihood it will be distributed between the consumer at the other end, between the middleman in this country and the cultivator. That, I think, is much more likely to be the position than anything else.

[Sir Girja Shankar Bajpai.]

Sir, I do not think it is necessary to elaborate any further point. We have already made it clear that the principle which we have adopted in this Bill already exists in the Statute. We recognise that the House has not had sufficient time to consider this and for this purpose we are prepared to accept a motion for Select Committee. But, for the rest, I think we should really be doing great harm to the cause of agriculture in this country and to the Imperial Council of Agricultural Research if we were to resort to a motion for circulation, merely for the sake of eliciting opinion, the trend of which can be confidently predicted already.

Mr. F. E. James (Madras: European): May I put a question to the Honourable Member? An apprehension has been expressed lest the money which is raised by the duty on these commodities will be, if not explicitly, perhaps implicitly ear-marked for research with regard to those commodities. We should like to have a very categorical assurance that this money will be used generally on problems of research without any reference whatever to the source from which it comes.

Sir Girja Shankar Bajpai: I can give my Honourable friend that assurance immediately. Ours is not a narrow approach to the prosperity of the agriculturist. We do not think that the agriculturist is benefited by spending a certain proportion of income from a certain source upon a particular commodity. We shall spend this money or rather the Agricultural Research Council will spend this money on those crops and those commodities which in their totality are expected to bring the maximum benefit to the agriculturist.

Dr. Sir Ziauddin Ahmad: I wish to ask one more question. A cess is always administered by a statutory private committee. Will this cess be administered by the Government of India or by a Statutory Board?

Sir Girja Shankar Bajpai: Sir, the cess will be collected by the agency of the Government and then it will be handed over to the Governing Body of the Imperial Council of Agricultural Research who will administer it subject to such conditions as may be imposed by the Government of India.

Maulvi Muhammad Abdul Ghani: Sir, in view of the assurance given by the Honourable Member and the fact that opinions will be collected through the administrative machinery, I beg leave of the House to withdraw my motion.

The motion was, by leave of the Assembly, withdrawn.

Maulvi Muhammad Abdul Ghani: Sir, before I move my main motion, I seek the indulgence of the Chair to add a few names. I move:

"That the Bill be referred to a Select Committee consisting of the Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar, Sir Girja Shankar Bajpai, Khan Bahadur Sir Abdul Hamid, Seth Sunderlal Daga, Mr. P. J. Griffiths, Sardar Sant Singh, Dr. Sir Ziauddin Ahmad, Mr. Muhammad Azhar Ali, Shaikh Rafuddin Ahmad Siddiquee, Dr. R. D. Dalal, Pandit Krishna Kant Malaviya, Mr. Muhammad Nauman, Mr. Ramsay Scott, Mr. H. M. Abdullah, and the Mover, with instructions to report on or before the 21st June, 1940, and that the number of Members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Sir, I do not like to take up much of the time of the House. I was just going to say something on the merits of the Bill on the circulation motion, but I was afraid of the Chair and I could not do. The Schedule mentions twenty-three articles, but if you look at clause 3, you will find that the Government under the Bill wants absolute power to change it at any moment they like. Though there will be a Schedule, the Schedule can be changed at any time at the sweet will of the Government. Sir, certainly that is very dangerous, and it is not desirable at all on our part to agree to such a kind of thing. Let us have a hard and fast rule. Legislation ought not to be ambiguous; it should be in cut and dried form, and I hope the Select Committee, the motion for which I have just moved, will go into it and see that no hardship is caused to the agriculturist. Sir, one thing is missing from the Bill which my learned friend, Maulana Zafar Ali Khan, had brought to the notice of the House while speaking on the circulation motion, viz., that the imports are not being touched. Why? This means that the foreign articles imported into the country are not in a position to bear the burden of a cess as laid down in the Bill. Why? Why so much favouritism, why so much differential treatment? Why are the poor people of India going to be indirectly taxed and not the people of other countries? They must also contribute something for the benefit of the poor people here, and I hope the Select Committee will also take that into their consideration and see that something is done to tax the foreign imports. With these words I move my motion.

Mr. F. E. James: Sir, before you put the motion, may I move an amendment to the date? My Honourable friend in his original motion gave no indication of the date and he has now from the floor of the House given an indication; the date, I understand, is to be the 21st of June, I should like that for those words "the 21st of March" be substituted.

The Honourable Sir Muhammad Zafrullah Khan (Leader of the House): "On or before"—those are the words.

Mr. F. E. James: There is a psychology about that date.

The Honourable Sir Muhammad Zafrullah Khan: If a report is to be laid on the table on or before the 21st of June, it must be done in the Session, otherwise, the direction cannot be complied with.

Mr. F. E. James: Supposing the report is laid on the table on the last day of the Session, then in point of fact that will be postponing the issue till the next Session?

The Honourable Sir Muhammad Zafrullah Khan: It will be laid on the table as soon as it is ready, and it cannot be laid on the table before it is ready.

Mr. F. E. James: Is my Honourable friend going to be Chairman of the Committee?

The Honourable Sir Muhammad Zafrullah Khan: Yes, but I regret my Honourable friend is not on the Committee.

Mr. Deputy President (Mr. Akhil Chandra Datta): Amendment moved:

"That the Bill be referred to a Select Committee consisting of the Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar, Sir Girja Shankar Bajpai, Khan Bahadur Sir Abdul Hamid, Seth Sunderlal Daga, Mr. P. J. Griffiths, Sardar Sant Singh, Dr. Sir Ziauddin Ahmad, Mr. Muhammad Azhar Ali, Shaikh Rafiuddin Ahmad Siddiquee, Dr. R. D. Dalal, Pandit Krishna Kant Malaviya, Mr. Muhammad Nauman, Mr. Ramsay Scott, Mr. H. M. Abdullah, and the Mover, with instructions to report on or before the 21st June, 1940, and that the number of Members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

(Mr. Muhammad Azhar Ali rose to speak.)

Mr. Deputy President (Mr. Akhil Chandra Datta): Does the Honourable Member wish to oppose the motion?

Mr. Muhammad Azhar Ali (Lucknow and Fyzabad Divisions: Muhammadan Rural): It is not a question of opposing, but it is a question of honour to me that I should speak on this motion today.

Mr. Deputy President (Mr. Akhil Chandra Datta): Mr. Muhammad Azhar Ali.

Mr. Muhammad Azhar Ali: Sir, being a Member of the Governing Body and being an elected Member of this House, it was my duty on the first motion when it came before the House to have stood up and said something. But I thought that it was proper and better for me to speak on the Select Committee motion. The reason for arriving at that decision was that there is an impression in the House that perhaps their representative on the Governing Body does not do his duty properly. As my Honourable friend, Mr. Paliwal, who is a member of the Congress Party, is not here, it is my duty to explain to the House the circumstances under which this Bill was brought before the Governing Body of the Imperial Council of Agricultural Research. If I do not state the full facts before the House now, it will be a dereliction of duty on my part. It is a matter of regret to me that my friend, Mr. Paliwal, is not in the House now. Unfortunately, his whole Party is absent.

Sir, when this question came before the Governing Body, your representative was there as has been pointed out by the Maulana Sahib, and I gave him this hint and I am prepared to admit it. Your representative did not agree and did not give his consent to this Bill. It was a matter of great regret to everyone of us who were popular representatives on the Governing Body, whether they came from the Provinces or they were Ministers or they were the representatives of the Indian agriculture, that such a proposal was brought before that body. My friend, Sir Girja Shankar Bajpai, may be right in saying that some of the Ministers supported the proposal, but I am prepared to say on the floor of the House that two or three of the Congress Ministers differed amongst themselves. One of them supported the proposal and others did not support it. I am prepared to give the names, but I know that it is invidious to give names, and, therefore, I will not mention their names.

Sardar Sant Singh: What was the position taken up by the Punjab?

Mr. Muhammad Azhar Ali: I am not prepared to say all that. As the House knows, on the Governing Body of the Imperial Council of Agricultural Research, non-official Members count very little. There is a regular phalanx of officials on the Governing Body. There are the representatives of so many Departments, such as, the Marketing Department, the Husbandry Department, the Agricultural Department. . . .

Sir Girdja Shankar Bajpai: I hope my Honourable friend will excuse me for interrupting him, but in so far as the Governing Body is concerned, the Husbandry Department, as he calls it, is not represented on it.

Mr. Muhammad Azhar Ali: It is a very good point for a joke, but the fact remains that there are so many representatives of various Departments on the Governing Body, and there are only two of us to represent this big Assembly. Then, there are also the representatives of Indian States on it, and we all know the conditions that prevail in the Indian States. It is not for me to explain those conditions to the House. But I remember very vividly that those friends who spoke on this Bill said that it was a great pity that during the beneficent term of His Excellency Lord Linlithgow it was not found possible to grant a paltry sum of 25 lakhs to the Imperial Council of Agricultural Research. Every one remarked that the Viceroy had the interests of agriculture at heart and this he was saying from the moment he landed in this country and yet it was not found possible to grant a paltry sum of 25 lakhs especially when the Government are prepared to spend lakhs and lakhs and crores and crores on so many other things. Sir, we cannot understand the vagaries on the part of the Government when they refuse to sanction money for such objects as the present one. It is for the Government themselves to find out, if they are conscientious and if they are honest, why on occasions such as these they do not come forward to help the cause of India. We have on the Governing Body the Ministers from the various Provinces and also the representatives of practically all the big States. The representatives of the States could easily approach their own Governments and ask them to subscribe to the funds of the Imperial Council of Agricultural Research. Why should the poor Indian agriculturist alone be asked to bear this burden? We do not blame the Department or the Imperial Council of Agricultural Research for this transaction, but we simply say that it is the fault of the Finance Member not to have been able to find this small sum for the Council.

There is also an air of suspicion about the work of the Imperial Council of Agricultural Research, and it is my duty to enlighten the House on that subject also. As a member of the Governing Body, it was my duty to watch the interests of the people of India and to see how their money was being spent. If I had found that the money was not properly spent, it would have been my first duty to come to this House and point out to them what was happening. In fact, I am prepared to say on the floor of the House to convince my friends that the Imperial Council of Agricultural Research is safeguarding the interests of the agriculturist to a great extent.

Now, Sir, if the House will bear with me, I shall enlighten the House about the kind of work which we have done in that Governing
 4 P.M. Body. I should like to assure the House that we are not wasting our time there. I would never have remained on the Governing Body as the representative of the House if there was no work to be done there: I have noted down a few of the questions which the Imperial Council of Agricultural Research interested itself in. It was on the representation of

[Mr. Muhammad Azhar Ali.]

the Governing Body of the Imperial Council of Agricultural Research that the Government of India were induced to order an enquiry through the Tariff Board in regard to the question whether any protection should be given to the Indian sugar industry. As a result of this Tariff Board's recommendations, the Sugar Industry Protection Act, 1932, was passed. Now, Sir, do you think that it was ordinary work. It was really a great performance of the I. C. A. R.

Now, again take the efforts of the I. C. A. R. on the question of tackling the locust menace. Every one knows the great damage done by locusts to the crops in India. To tackle this pest meant a colossal work and till now nobody has attended to this work except the I. C. A. R.

Dr. Sir Ziauddin Ahmad: Every patwari was doing that work.

Mr. Muhammad Azhar Ali: The work which the patwari was supposed to have been doing is nothing compared to the scale on which the I. C. A. R. is doing this duty. It was owing to the swift action taken by the Council in concerting measures for the control of locusts and getting them as widely adopted as possible that lakhs and lakhs of rupees worth of crops were saved in 1929-30 and the following years. It was further, as a result of the research undertaken by it, that the Locust Warning Organisation has been permanently taken over by the Central Government. Can any patwari do this amount of work? No patwari could approach the Central Government to take up this work.

I need not say anything about wheat rust. That is a very big subject. I will say something which the I. C. A. R. has done with regard to rice. The I. C. A. R. has been financing a chain of research stations in India devoted to work on improving the varieties and yield of paddy and the connected manurial, cultural and irrigation trials. Varietal trials have resulted in the discovery of a large number of improved strains all over, both heavy yielding and of better quality. A number of improved varieties have been introduced. Assuming the improved varieties give ten per cent. more yield, the increase in the area under such varieties from 3,667,097 acres in 1935-36 to 4,569,994 acres in 1936-37 means an excess return of about Rs. 4½ millions a year, calculating at an extra yield of 25 maunds of paddy per acre at Rs. 2 per maund.

I come now to tobacco. By Virginia types replacing Natu types, the cultivators get an extra return of Rs. 200 per acre. In Guntur with 80,000 acres under Virginia types, the gain is 160 lakhs of rupees while for Mysore and all other areas combined, the gain will be Rs. 1½ crores annually.

Now, I come to the point on which my Honourable friend, Sir Girja Shankar Bajpai, had a joke, that is about animal husbandry. The work on the animal husbandry side is so designed as to give the stock breeder a better return on his outlay. Comprehensive research in regard to animal diseases, animal nutrition and animal breeding have benefited all parts of the country. For example, by improved measures designed to secure immunisation against rinderpest disease and to save animals from death from the rinderpest attacks, a saving of 110.5 lakhs may be estimated. By measures directed against the loss in milk yield due to foot and mouth disease a saving of Rs. 18.5 crores may be said to have been achieved. I submit, Sir, these are not small achievements. As I already said, if I found that no work was transacted in the

I. C. A. R. meetings, I would have at once resigned from its Governing Body. As I said in the very beginning, lots of money are wasted in other Departments of the Government of India. This Department, though it may be said to be a Department of the Government of India, yet this much I may tell you that there are representatives of the Indian States, there are representatives of the Provincial Governments, there is a representative of this Assembly to look after the business to a certain extent of the I. C. A. R. I, therefore, submit to the House that we are not wasting our time there. If it were so, it would be better to recall your representative from that Governing Body. With these remarks, I support the motion for referring the Bill to the Select Committee.

Mr. Deputy President (Mr. Akhil Chandra Datta): The question is:

"That the Bill be referred to a Select Committee consisting of the Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar, Sir Girja Shankar Bajpai, Khan Bahadur Sir Abdul Hamid, Seth Sunderlal Daga, Mr. P. J. Griffiths, Sardar Sant Singh, Dr. Sir Ziauddin Ahmad, Mr. Muhammad Azhar Ali, Shaikh Rafuddin Ahmad Siddiquee, Dr. R. D. Dalal, Pandit Krishna Kant Malaviya, Mr. Muhammad Nauman, Mr. Ramsay Scott, Mr. H. M. Abdullah, and the Mover, with instructions to report on or before the 21st June, 1940, and that the number of Members whose presence shall be necessary to constitute a meeting of the Committee shall be five"

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Friday, the 8th March, 1940.