

15th February 1939

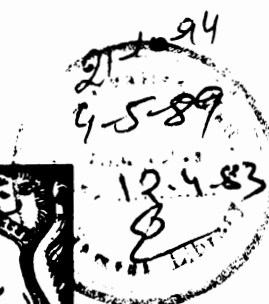
THE
LEGISLATIVE ASSEMBLY DEBATES

(Official Report)

Volume I, 1939

(3rd February to 15th February, 1939)

NINTH SESSION
OF THE
FIFTH LEGISLATIVE ASSEMBLY,
1939



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Legislative Assembly.

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

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LEGISLATIVE ASSEMBLY.

Wednesday, 15th February, 1939.

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.

Mr. Alan Hubert Lloyd, C.S.I., C.I.E., M.L.A. (Government of India: Nominated Official).

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

†402*.

REDUCTION IN THE NUMBER OF SALOONS.

403. *Mr. T. S. Avinashilingam Chettiar: Will the Honourable the Railway Member state:

- (a) the extent of the use of saloons by officers of Railway Administrations and by others in the year 1934-35 and in the last financial year;
- (b) whether the use of saloons by people other than Railway officers has gone down;
- (c) whether an enquiry has been made to see that the number of saloons maintained for the use of Railway officers could be reduced; and
- (d) if so, with what effect?

The Honourable Sir Thomas Stewart: (a) and (b). The information is not available.

(c) and (d). The Honourable Member's attention is invited to the reply given in this House on 2nd December, 1938, to part (c) of starred question No. 1723 asked by Mr. S. Satyamurti. The examination referred to therein is not yet complete.

Mr. T. S. Avinashilingam Chettiar: May I know whether statistics are taken from time to time as to the number of saloons and as to whether they are sufficient or in excess of the needs?

The Honourable Sir Thomas Stewart: What is happening is that a census of the use of saloons is being taken covering the months of November, December and January, and the replies are not yet complete. They have not all come in; they are expected within the next month.

†This question was withdrawn by the questioner.

Mr. T. S. Avinashilingam Chettiar: Am I to understand that these statistics are taken every year for the months mentioned by the Honourable Member?

The Honourable Sir Thomas Stewart: No, Sir. This is a special inquiry being carried out at the request of the Standing Finance Committee.

Mr. T. S. Avinashilingam Chettiar: When was it last taken?

The Honourable Sir Thomas Stewart: I do not think it was ever taken before; this is a special inquiry.

Mr. T. S. Avinashilingam Chettiar: May I know if, pending the results of this inquiry, the building of saloons has been stopped?

The Honourable Sir Thomas Stewart: That is what I have already indicated on the floor of the House.

Mr. S. Satyamurti: With reference to clauses (a) and (b) of the question, may I know why information is not available, and whether Government do not keep any account of the use of these saloons, considering the cost involved in their construction and maintenance?

The Honourable Sir Thomas Stewart: That is a reasonable inference from my reply.

Mr. S. Satyamurti: May I know then what are the reasons why Government are not able to give this House the extent of the use of saloons by officers of railway administrations and others in the year 1934-35 and in the last financial year?

The Honourable Sir Thomas Stewart: Presumably because the information is not available.

Mr. S. Satyamurti: What are the steps which the Railway Board or Government take in order to see that these saloons are used only for the purposes for which they are built and maintained, and that they are not excessive or excessively used?

The Honourable Sir Thomas Stewart: Government have issued an extensive questionnaire to the various railway administrations.

Mr. K. Santhanam: May I know when the instructions for collecting statistics were issued?

The Honourable Sir Thomas Stewart: The actual instructions were issued on the 6th June last year. Then the preliminary replies came in. These were unsatisfactory and revised instructions were issued to the railways in October.

Mr. K. Santhanam: Am I to understand that the instructions were for the months of October, November and December, 1938?

The Honourable Sir Thomas Stewart: No, Sir, The instructions issued on the 6th June, 1938, were in somewhat general terms.

Mr. K. Santhanam: I want to know the months for which statistics were called for.

The Honourable Sir Thomas Stewart: I shall require notice as to the nature of the instructions issued in June. My information is regarding the latest inquiries that have been made since October.

Mr. K. Santhanam: I want to know whether if instructions were issued before the months indicated some artificial stimulation of the use of saloons would not vitiate the collection of statistics?

The Honourable Sir Thomas Stewart: That, I think is a presumption.

Mr. T. S. Avinashilingam Chettiar: Along with the statistics of saloons may I know whether the question of people entitled to the use of saloons is also being considered?

The Honourable Sir Thomas Stewart: I think that question is covered by the general inquiry that is being undertaken.

Mr. Lalchand Navalrai: May I know if this census is taken with a view to decrease the number of saloons?

The Honourable Sir Thomas Stewart: If it should appear from this inquiry that it is desirable to do so, that action will be taken.

AMALGAMATION OF CERTAIN GRADES OF CLERKS IN THE DIVISIONAL SUPERINTENDENTS' OFFICES ON THE NORTH WESTERN RAILWAY.

404. *Sardar Sant Singh: Will the Honourable Member for Railways please state:

- (a) whether it is a fact that the clerks employed in the offices of the Divisional Superintendents, North Western Railway, who have put in ten years' service, are blocked on the maximum of grade I, viz., Rs. 60, which limit is reached after putting in at least seven years' service;
- (b) whether it is a fact that the General Manager, North Western Railway, recommended to the Government of India in 1930 that the clerks who had been blocked on the maximum of grade I for more than one year should be allowed to step into the next grade the maximum of which is Rs. 95 per mensem, which can be reached after putting in at least 15 years' service;
- (c) whether the General Manager, North Western Railway, admitted in 1930 that there is hardly any line of demarcation in the duties performed by the clerks in grades I and II and that subsequently it has been admitted on several occasions by the Divisional Superintendents, who have accordingly been recommending amalgamation of grades I and II ever since;

- (d) whether, since 1982, conditions have so accentuated for various reasons, including appointments in intermediate grades, that not more than ten per cent. of the clerks who had reached the maximum of grade I in that year have been able to step into the next grade so far;
- (e) whether it is a fact that deductions for Provident Fund and institute amount to Rs. 6 per mensem, thus leaving Rs. 54 to the clerks;
- (f) whether Government are aware that such clerks have to pay about Rs. 15 per mensem as house rent in the big cities, thus leaving only Rs. 39 per mensem for living;
- (g) if the reply to part (e) be in the affirmative, whether Government consider that a clerk having put in ten years' service and having, on an average, a family of five members can maintain himself and his family in the said principal cities within the remaining Rs. 40 on a standard expected of him;
- (h) whether it is a fact that over 90 per cent. of the said class of clerks are heavily in debt, mostly to the Railway Co-operative Credit Societies, and that they have been representing for the last several years for amelioration of their conditions;
- (i) whether such a low living wage is offered, even under the revised scales of pay, in any other Government Department; and
- (j) whether Government are prepared to amalgamate grades I and II in order to enable a clerk to attain the wage of Rs. 90 per mensem or so, after putting in 15 years' service in the principal towns?

The Honourable Sir Thomas Stewart: (a) Yes, except in a few cases. The maximum is, however, reached in seven years in the case of men in the old grade I and eight years in the new grade I.

(b) and (c). I would refer the Honourable Member to the reply given to parts (c) and (d) of Mr. Lalchand Navalrai's starred question No. 1046 on the 9th March, 1986, and of his unstarred question No. 33 on the 21st February, 1988.

(d) Government have no information.

(e) The contribution to the Provident Fund is one-twelfth of an employee's pay and the subscription to an Indian institute, if one exists at the station, is four annas per mensem for employees on Rs. 60.

(f) to (h). Government have no information as regards parts (f), (g) and the first part of (h). As regards the latter part of (h), I would refer the Honourable Member to the reply given to part (a) of Mr. Lalchand Navalrai's unstarred question No. 33 on the 21st February, 1988.

(i) I cannot see that any useful purpose is served by comparison with other Departments where circumstances are not identical.

(j) I would refer the Honourable Member to the reply given to part (c) of Mr. Amarendra Nath Chattopadhyaya's starred question No. 662 on the 31st August, 1988.

Sardar Sant Singh: May I know if it is a fact that the Honourable Member in his speech on this subject last year said that there was a reasonable flow of first grade men to second grade within a reasonable time?

The Honourable Sir Thomas Stewart: That is my recollection.

Sardar Sant Singh: Is it a fact that in the N. W. Railway of a total strength of 422 first grade clerks 280 have been blocked in this grade from 9 years to over 15 years?

The Honourable Sir Thomas Stewart: Where you have a system of promotion from one grade to another it is by no means a certainty that every clerk in the lower grade will be promoted to the higher one. The question of merit comes in.

Sardar Sant Singh: May I know the percentage which have a reasonable chance on their merits of promotion to the second grade?

The Honourable Sir Thomas Stewart: According to the figures quoted by my Honourable friend the percentage that went up was something like 50 per cent.

Mr. Lalchand Navalrai: Is it a fact that since the Honourable Member made that statement last year there has been no flow at all and there is no likelihood of any flow from grade I to grade II? Will the Honourable Member, therefore, reconsider this question?

The Honourable Sir Thomas Stewart: I do not think that a temporary stop in promotion is necessarily a reason for revising the whole system of promotion.

Mr. Lalchand Navalrai: In view of the difficulties, more or less recognised by the Honourable Member in his speech last year, of these first grade divisional clerks, will the Honourable Member remove those difficulties in any way? It is not a question of comparison, but will the Honourable Member give them some relief?

The Honourable Sir Thomas Stewart: The Honourable Member is presuming a state of mind which is not necessarily true so far as I am concerned.

Mr. K. Santhanam: May I know if there is any direct recruitment to grade I?

The Honourable Sir Thomas Stewart: That is my impression.

ABOLITION OF FIRST CLASS ACCOMMODATION ON BRANCH LINES.

405. ***Mr. T. S. Avinashlingam Chettiar:** Will the Honourable Member for Railways state:

- (a) the number of Branch lines in which first class accommodation has been abolished;

- (b) the mileage in these lines in which this has been brought into effect; and
- (c) as a consequence, how many first class carriages are in excess of the demand?

The Honourable Sir Thomas Stewart: (a) to (c). The information is being compiled and will be laid on the table of this House.

Mr. T. S. Avinashilingam Chettiar: May I know whether it is not true that, in the statement of the action taken by Government over the Wedgwood Committee's Report, they have represented that the first class has been abolished in certain lines?

The Honourable Sir Thomas Stewart: Yes: that was a qualitative statement: I am now endeavouring to get a quantitative one.

Mr. T. S. Avinashilingam Chettiar: May I know when this order for collecting this information was issued?

The Honourable Sir Thomas Stewart: I should require notice of that: but my impression is that it was issued as a result of the suggestions I made since this question was first raised on the floor of this House.

Mr. T. S. Avinashilingam Chettiar: May I know whether this first class accommodation was abolished on certain railways without consulting the Railway Board?

The Honourable Sir Thomas Stewart: I have told the Honourable Member that I am collecting the information and will lay it on the table of the House when it is ready.

IMPROVEMENTS IN FACILITIES AND COMFORTS OF THIRD CLASS PASSENGERS.

406. ***Mr. Brojendra Narayan Chaudhury** (on behalf of Mr. Akhil Chandra Datta): Will the Honourable the Railway Member please state:

- (a) what action, if any, has recently been taken to improve the facilities and comforts of third class passengers;
- (b) what action, if any, has been taken for the acceleration of passenger trains; and
- (c) what action, if any, has been taken to attract more third class passengers?

The Honourable Sir Thomas Stewart: (a) to (c). I would refer the Honourable Member to the details given in Chapters IV and VIII of the Railway Board's Annual Report on Indian Railways for 1987-88, Volume I, a copy of which is in the Library of the House.

Mr. Brojendra Narayan Chaudhury: Has not anything been done since that report was published?

The Honourable Sir Thomas Stewart: I should be sorry to say that nothing has been done, but I do not think very much can have been done as the volume was only published about a week ago.

Mr. Brojendra Narayan Chaudhury: May I know when the report was compiled?

The Honourable Sir Thomas Stewart: In the closing months of the year.

Mr. T. S. Avinashilingam Chettiar: May I know whether anything has been done to speed up the Grand Trunk Express from Madras to Delhi?

The Honourable Sir Thomas Stewart: The reply is in the negative.

Mr. T. S. Avinashilingam Chettiar: May I know whether the Government will place on the table of the House or publish a report from time to time of the speeding up of trains that has been done by the railways?

The Honourable Sir Thomas Stewart: I think the action taken in that respect is included in the annual report.

GRANT OF CONCESSION RATES FOR BOOKS LUGGAGE OF STUDENTS ON RAILWAYS.

407. *Mr. Brojendra Narayan Chaudhury: Will the Honourable the Railway Member please state:

- (a) whether the attention of the Railway Board has been drawn to the fact that students in travelling home at vacation terms have to take their books with them as luggage and that books are charged at ordinary luggage rates, the ordinary free allowance for third class being too small to cover the weight of both suit case and book case; and
- (b) whether any concession rates for students' books luggage is contemplated?

The Honourable Sir Thomas Stewart: (a) No. (The free allowance on third class tickets was raised from 15 to 25 seers in December, 1929.)

(b) No.

Mr. Brojendra Narayan Chaudhury: Has the Honourable Member taken into consideration the fact that most of the students are very poor?

The Honourable Sir Thomas Stewart: I do not think that that is universally true.

PROSECUTION OF RAILWAY EMPLOYEES IN CONNECTION WITH THE BIHTA ACCIDENT ON THE EAST INDIAN RAILWAY.

408. *Sardar Sant Singh: Will the Honourable the Railway Member be pleased to state:

- (a) if there were any prosecutions of railway employees in connection with the Bihta accident on the East Indian Railway;
- (b) if so, how many persons were prosecuted, what was their rank, and with what result; and
- (c) whether the defence expenses were met by the East Indian Railway, or the accused persons; if by the Railway, what these amount to?

The Honourable Sir Thomas Stewart: (a) Yes.

(b) One. I would refer the Honourable Member to Mr. M. Thirumala Rao's starred question No. 33E of the 3rd February, 1939, and the reply given thereto.

(c) The defence expenses were not met by the East Indian Railway.

TRAFFIC CONGESTION ON THE RAILWAY LEVEL CROSSING NEAR LYALLPUR.

409. *Sardar Sant Singh: (a) Is the Honourable the Railway Member aware that traffic congestion on the railway level crossing near Lyallpur railway station on the Gatti side on the North Western Railway is very great?

(b) Do Government propose to construct either an over-bridge or an under-bridge for the passage of traffic during the time of arrival and departure of trains from and to the Lyallpur railway station?

The Honourable Sir Thomas Stewart: (a) Government have no information.

(b) The Honourable Member is referred to the answer given to his question No. 565 in this House on the 16th September, 1937.

Sardar Sant Singh: May I know whether the traffic has increased tremendously since the last answer was given on this subject and do Government propose to make increases as to the number of stoppages which are necessary at this crossing?

The Honourable Sir Thomas Stewart: I would refer the Honourable Member to the reply which I quoted: there he will find a complete answer to his question.

TYPISTS AND STENOGRAPHERS IN THE EXTERNAL AFFAIRS DEPARTMENT.

410. *Mr. K. Santhanam: Will the Secretary for External Affairs please state:

- (a) the number of typists and stenographers employed in his office;
- (b) how many of them are Anglo-Indians; and
- (c) how many of them are ladies?

Sir Aubrey Metcalfe: (a) Nine typists and four stenographers.

(b) and (c). Five, including four ladies, are Anglo-Indians.

CONTRACTS FOR THE LOADING AND UNLOADING OF GOODS ON THE EAST INDIAN RAILWAY.

411. *Mr. Badri Dutt Pande: (a) Will the Honourable Member for Railways be pleased to state if it is a fact that contracts for loading and unloading goods are given by the East Indian Railway to its own Goods Inspectors and Station Masters and others in its employ?

(b) In a State-managed Railway, can its servants be given and accept such contracts?

The Honourable Sir Thomas Stewart: (a) Yes, at certain stations.

(b) Yes.

Mr. Badri Dutt Pande: Do Government want to revise this system or not?

The Honourable Sir Thomas Stewart: No, Sir.

SCHOOLS FOR GIRLS IN BRITISH BALUCHISTAN.

412. *Mr. Abdul Qaiyum: Will the Foreign Secretary please state:

- (a) the number of Government High Schools in British Baluchistan;
- (b) the number of primary schools for girls;
- (c) the number of middle schools and high schools for girls in that Province; and
- (d) the latest available figures, showing the number of girls receiving education in that Province?

Sir Aubrey Metcalfe: (a) Two.

(b) Two.

(c) One Middle School only.

(d) 43.

Mr. Abdul Qaiyum: With reference to part (a) of the question, may I know if there is any Government high school for boys at Quetta?

Sir Aubrey Metcalfe: I think probably. The Honourable Member merely asked how many high schools there were in British Baluchistan: one of them is almost certainly in Quetta, but I could not say for certain without notice.

Mr. T. S. Avinashilingam Chettiar: What is the population which these schools try to serve?

Sir Aubrey Metcalfe: There again I must ask for notice: I cannot carry the figures in my head.

Mr. Abdul Qaiyum: May I know what is the answer to part (d)?

Sir Aubrey Metcalfe: The answer is 43.

EDITORIAL IN THE *HINDUSTAN STANDARD* REGARDING CAUSES OF ACCIDENTS ON THE EAST INDIAN RAILWAY.

413. *Mr. Brojendra Narayan Chaudhury: Will the Honourable the Railway Member please state:

- (a) whether the charges levelled at the East Indian Railway Administration in the editorial article of the *Hindustan Standard* of the 13th January, 1939, that:
 - (i) the Permanent Way Gang has been reduced *drastically*, and the length of each section increased so that there is lack of supervision over the entire way from year's end to year's end;

- (ii) engines have not been adequately tested to see whether they could be adjusted to Indian lines, as they are adjusted to English lines;
 - (iii) some part of the mischief is due to the substitutions of the divisional system for the departmental system, which has resulted in decentralisation with all the divisional heads competing with one another;
 - (iv) nor is there any policy in the system of control as to signalling;
- are wholly or partly correct; and
- (b) if not, whether Government propose to issue a *communiqué* to allay public apprehensions that the railway accidents are due partly to the above causes?

The Honourable Sir Thomas Stewart: (a) (i). I would invite the Honourable Member's attention to the reply given to his question No. 383 on the 23rd August, 1938, and to the supplementary questions arising out of it. The position there explained is correct also for the East Indian Railway.

(ii) All our locomotives have been designed from the practical experience gained in India and other countries but only during very recent times has it been possible to determine scientifically the suitability of different types of locomotives for use on different classes of track. In such scientific developments Indian Railways have taken a leading part.

(iii) No.

(iv) I am afraid the nature of the charge made is not clear to me. The writer of the article appears to have confused the system of traffic control with the nature of the signalling installation.

(b) Government are doubtful if public apprehensions would be allayed by the issue of a *communiqué* dealing with features which are not the cause of accidents.

Mr. Brojendra Narayan Chandhury: Since when has this arrangement of reduced gangmen been in force?

The Honourable Sir Thomas Stewart: Speaking from memory, I believe that there has been no change in the gangmen system since about 1929.

Mr. Lalchand Navarai: With regard to clause (iii), has any investigation or report been made to show that by decentralisation of the divisional system there has been less of supervision by the Railway Board?

The Honourable Sir Thomas Stewart: No: we have no reason to believe that that is the case.

Mr. Lalchand Navarai: Has any report been called for from the divisions?

The Honourable Sir Thomas Stewart: We cannot afford to make investigations into mares' nests.

Mr. Lalchand Navalrai: How is it that the answer "No" is given? For what reasons?

The Honourable Sir Thomas Stewart: Because in the opinion of the Railway Board there is no necessity for carrying out such investigations.

Mr. Abdul Qaiyum: May I know if in the parts where the recent railway accidents took place the number of employees looking after the railway line was decreased?

The Honourable Sir Thomas Stewart: I should require notice of that.

Mr. Abdul Qaiyum: I think it arises from part (a) of the question.

The Honourable Sir Thomas Stewart: I am not querying the fact of its arising.

DISLOCATION OF TRAFFIC AT BYCULLA RAILWAY STATION.

414. *Mr. Brojendra Narayan Chaudhury: Will the Honourable the Railway Member please state:

- (a) whether on the 11th January, 1939, there was dislocation of traffic for about four hours at Byculla station, owing to passengers constantly pulling up the alarm chain and lying down on the permanent way, and what the trouble was due to, and on what terms the passengers were pacified; and
- (b) whether two persons were arrested by the Railway Police and subsequently released?

The Honourable Sir Thomas Stewart: (a) Yes. The trouble was due to passengers of a Down suburban train complaining of overcrowding. They were assured that the number of coaches on this train would be increased if found necessary.

(b) Yes.

Mr. Manu Subedar: Have Government considered that similar acute complaints have not taken place with regard to the Bombay, Baroda and Central India Railway but only for the Great Indian Peninsula Railway?

The Honourable Sir Thomas Stewart: I take the Honourable Member's word for it.

Mr. Manu Subedar: Have Government considered the desirability of providing standing accommodation with straps, as is done in the suburban trains in Europe in order to mitigate the difficulty?

The Honourable Sir Thomas Stewart: Strap-hanging is under consideration.

Mr. Brojendra Narayan Chaudhury: May I know whether there is any obligation on the part of the railways to carry passengers who purchase tickets, by the first train?

The Honourable Sir Thomas Stewart: The obligation to carry passengers exists only when there is room for the passenger.

Mr. T. S. Avinashilingam Chettiar: Why do you issue tickets? May I know, if there is no obligation to carry passengers when there is no space, why tickets are issued?

The Honourable Sir Thomas Stewart: Because there are other trains coming along.

ACCIDENTS ON THE EAST INDIAN RAILWAY.

415. *Mr. Brojendra Narayan Chaudhury: Will the Honourable the Railway Member please state:

- (a) the number of major railway disasters involving loss of life, on the East Indian Railway, since the Bihta disaster, the dates and the places of the accidents;
- (b) of the above, which have been proved or believed to have been due to sabotage and which to faults of railway officials or of the railway system; and
- (c) whether from a scrutiny of the reports of the above accidents Government have been able to come to any conclusion that any particular region of the East Indian Railway system is more susceptible to such accidents either by sabotage or through defects in soil condition owing to its geographical condition; if so, the steps taken for closer inspection and guarding of the permanent way in that region, or to study the soil conditions?

The Honourable Sir Thomas Stewart: (a) and (b) I would refer the Honourable Member to the statement laid on the table of this House in reply to Maulvi Abdur Rasheed Chaudhury's starred question No. 180 of the 7th February, 1939.

(c) A reference to the above statement will show that two of the three accidents caused by sabotage occurred in Bihar and the third in the United Provinces and that none of them was in any way connected "with defects in soil conditions". The last part of the question, therefore, does not arise.

Mr. Abdul Qaiyum: With regard to part (c) of the question as to what steps have been taken,—I just now put a supplementary question and the Honourable Member wanted notice for it,—but the last part of the question asks—"If so, the steps taken for closer inspection and guarding of the permanent way in that region". In this connection I particularly want to know whether the number of staff detailed to look after the permanent way has been increased in view of the theory of sabotage that has been advanced?

The Honourable Sir Thomas Stewart: If the Honourable Member wants details as to numbers, he must give me notice.

Mr. Abdul Qaiyum: I do not want details, but I simply want to know whether any increase in staff has taken place in the last few days?

The Honourable Sir Thomas Stewart: My recollection is it is so.

Mr. Badri Dutt Pande: Are the police patrolling some of the lines in Patna?

The Honourable Sir Thomas Stewart: I think that this question should be addressed in another place.

Mr. Brojendra Narayan Chaudhury: Is there any correspondence going on between the Railway Board and the Bihar Government with regard to the patrolling of the railway lines in that area?

The Honourable Sir Thomas Stewart: I understand that there has been correspondence between the Railway Administrations and the Bihar Government; of that I have indeed no official cognisance.

Maulvi Abdur Rasheed Chaudhury: May I know, Sir, whether the people connected with this sabotage have been found out?

The Honourable Sir Thomas Stewart: My information is that they have not yet been discovered.

ACCIDENTS ON THE EAST INDIAN RAILWAY.

416. *Mr. Lalchand Navalrai: (a) Will the Honourable the Railway Member be pleased to state how many railway accidents, in which there was loss of life and property, occurred on the East Indian Railway during the last five years?

(b) Will the Honourable Member be pleased to make a full statement as to the cause and the number of the loss of life and property in the recent train accident between Chichaki and Hazaribagh Road?

(c) What steps have Government taken in connection with this accident?

The Honourable Sir Thomas Stewart: (a) I would refer the Honourable Member to the Railway Board's Annual Reports on Indian Railways for the last five years, Volume II, Appendix D, copies of which are in the Library of the House.

(b) The Honourable Member is referred to the Senior Government Inspector's report, a copy of which was given to Honourable Members.

(c) I would refer the Honourable Member to my speech in reply to the adjournment motion in this House on the 3rd February, 1939.

Mr. Lalchand Navalrai: Can the Honourable Member tell me whether any inquiries have been made or are being made to find out who were the people connected with this sabotage?

The Honourable Sir Thomas Stewart: I understand that the police in Bihar are making inquiries.

Mr. T. S. Avinashilingam Chettiar: May I know, Sir, if the personnel and the terms of reference of the committee to be set up to inquire into the Hazaribagh disaster have been determined?

The Honourable Sir Thomas Stewart: They have not yet been determined.

Mr. Muhammad Nauman: May I know, Sir, whether the Honourable Member has made inquiries to find out whether or not the accidents have been mostly due to bad, old or defective engines, and that the theory of sabotage has been put forward merely to shield the defects of the Railway Administration?

The Honourable Sir Thomas Stewart: I would refer the Honourable Member to my speech in reply to the adjournment motion.

417. *Sardar Mangal Singh: I do not want to ask No. 417.

CASUALTIES IN THE FLYING CONCERNS IN INDIA.

418. *Sardar Mangal Singh: Will the Honourable Member for Communications please state:

- (a) the number of casualties that took place in the flying concerns in India during the last five years and the result of enquiry into these casualties;
- (b) whether casualties generally occur on account of negligence on the part of pilots flying the machines, or as a result of lack of engineering skill; and
- (c) what steps Government have taken, or propose to take, to minimise the possibility of casualties in the flying concerns in future?

The Honourable Sir Thomas Stewart: (a) and (b). The Honourable Member is referred to section V of the annual reports on the progress of Civil Aviation in India for the years 1936-37 and 1937-38 and to Appendix 16 of these reports in which the causes of accidents to Indian aircraft are analysed. The majority of accidents are due to errors of various kinds by the pilot.

(c) Government have imposed and maintain a high standard of qualification for the various licenses and certificates issued to personnel and aircraft under the Indian Aircraft Act; and within the limits of funds available they are continually expanding and improving aerodromes, landing grounds, and the wireless and meteorological services.

Sardar Mangal Singh: May I know, Sir, whether any arrangements exist for the previous inspection of the machines run by the subsidised companies?

The Honourable Sir Thomas Stewart: Whether a company is subsidised or not, the pilot and the machines must be licensed.

Mr. T. S. Avinashilingam Chettiar: May I know, Sir, whether the statistics show that during the last five years there is a smaller number of accidents?

The Honourable Sir Thomas Stewart: I am afraid I would require notice of it.

Mr. S. Satyamurti: In regard to foreign machines which come here and use our landing grounds and also the facilities available to them, is there any arrangement by which the experience or skill of the pilots running those flying machines as also the air-worthiness of those machines are tested by our own engineers before they are allowed to take Indian passengers?

The Honourable Sir Thomas Stewart: I think that by virtue of an international convention we recognise the certificates granted by the proper authorities in other countries which subscribe to that convention.

Mr. S. Satyamurti: Is there any international convention as regards the air-worthiness of the machines also?

The Honourable Sir Thomas Stewart: That is so.

Mr. S. Satyamurti: In view of the tragic accident which took place in Madras a few days ago when a young man was killed under tragic circumstances by a non-Indian plane and the statement of the Aviation Officer that the accident was due to defective construction of one of the wings of the machine, will my Honourable friend cause inquiries to be made into the cause of the accident, and satisfy himself that adequate precautions are always taken to avoid such accidents, as far as human ingenuity can go?

The Honourable Sir Thomas Stewart: I have not yet seen the official report of the Inspector who made the inquiry.

Mr. F. E. James: Is the Honourable Member aware that the Report of the Pilot Instructor of the Flying Club indicates that the accident was due not only to the defective structure of the wings but also to extremely risky and unsafe flying by the pilot?

The Honourable Sir Thomas Stewart: That was the impression that I myself had gathered from the newspaper reports.

Mr. S. Satyamurti: But, as soon as the report is received, will the Honourable Member, in view of the allegation made by my friend Mr. James which I support myself, and my own statement about the defective construction of one of the wings, be good enough to cause inquiries to be made, so as to prevent such accidents in future, as far as possible?

The Honourable Sir Thomas Stewart: I shall certainly have inquiries made.

EMPLOYMENT OF QUALIFIED PILOTS AND ENGINEERS BY THE FLYING CONCERNS.

419. *Sardar Mangal Singh: Will the Honourable Member for Communications please state:

- (a) whether the Director of Civil Aviation maintains a list of qualified pilots and engineers seeking employment in India;

- (b) whether the list is arranged in order of merit; if not, why not;
- (c) whether flying concerns, while making responsible appointments like that of Chief Engineer or Chief Pilot, have to obtain the approval of the Director of Civil Aviation in India; if not, why not; and
- (d) whether Government are prepared to order that the flying concerns should get the approval of the Director of Civil Aviation while making responsible appointments like that of Chief Pilot or Chief Engineer and this should have retrospective effect; if not, why not?

The Honourable Sir Thomas Stewart: (a) Yes.

(b) No, because there is no necessity for it.

(c) No, except in the case of the flying clubs which receive a subsidy from Government.

(d) No. Government do not consider it desirable to interfere with the management of commercial enterprises.

Sardar Mangal Singh: May I know, Sir, whether the department inspects the arrangements of subsidised companies from time to time?

The Honourable Sir Thomas Stewart: Yes, certainly.

RADIO PIRACY CAMPAIGN.

420. *Sardar Mangal Singh: Will the Honourable Member for Communications please state:

- (a) the number of prosecutions started against offenders caught as a result of radio piracy campaign, Province by Province; and
- (b) whether Government contemplate taking effective measures to stop recurrence of radio piracies?

The Honourable Sir Thomas Stewart: (a) Information regarding the number of prosecutions started province by province is not available but I lay on the table a statement giving such information by Postal Circles.

(b) Government have already taken measures which they hope will be effective to eradicate wireless piracy.

Statement.

Figures for prosecutions.

Circle.	1936-37.	1937-38.	1938-39 (for first 9 months).
Central . . . . .	..	1	8
Madras	3	20	23
Punjab and N.-W. F. . . . .	..	..	..
Bombay	3	3	20
Bengal and Assam	23	41	30
United Provinces . . . . .	..	..	42
Sind and Baluchistan . . . . .	..	1	7
Bihar and Orissa . . . . .	..	..	2
Total	29	66	132

Sardar Mangal Singh: May I know, Sir, whether it is a fact that some high officials of the Government of India were found using the radio without a licence?

The Honourable Sir Thomas Stewart: I should require notice of that.

Mr. K. Santhanam: May I know, Sir, whether Government will take steps to issue licenses for longer periods than one year so that the license holders may not have to renew their licenses every year?

The Honourable Sir Thomas Stewart: That is an entirely new suggestion to me, but *prima facie* I should say it will not be acceptable, because it is difficult enough to get people pay Rs. 10 at a time for one year, and I think it will be much more difficult to get them to pay Rs. 20.

Mr. S. Satyamurti: Will Government examine the possibility of making the payments easier on the part of the licensees and provide for more adequate facilities for the payment of license fees?

The Honourable Sir Thomas Stewart: We have made certain concessions in the past which have not been too successful, namely, the grant of a rebate for prompt payment of license fees.

Mr. S. Satyamurti: I am asking about the agency or the place at which these payments are being made,—may I know whether more and adequate facilities could be provided for the payment of license fees?

The Honourable Sir Thomas Stewart: The best facilities, I think, that exist are that payments be made at a post office.

Mr. Manu Subedar: What is the punishment provided for using a radio without license?

The Honourable Sir Thomas Stewart: That does not arise out of this question.

POSTS SANCTIONED ON RAILWAYS TO STRENGTHEN COMMERCIAL ORGANISATION.

421. ***Mr. S. Satyamurti:** Will the Honourable Member for Railways be pleased to state:

- (a) the number and salaries of additional posts which have been sanctioned on certain railways to strengthen their commercial organisation;
- (b) how many of these posts are to be held, or are being held, by Indians and how many by non-Indians;
- (c) why non-Indians, if any, have been recruited; and
- (d) whether Railway Board have made a careful calculation of the results of this increase in posts and are satisfied that the expenditure is justified, and, if so, on what grounds?

The Honourable Sir Thomas Stewart: (a) I would refer the Honourable Member to page 11 of the second statement issued in November, 1938, showing the action taken on the recommendations of the Indian Railway

Enquiry Committee, a copy of which is in the Library of the House. The pay drawn by the incumbent of each of these posts depends on his year of service in accordance with the scales of pay applicable to the Transportation (Traffic) and Commercial Departments. These scales in respect of the State-managed Railways are detailed in Appendix XVII of the State Railway Establishment Code (a copy of which is in the Library of the House) and on the Company-managed Railways concerned, *vis.*, Bengal Nagpur and Bombay, Baroda and Central India Railways, are practically identical with those on the State-managed lines.

(b) and (c). The posts are included in the regular cadre of each railway, and appointments thereto cannot therefore be regulated as between Indians and non-Indians.

(d) Yes, on the grounds that the additional work involved could not be undertaken without the creation of these posts.

Mr. S. Satyamurti: With reference to the answer to clauses (b) and (c) of the question, I regret I could not follow the answer of the Honourable Member. May I ask for an elucidation, if they are included in the regular cadre what is the difficulty in filling them up with Indians and confining recruitment to non-Indians only in cases where suitable Indians are not available?

The Honourable Sir Thomas Stewart: I am not quite sure that the Honourable Member has understood the position. These posts are being filled up by officers already in the service of Government, and it is manifestly unfair that any discrimination should be made either one way or another.

Mr. S. Satyamurti: May I take it that there is no new recruitment in respect of all or any of these posts?

The Honourable Sir Thomas Stewart: That is perfectly true.

Mr. S. Satyamurti: With reference to the answer to clause (d) of the question, may I know whether, apart from the opinion expressed by my Honourable friend, that is to say, that he cannot see how increased work could be done without increase of posts, Government made any rough calculation of the expenditure involved in the creation of these posts and the likely increase in the railway returns, and come to some conclusion in their own minds that this expenditure is justified from the point of view of rupees, annas and pies?

The Honourable Sir Thomas Stewart: No. I am afraid that it is impossible to draw up a balance sheet of that sort.

GOVERNMENT'S FORWARD POLICY IN THE TRIBAL AREAS.

422. ***Mr. S. Satyamurti:** Will the Secretary for External Affairs be pleased to state:

- (a) whether his attention has been drawn to a recent statement of the Speaker of the Frontier Assembly made at Karachi about the 10th January, that raids are increasing day by day in the Frontier Province;

(b) whether the attention of Government has been drawn to his statement that the British Government might see their way to revise their present forward policy in the tribal area; and

(c) whether Government have any present intention to do so?

Sir Aubrey Metcalfe: (a)—(b). Yes.

(c) No.

Mr. S. Satyamurti: May I know, in view of the fact that Government's attention has been drawn to this statement of the Speaker of the Frontier Assembly, whether the Government have examined if those statements are true, and if so, what conclusions they have come to?

Sir Aubrey Metcalfe: Government have certainly examined those statements, but have drawn no particular conclusions from them.

Mr. S. Satyamurti: But are raids increasing day by day in the Frontier Province, or are raids increasing at all?

Sir Aubrey Metcalfe: No. Some days they increase, on other days they do not occur.

Mr. S. Satyamurti: On the whole, on the balance of pluses and minuses are raids increasing, decreasing, or at the same pace?

Sir Aubrey Metcalfe: That is a matter of calculation and also of opinion.

Mr. S. Satyamurti: With regard to the fact that there has been no striking improvement in the number of raids,—I put it only in the negative form—may I know the reasons why Government have no present intention of revising their present forward policy with regard to the tribal areas?

Sir Aubrey Metcalfe: Government are continually considering how to revise their policy, but they cannot do so at a time when they are faced with aggression by the tribes.

Mr. M. Asaf Ali: May I know whether the position of Government today is, that they are actually actively pursuing a forward policy, because, as far as my recollection goes, last time when a similar question was put to the External Affairs Secretary, he said that the Government had no settled policy and it could not be said that they were pursuing a forward policy. But from the answer given today, it appears that the Government are actively pursuing a forward policy. Is that true?

Sir Aubrey Metcalfe: I have not said now that they are pursuing an active forward policy.

Mr. M. Asaf Ali: That is exactly my point. The question was whether the attention of Government has been drawn to the statement that the British Government might see their way to revising their present forward policy in the tribal areas.

Sir Aubrey Metcalfe: The answer was yes, which meant that Government's attention had been drawn to a certain statement.

Mr. M. Asaf Ali: The next part of the question was, whether they have any present intention to do so, that is to say, any intention of revising their present forward policy. The question is whether they are actually pursuing a forward policy or not.

Sir Aubrey Metcalfe: I do not know, Sir, whether you wish me to enter into an argument. It is perfectly plain that the statement here was made, not by me, but by somebody else.

Mr. President (The Honourable Sir Abdur Rahim): The question is based on that assumption.

Mr. S. Satyamurti: What is the policy of the Government now towards the Frontier and its tribal areas?

Sir Aubrey Metcalfe: I am not prepared, Sir, to enter into a full statement of Government policy in reply to a supplementary question.

Mr. Abdul Qaiyum: In view of the fact that all resolutions and adjournment motions about the Frontier policy are disallowed in this House, may I know how Government keep themselves in touch with public opinion in the matter of forward policy?

Sir Aubrey Metcalfe: That does not seem to be a request for information; it seems to be an argument.

Mr. Abdul Qaiyum: I want to know how the Government keep themselves in touch with public opinion. It is a matter costing crores to the people of this country, and I respectfully submit, that the Chair should force the Government Member to answer that question.

Mr. President (The Honourable Sir Abdur Rahim): It is not in the form of a question, but it is an argument.

Mr. Abdul Qaiyum: I want an answer to my question.

Mr. President (The Honourable Sir Abdur Rahim): The Chair disallows the question.

Mr. S. Satyamurti: Have Government any means of consulting public opinion with regard to their present policy in this matter, and, if so, what are those means and are those means being used?

Sir Aubrey Metcalfe: I am not quite clear what the Honourable Member means by public opinion. If he means opinion in this House, there are questions which are constantly asked and supplementary questions which are put.

Mr. S. Satyamurti: So far as questions are concerned, they are no means of expressing the opinion of this House; that is a well known parliamentary thing which you, Sir, know and the House knows, because, when we put questions, we do not raise questions of policy.

Mr. President (The Honourable Sir Abdur Rahim): It is not the case with all questions.

Mr. S. Satyamurti: Sometimes we put down a question seeking to raise a question of policy. But, what I am asking is, whether, apart from the question time, the Government have any means of finding out the opinion of this House on the present forward policy of the Government?

Sir Aubrey Metcalfe: The Honourable Member is just as well able to answer the question as I am. He is always present in the House.

Mr. Abdul Qaiyum: In view of the fact that even questions are being disallowed on forward policy—apart from adjournment motions and resolutions—will the Honourable Member tell us how the Government keep in touch with public opinion regarding forward policy?

Mr. President (The Honourable Sir Abdur Rahim): The same question is being repeated. The Honourable Member has added only another argument.

Mr. Badri Dutt Pande: May I enquire if the Government of India have taken the Frontier Government into their confidence regarding this forward policy?

Sir Aubrey Metcalfe: I do not admit that there is a forward policy.

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

PROVISION OF A RAILWAY LINE BETWEEN INDIA AND BURMA.

423. *Mr. S. Satyamurti: Will the Honourable Member for Railways be pleased to state:

- (a) whether the question of providing a railway link between India and Burma is being explored or examined;
- (b) whether the Government of India have come to any conclusion and, if so, what it is;
- (c) what will be the cost of the proposal and whether Burma or Great Britain will share in the cost;
- (d) whether the Government of India abandoned an earlier project on financial grounds; and
- (e) whether the Government of India now propose to go on with this project for strategic reasons?

The Honourable Sir Thomas Stewart: (a) There is no such proposal before Government.

- (b), (c) and (e). Do not arise
- (d) Yes.

Mr. S. Satyamurti: Have the Government of Burma made any representation, to the knowledge of the Government of India, to the Secretary of State for providing this railway link between India and Burma?

The Honourable Sir Thomas Stewart: I know of no such representation.

Mr. S. Satyamurti: You are not aware?

The Honourable Sir Thomas Stewart: No.

Dr. Sir Ziauddin Ahmad: May I know whether any reference was made about this question to the Government of India?

The Honourable Sir Thomas Stewart: I have just said that I was not aware of any such representation.

Mr. M. S. Aney: Are the Government aware that there was some such idea present and thought of at one time by the Railway Board, of linking India and Burma by a railway line?

The Honourable Sir Thomas Stewart: I have said "yes" to that part of the question.

RELATIONS OF THE GOVERNMENT OF INDIA WITH THE TRIBES IN THE TRIBAL AREAS.

424. *Mr. S. Satyamurti: Will the Secretary for External Affairs be pleased to state :

- (a) the latest position with regard to the relations of the Government of India with the tribes in the tribal areas;
- (b) whether any peace terms have been settled with them;
- (c) how many tribes and which of them are still at war with the British Government, or the Government of India; and
- (d) whether Government have any hopes of coming to a peaceful settlement with them and, if so, when?

Sir Aubrey Metcalfe: (a) to (d). The Honourable Member is referred to the reply given on the 3rd February, 1939, to his question No. 33G.

Mr. S. Satyamurti: With reference to the answer to clause (c) of the question, my Honourable friend will correct me if I am wrong, I do not remember that Government gave us the names of the tribes with whom they are still at war.

Sir Aubrey Metcalfe: I have referred the Honourable Member to a communique which was published on the 26th January, 1939, of which I laid a copy on the table of the House, and full information of what is going on in Waziristan is contained in that communique.

Mr. S. Satyamurti: What is the answer to clause (d) of the question, that is to say, whether Government have any hopes of coming to a peaceful settlement with them, and, if so, when?

Sir Aubrey Metcalfe: There is always hope.

Mr. S. Satyamurti: Apart from hope springing eternal in the human breast, from the point of view of facts available to my Honourable friend, is there any prospect of relief to the Indian taxpayer by any peace terms being settled with any or all of these tribes?

Sir Aubrey Metcalfe: There is always hope, I cannot say more than that. But I do not think that these hopes are improved by constant discussion in this House.

Mr. S. Satyamurti: May I also return the compliment by saying that these hopes are not improved by this insolent silence on the part of the External Affairs Secretary?

Sir Aubrey Metcalfe: Sir, I resent that remark.

Mr. S. Satyamurti: So do I, the answers.

Mr. President (The Honourable Sir Abdur Rahim): The Chair thinks the Honourable Member must withdraw that expression.

Mr. S. Satyamurti: I submit it is perfectly parliamentary. I am referring to the answer.

Mr. President (The Honourable Sir Abdur Rahim): The word "insolent" as applied to the Member is an offensive expression.

Mr. S. Satyamurti: I am using that expression in respect of the silence of the External Affairs Secretary.

Mr. President (The Honourable Sir Abdur Rahim): "Insolent silence" by whom?

Mr. S. Satyamurti: By the External Affairs Secretary.

Mr. President (The Honourable Sir Abdur Rahim): The Chair holds that it is an offensive expression, and the Chair would ask the Honourable Member to withdraw it.

Mr. S. Satyamurti: I withdraw it. May I know why my Honourable friend is silent with regard to all these questions, when we are anxious that there should be a peaceful settlement and the money of the Indian taxpayer should be saved?

Sir Aubrey Metcalfe: I am as anxious as my Honourable friend that a peaceful settlement should come. At present I cannot say when it will come.

Mr. S. Satyamurti: Are any efforts being made to arrive at a peaceful settlement?

Sir Aubrey Metcalfe: Every effort is being made. I have told the House three or four times that overtures have been made in order to secure a settlement and that those overtures have received no answer whatsoever.

Mr. Abdul Qatium: May I know if the Faqir of Ipi and the tribes at war with Government have intimated that if this forward policy is stopped they will remain at peace. Is the External Affairs Secretary prepared to deny this?

Sir Aubrey Metcalfe: Certainly, I am prepared to deny it. The only intimation that we have had of any kind is that the Faqir of Ipi will continue the war until a certain lady is handed back to what is described as her Muslim husband.

Maulvi Abdur Rashid Chaudhury: May I know whether any attempt has been made to come to terms with the tribes by giving up their territory?

Mr. President (The Honourable Sir Abdur Rahim): That question has already been asked.

Mr. M. Asaf Ali: With reference to the last answer, will the Honourable Member tell us from what source he has received this information? From the Faqir of Ipi? Is it an authentic statement made by the Faqir or is it from somebody who is acting as a go-between who has given this information.

Sir Aubrey Metcalfe: It is obviously somebody who is acting as a go-between. We have no direct communication with the Faqir of Ipi.

Mr. M. Asaf Ali: May I take it that there is no authentic statement made by the Faqir of Ipi as regards his intentions?

Sir Aubrey Metcalfe: There is great difference between authenticity and directness and as I said we had no direct information, but I do not say that we had no authentic information.

RAIDS IN THE SETTLED DISTRICTS FROM THE FRONTIER TRACTS.

425. ***Mr. S. Satyamurti:** Will the Secretary for External Affairs be pleased to state:

- (a) the number of raids which have taken place in the settled districts from the frontier tracts during the last three months;
- (b) whether Government have taken any steps in this direction; and
- (c) whether the Government of India are acting in concert with the Government of the North-West Frontier Province in this matter, and, if so, with what results?

Sir Aubrey Metcalfe: (a) Bannu 8, Dera Ismail Khan 9 and Kohat 7.

(b) Yes.

(c) Yes, as a result of co-operation between the Provincial Police on the one hand and the regular troops and Frontier Constabulary on the other hand a large number of raiding gangs have been intercepted and several kidnapped persons have been released. The Provincial Government is also co-operating by taking action against persons residing in the districts who are accomplices of transborder raiders and by blocking offending sections.

Mr. Abdul Qaiyum: May I know if it is a fact, as reported, that only this morning two Hindus and four Muslims were kidnapped. It was published in the papers this morning?

Sir Aubrey Metcalfe: I have not seen the report.

Mr. Abdul Qaiyum: May I know if the Provincial Government have intimated to the Government of India that it is time they cried 'halt' to their policy and tried the method suggested by the Provincial Government. What is the answer of the Government of India to that request?

Sir Aubrey Metcalfe: My answer to the whole question is 'No'.

Mr. S. Satyamurti: With reference to clause (c), my Honourable friend said that the Government are taking steps in this direction. May I know if the steps have been taken in consultation with the Provincial Government, that is to say, that the nature of the steps has been approved by the Government of the N.-W. F. P.?

Sir Aubrey Metcalfe: That should have been clear from the answer I gave. All steps taken inside the settled districts of the province have been taken, I understand, with the approval of and previous consultation with the Provincial Government.

Mr. S. Satyamurti: With regard to the steps taken just outside the settled districts, which have got a very intimate bearing on the effectiveness or otherwise of the steps taken inside the settled districts, may I know whether the Government of India consult the Provincial Government most intimately concerned and take their opinion and act according to them.

Sir Aubrey Metcalfe: The Government of India do not consult them. Any consultation that takes place would be between the Agent to the Governor General who is on the spot and his Ministers.

426. *Sardar Mangal Singh: I do not want to ask question No. 426.

CONSUL-GENERALS, ETC., APPOINTED BY THE GOVERNMENT OF INDIA.

427. *Sardar Mangal Singh: Will the Foreign Secretary please state:

- (a) in which countries the Government of India have appointed Consul-Generals or any other representatives; and
- (b) how many of these consular appointments are held by Indians?

Sir Aubrey Metcalfe: This is a question which should have been addressed to the Honourable Member for Commerce and Labour.

✓ **Mr. President** (The Honourable Sir Abdur Rahim): Sardar Mangal Singh. The Honourable Member cannot ask question No. 428 as he has exceeded his five questions.

Sardar Mangal Singh: I have not asked question No. 426.

Mr. President (The Honourable Sir Abdur Rahim): Even so, this will be the sixth question. He has seven questions down in all.

The Chair would inform the Honourable Member that he must give previous notice if he does not wish to ask any particular question. That is the practice.

OPENING OF A FLAG STATION AT JASSOWAL ON THE NORTH WESTERN RAILWAY.

† **428. *Sardar Mangal Singh:** Will the Honourable Member for Railways please state:

- (a) whether it is a fact that the reply to my starred question No. 1182, dated the 10th November, 1938, that the question of providing an *unmanned halt* between Gill and Kila Raipur near Jassowal was examined in April, 1938, and found not to be commercially justifiable is wrong in that as a matter of fact, the station was actually opened on 1st November, 1938; and
- (b) what was the income of this station during the month of November, 1938?

The Honourable Sir Thomas Stewart: (a) No. The decision to experiment with an unmanned halt at Jassowal was arrived at subsequent to April, 1938.

(b) Rs. 470.

REDUCTION IN THE NUMBER OF SUBURBAN TRAINS BETWEEN BOMBAY AND KALYAN AND HARBOUR BRANCH.

429. *Dr. Sir Ziauddin Ahmad: (a) Will the Honourable the Railway Member please state whether it is a fact that the Great Indian Peninsula Administration reduced the number of suburban trains on 1st January, 1939, between Bombay and Kalyan and Harbour Branch?

- (b) How many such trains were stopped?
- (c) Were they stopped in the interest of economy?
- (d) Are these suburban lines worked at a loss or at profit?

The Honourable Sir Thomas Stewart: (a) Yes; from the 1st December, 1938.

- (b) Details are not available.
- (c) Yes.
- (d) At a loss.

Mr. Manu Subedar: Have Government considered the competition of buses on this route covered by the suburban traffic in Bombay and have Government examined the proposal of the Railway company to run buses of their own in order to recover the loss in revenue?

† Answer to this question laid on the table, the questioner having exhausted his quota.

The Honourable Sir Thomas Stewart: I submit, Sir, that the question of rail-road competition does not arise from this question.

Mr. Manu Subedar: I submit it does. The Honourable Member said that these suburban trains are run at a loss. I want to know the causes.

Mr. President (The Honourable Sir Abdur Rahim): There may be many causes.

Mr. Manu Subedar: I want to know whether the Railway will run their own buses?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member had better give notice.

STOPPING OF TRAINS BY PULLING COMMUNICATION CORDS AT MATUNGA AND OTHER PLACES.

430. *Dr. Sir Ziauddin Ahmad: (a) Will the Honourable the Railway Member please state if it is a fact that some residents of Matunga and other places adopted a new form of civil disobedience by stopping trains by pulling communication cords?

(b) Was all traffic held up for several hours on all lines?

(c) What action did the Railway authorities take in this matter, and what were the subsequent events?

The Honourable Sir Thomas Stewart: (a) and (b). Yes.

(c) The services of the Railway and City Police were requisitioned. The demonstrators were eventually persuaded to leave the railway premises.

RESTORATION OF SERVICES RUNNING AT A LOSS ON THE GREAT INDIAN PENINSULA RAILWAY.

431. *Dr. Sir Ziauddin Ahmad: (a) Will the Honourable the Railway Member please state whether it is not a fact that the Honourable the Home Member of the Bombay Government forced the Great Indian Peninsula Railway Administration to reinstate the full service which was running at a loss?

(b) Do Government propose to ask the Bombay Government to pay the loss sustained by the Great Indian Peninsula Railway for increased unjustified service?

(c) What action did the Bombay Government take against persons who held up the Railway service on the main line for five hours?

The Honourable Sir Thomas Stewart: (a) No. After discussion with the Honourable the Home Minister, a partial restoration during certain hours was decided on.

(b) Does not arise.

(c) I understand that no action was taken by the Bombay Government in this instance.

Dr. Sir Ziauddin Ahmad: May I understand that the G. I. P. Railway administration attempted to reduce the number of trains in the interests of economy.

The Honourable Sir Thomas Stewart: The Honourable Member can draw his own deductions from the answers I have given.

Dr. Sir Ziauddin Ahmad: What is the reply on this particular point?

The Honourable Sir Thomas Stewart: In reply to part (a) of question No. 429, I said "Yes".

Mr. Mannu Subedar: Do not Government repudiate the insinuation in this question that there was any loss incurred by the G. I. P. through the action of the Bombay Government?

The Honourable Sir Thomas Stewart: What I do not admit is that any positive action by the Bombay Government caused the loss.

ADMINISTRATION OF THE INDEPENDENT TERRITORY AND THE TRIBAL BELT.

432. *Mr. M. Asaf Ali: (a) Will the Foreign Secretary please state whether it is a fact that political officers who are answerable to the External Affairs Department for the administration of the tribal belt, consisting of about 15 lakhs of tribesmen, are the same as the Deputy Commissioners of the settled districts?

(b) Will the Foreign Secretary further state how much money is annually allocated to the administration of (i) the independent territory and (ii) the tribal belt, separately?

Sir Aubrey Metcalfe: (a) I do not know what the Honourable Member means by the "tribal belt". Deputy Commissioners of the settled districts of the Frontier Province are in political charge of certain tribal areas adjoining their districts.

(b) I do not know what the Honourable Member refers to as "independent territory". There is only one grant for civil expenditure which pertains to all the tribal areas which adjoin the North-West Frontier Province.

Mr. M. Asaf Ali: With reference to the reply to part (a) of the question, since the Honourable the External Affairs Secretary has not understood my question, I may just as well make my position perfectly clear as to what I mean by "tribal belt". I take it that the North-West Frontier is divided into three parts,—the settled districts, the tribal belt, and the independent territory

Sir Aubrey Metcalfe: On a point of order, Sir, the Honourable Member is giving incorrect information to the House

Mr. M. Asaf Ali: Sir, the Honourable Member has asked me a certain question and I have got to make my position clear.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has given an explanation of what he means by "tribal belt", but if "tribal belt" is not the expression which is generally used to indicate what area is intended

Mr. M. Asaf Ali: Precisely, that is my contention; I am prepared to prove to the satisfaction of the Secretary that the expression "tribal belt" has been used for the last fifty years in all the reports that have been published. I am taking these words only from the reports and nowhere else. There are the words "Indian territory" used in official Reports and also the words "tribal territory". The "tribal belt" consists of 15 lakhs of human beings and the independent territory consists of another 15 lakhs of human beings and these are two different tracts. I want Government to make the position clear as regards these people. In so far as the question of control is concerned, my point is very simple: the same Deputy Commissioner who is administering the settled districts is also in control of the tribal area, which means a dual control, and which makes the position of the Deputy Commissioner absolutely impossible. I just want to know what the Secretary has got to say to that.

Sir Aubrey Metcalfe: All that I have to say, Sir, is that the Honourable Member is giving information which is incorrect, and I do not know what information he wants from me.

Mr. M. Asaf Ali: Does the Honourable Member deny that Deputy Commissioners are under dual control, viz., under that of the Provincial Government and of the External Affairs Department? Does he deny that?

Sir Aubrey Metcalfe: No, I have already said that the Deputy Commissioners of the settled districts of the Frontier Province are in political charge of certain tribal areas adjoining their district.

Mr. M. Asaf Ali: I want to know whether these Deputy Commissioners have to look for their promotion to the External Affairs Department or to the Provincial Government or to both.

Sir Aubrey Metcalfe: That appears to be an argument which does not arise out of this question.

Dr. Sir Ziauddin Ahmad: Is there any portion of land between India and Afghanistan which the Honourable Member calls "independent territory"?

Sir Aubrey Metcalfe: No, absolutely none. All the territory which lies between the Frontier Province and the international frontier known as the Durand Line is part of India and is not independent.

Mr. M. Asaf Ali: Is the Secretary aware of the fact—and if he likes I will produce the book—that there is a geography which is being taught today in the Frontier Province to every child where the whole of the territory lying between the Durand Line and settled districts is described as "independent territory"?

Mr. President (The Honourable Sir Abdur Rahim): This is a matter for discussion and not one for question and answer.

Mr. M. S. Aney: Who is the author of that book of geography?

Mr. President (The Honourable Sir Abdur Rahim): That book is not under consideration.

Mr. M. Asaf Ali: That description appears also in the reports. However, there is no answer vouchsafed to me under head (b), viz., "how much money is annually allocated to the administration of (i) the independent territory, and (ii) the tribal belt, separately"?

Sir Aubrey Metcalfe: I have given a perfectly clear reply by saying that there is one grant for the whole of the tribal areas. The Government of India recognize no distinction and no discrimination between what the Honourable Member describes as "independent territory" and "tribal belt". There is, therefore, only one grant.

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

RAIDS FROM THE INDEPENDENT TERRITORY.

433. *Mr. M. Asaf Ali: (a) Will the Foreign Secretary please state whether Government have ever considered facts and figures relating to external raids from the independent territory?

(b) If so, will they please lay on the table a clear statement of relevant facts stating:

- (i) the number of raids in each year from 1901,
- (ii) the number of Hindus and Muslims killed, wounded, kidnapped, ransomed or released without ransom, and the aggregate value of the property looted,
- (iii) the distance of the strategic roads or railways, or the number of military outposts and fortresses annually constructed in the independent territory, and
- (iv) the number of punitive actions taken against persons belonging to the independent territory or the tribal belt, in the form of fines, aerial bombing, military action, detention as hostages, punitive and economic blockades?

(c) Will Government further state whether it is a fact that (i) no less than 400 crores have been spent on the North-West Frontier Province during the past ninety years, including, of course, the expenditure on the Afghan Wars, and (ii) no less than 18 crores is being spent annually on the North-West Frontier Province in—(1) subvention, (2) External Affairs Department; administration of North-West Frontier Province, (3) loss on strategic Railways, (4) average expenditure on major and minor military operations, and (5) maintenance of military centres and outposts throughout the North-West Frontier Province? If not, will the Foreign Secretary, in consultation with the Defence Secretary, please give the House accurate information on the subject?

Sir Aubrey Metcalfe: (a) It is not understood what the Honourable Member means by independent territory, since no territory lying within India between the border of the administered districts and the Durand Line is independent. It is all classified as tribal area. Government are constantly considering facts and figures relating to raids for the tribal areas adjoining the North-West Frontier Province.

(b) and (c). Government do not consider that they would be justified in incurring the trouble and expense which would be involved in the collection of the information asked for by the Honourable Member. The

Honourable Member will be able to obtain much of the information he requires from the Border Administration Reports, which are published annually.

Mr. M. Asaf Ali: With reference to the answer to part (c). I take it that the Secretary for External Affairs is not prepared to supply this information and says that it can be gathered elsewhere. Now does the Secretary deny the fact that no less than four hundred crores of rupees have been spent in the Frontier Province during the last ninety years? Does he deny that fact?

Sir Aubrey Metcalfe: I am not prepared either to deny or to accept it, without an examination of figures which I do not consider to be worth the trouble and expense involved.

Mr. M. Asaf Ali: With reference to part (c) again, does the External Affairs Secretary deny the fact that no less than eighteen crores are being incurred every year in connection with North-West Frontier under these various heads—subvention, external affairs, etc.?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has got them all.

Mr. M. Asaf Ali: Does the Honourable Member deny that?

Sir Aubrey Metcalfe: I am not prepared either to deny or to admit it without an examination which I am not prepared to undertake.

Mr. M. Asaf Ali: Sir, this time I am not asking for ninety years' figures; I am only asking for the yearly account. Is this expenditure being incurred yearly on the North-West Frontier?

Mr. President (The Honourable Sir Abdur Rahim): He has given the information; he is not prepared to give more information.

Mr. Muhammad Nauman: What is the constitution of the "tribal area"? If it is not independent territory, which is the sovereign power for that area?

Mr. President (The Honourable Sir Abdur Rahim): The House cannot have such discussion.

Mr. S. Satyamurti: With reference to the answer to the last part of clause (c) of the question, the Honourable the Secretary for External Affairs said that he would neither deny nor confirm the statements made. Now, will he consult the Defence Department and give us an accurate piece of information on the subject, viz., what is the actual amount spent year after year on these various subjects mentioned in clause (c)?

Sir Aubrey Metcalfe: It is given in the body of the Budget; the Honourable Member can examine it for himself if he wishes.

EXPIRY OF CONTRACTS OF TELEPHONE COMPANIES AT CERTAIN PLACES.

434. *Mr. Manu Subedar: (a) Will the Honourable the Communications Member please state on which dates the contracts of the telephone companies in Bombay, Calcutta and Madras expire respectively?

(b) Have Government received any representation from these companies for a renewal?

(c) Have Government received any representation from public bodies, or the municipal corporations of these cities, on the subject of any such renewal?

(d) Have Government considered the proposal to take over these telephones when the contracts expire, and to merge the administration with that of Government Telephones?

(e) What was the annual gross profit of each of these companies during the last twelve months for which accounts are available?

(f) What was the gross profit of the operation of Government Telephones during the last twelve months for which accounts are available?

The Honourable Sir Thomas Stewart: (a) The licenses of the telephone companies referred to expire in 1963 but Government have the option to terminate them by giving a year's notice either in 1948 or in 1958

(b) No.

(c) Communications have been received from some Chambers of Commerce but none from the municipal corporations of the cities concerned.

(d) The matter is under the consideration of Government.

(e) It is not clear what the Honourable Member means exactly by the term "gross profit". I lay on the table a statement showing for the different companies the figures arrived at after deducting from gross receipts working expenses, provision for depreciation and payment of royalties, rates and taxes.

(f) On a comparable basis the figure for the Government telephone system after deducting from gross receipts the working expenses, royalties from companies and provision for depreciation but not interest, was 38 lakhs.

Statement.

	Ra.
Madras Telephone Co. for the year ending 31st December 1937	2,85,447
Bombay Telephone Co. for the year ending 31st December 1937	14,06,048
Bengal Telephone Corporation for the year ending 30th June 1938	13,36,314

Mr. Manu Subedar: With regard to the reply to part (b), have Government also under consideration the question as to the adequacy of the telephone administration under their charge to work these companies in the event of their contracts lapsing and Government deciding to take them over?

The Honourable Sir Thomas Stewart: Sir, that will be a very relevant consideration when the problem is under review.

Mr. K. Santhanam: May I ask if Government have got their own Telegraph Department working in Calcutta side by side with the Bengal Company telephone system?

The Honourable Sir Thomas Stewart: There is a question to that effect later.

Mr. K. Santhanam: In view of the fact that that question will not be reached today, may I ask whether it is not a fact that even the Railway Administrations under the Railway Board are taking their connections from the Company and not from the Government Department?

The Honourable Sir Thomas Stewart: Is it right, Sir, on the part of the Honourable Member to anticipate the answer to a question which comes later on in the list?

Mr. President (The Honourable Sir Abdur Rahim): If the Honourable Member is not prepared to give the answer now, he is within his rights.

(b) WRITTEN ANSWERS.

RADIO PIRACY CAMPAIGN.

435. *Mr. Manu Subedar: (a) Will the Honourable the Communications Member please state the result from the various Provinces of the recent anti-radio piracy campaign?

(b) How many prosecutions have been instituted?

(c) What is the maximum punishment that could be awarded to these parties under the law, and what punishments, if any, have been awarded so far?

(d) Have Government considered the desirability of imposing the obligation on the radio dealers of informing the All-India Radio of the name and address of every party to whom a radio is sold?

(e) Has this proposal formed the subject matter of discussion between the Controller of Broadcasting and radio merchants? If so, when and with what results?

The Honourable Sir Thomas Stewart: (a) The intensified campaign against radio piracy commenced on the 16th January, 1939, in certain towns in different Postal Circles. The number of persons found to be in possession of wireless sets without valid licenses in the various Postal Circles since that date is 481.

(b) It is reported that so far forty-three prosecutions have been instituted.

(c) I would refer the Honourable Member to section 20 of the Indian Telegraph Act, 1885, and to section 6 of the Indian Wireless Telegraphy Act, 1933. copies of which are in the Library of the House. No information is available as to the punishment awarded in the prosecutions referred to in part (b)

(d) and (e). No.

DIPLOMATIC AND CONSULAR EXPENDITURE IN CERTAIN COUNTRIES.

436. *Mr. C. N. Muthuranga Mudaliar: Will the Foreign Secretary please state:

- (a) the result of the Government of India's discussions with the British Government regarding the revision of the present allocation of Diplomatic and Consular expenditure in Iran and the Persian Gulf so as to relieve the Indian exchequer;
- (b) whether Government propose to consider the desirability of taking up with the British Government the question of similar revision in respect of expenditure on Kabul, Nepal, Kashgar, Addis Ababa and Baghdad; if not, why not; and
- (c) whether it is a fact that the policy of the Government of India in these places is controlled by the British Government?

Sir Aubrey Metcalfe: (a) The Honourable Member's attention is invited to the reply given to question No. 276, asked by Mr. T. S. Avinashilingam Chettiar in the present Session.

(b) Until a decision regarding the incidence of diplomatic and consular expenditure in Iran and the Persian Gulf is reached the Government of India do not think it advisable to raise the question in respect of similar expenditure in other countries.

(c) The position is that relations with these countries are conducted by His Majesty's Government who invariably consult the Government of India on matters affecting India.

RESTRICTIONS ON FOREIGNERS IN INDIA AND ON INDIANS IN CERTAIN COUNTRIES.

437. *Mr. C. N. Muthuranga Mudaliar: Will the Foreign Secretary please state:

- (a) the number of foreigners in India;
- (b) the number of Germans, Spaniards, Italians, Hungarians and Japanese;
- (c) whether there are any restrictions imposed on the nationals referred to in part (b); and
- (d) whether there are any restrictions to which Indians are subject in Germany, Spain, Italy, Hungary and Japan?

Sir Aubrey Metcalfe: (a), (b) and (c). Should have been addressed to the Honourable the Home Member.

(d) The Government of India have no information regarding any restrictions against Indians in the countries named, nor have they received any complaints on the subject.

INDIANS EMPLOYED BY STATE IN EUROPEAN COUNTRIES AND AMERICA.

438. *Mr. C. N. Muthuranga Mudaliar: Will the Foreign Secretary please state whether, and if so, how many, Indians are employed by the State in any capacity in the European countries and America, apart from the League of Nations?

Sir Aubrey Metcalfe: The Government of India have no information.

OPENING OF POINT CALIMERE PORT FOR FOREIGN TRADE.

439. *Mr. C. N. Muthuranga Mudaliar: Will the Honourable Member for Communications please state:

- (a) whether the Government of Madras have suggested to the Government of India that Point Calimere Port, might be opened up for foreign trade and linked with one of the ports in Ceylon;
- (b) that this route be made the Indo-Ceylon route;
- (c) whether any action has been taken in the matter, and if not, at what stage the matter now is; and
- (d) whether Government are aware that the opening up of the Point Calimere-Kanesanthurai is welcomed by the Ceylonese?

The Honourable Sir Thomas Stewart: (a) and (b). Yes.

- (c) The matter is under the consideration of the Government of India.
- (d) I have no information.

NEWSPAPERS APPLYING FOR REGISTRATION IN THE UNITED PROVINCES.

440. *Pandit Sri Krishna Dutta Paliwal: Will the Honourable Member for Communications be pleased to state:

- (a) how many newspapers applied for registration to the Postmaster General, Lucknow (United Provinces) in 1938;
- (b) how many of them were registered;
- (c) the date on which they applied;
- (d) the date on which they were registered in each case;
- (e) the reason or reasons for the delay; and
- (f) whether Government are aware of the losses the newspapers are put to on account of this delay?

The Honourable Sir Thomas Stewart: (a) 216.

(b) 149.

(c), (d) and (e). I lay on the table a statement giving the information required by the Honourable Member.

(f) No and I can only repeat the reply I gave to the Honourable Member's starred question No. 548 in this House on the 15th September, 1937, that there is no reason to believe that there is undue delay when all the conditions that have to be fulfilled are complied with.

Statement showing particulars of newspapers which applied for registration and were registered during 1938.

Serial No.	Name of paper.	Date of application.	Date of actual registration.	Remarks.
1	Alfalsh . . .	19-8-1938	17-10-1938	Enquiry.
2	Mathur Vaish Hitlahi .	21-2-1938	24-3-1938	Enquiry. List of subscribers received on 3rd March, 1938.
3	Gaur Punch . . .	19-8-1938	29-9-1938	Enquiry.
4	Swatantrata . . .	31-1-1938	9-3-1938	Enquiry. District Magistrate's certificate received on 28th February, 1938.
5	Employment Gazette .	26-9-1938	27-10-1938	Enquiry. Copy of the paper received on 20th October, 1938.
6	Swarajya Sandesh . .	25-4-1938	25-6-1938	Enquiry.
7	Yadava Chhatttri . .	7-2-1938	24-2-1938	Enquiry.
8	Asad	21-6-1938	8-7-1938	Enquiry. Form of application received on 29th June, 1938.
9	Al-Axis Wal-Ansar . .	2-7-1938	24-8-1938	Enquiry. Requisite papers received on 28th July, 1938.
10	Aj (Weekly)	13-7-1938	18-7-1938	
11	Guru Ghantal	21-5-1938	1-7-1938	Enquiry. District Magistrate's certificate received on 1st June, 1938. Copy of the paper received on 27th June, 1938.
12	Navin Bharat	31-5-1938	20-7-1938	Enquiry. District Magistrate's certificate received on 19th June, 1938. Copy of the paper received on 16th July, 1938.
13	Modern Times	3-6-1938	9-7-1938	Enquiry.
14	Batohi	2-5-1938	4-7-1938	Enquiry (subscribers mostly in villages.)
15	Cawnpore Weekly Market rate.	19-8-1938	6-10-1938	Enquiry. List of subscribers received on 19th September, 1938.
16	Qayad Moradabad . .	20-4-1938	21-6-1938	The requisite documents were received on 11th May, 1938.
17	Vijayee Bareilly . . .	8-2-1938	14-4-1938	Requisite documents were received on 25th February, 1938.
18	Vijai (Basti)	1-2-1938	19-3-1938	Enquiry.
19	Naya Jiwan	13-8-1938	6-9-1938	Enquiry.
20	United Church Review (Monthly).	21-9-1938	17-10-1938	Enquiry.
21	Desh Doot (Allahabad) .	20-7-1938	26-8-1938	Enquiry.
22	Addal (Lucknow) . . .	9-11-1938	13-12-1938	Enquiry.
23	National Herald (Lucknow).	23-7-1938	26-8-1938	Requisite documents received on 15th August, 1938.
24	Prakash (Lucknow) . .	21-3-1938	26-4-1938	Requisite documents received on 1st April, 1938 and enquiry.
25	Magrib (Lucknow). . .	21-10-1938	8-11-1938	Enquiry.
26	Chingari	19-8-1938	14-9-1938	Documents received on 30th August, 1938 and enquiry.
27	Nava Hindustan	22-11-1938	23-12-1938	Enquiries.
28	Allgarh Herald	28-3-1938	26-4-1938	Copy of the paper received on 13th April, 1938 and enquiry.
29	Al-Hilal	23-8-1938	15-9-1938	Enquiry. List of 50 <i>bona fide</i> subscribers submitted thrice was found unsatisfactory.
30	Daily Vakil	9-5-1938	21-5-1938	Enquiry. Copy of paper received on 7th May, 1938.
31	Kshatri	20-6-1938	18-7-1938	District Magistrate's certificate on 17th July, 1938.

Statement showing particulars of newspapers which applied for registration and were registered during 1938—contd.

Serial No.	Name of paper.	Date of application.	Date of actual registration.	Remarks.
32	Ahrar (Bardilly) . . .	9-8-1938	15-8-1938	Printed form of application received on 9th September, 1938 and enquiry.
33	Railway Workmen's Advocate.	2-5-1938	20-6-1938	Enquiries.
34	Gurdwara Journal . . .	13-7-1938	27-8-1938	District Magistrate's certificate received on 15th August, 1938 and enquiry.
35	Rahbar Postman . . .	15-2-1938	30-3-1938	District Magistrate's certificate received on 4th March, 1938 and enquiry.
36	Indian Temperance News and White Ribbon	19-3-1938	5-4-1938	District Magistrate's certificate received on 4th April, 1938.
37	E. I. Railway Guides Association Bulletin.	8-8-1938	17-9-1938	Copy of paper received on 15th September, 1938.
38	Sadal-Dun	16-9-1938	13-10-1938	Enquiry.
39	Urmila	4-3-1938	30-3-1938	Enquiry. (Registration subsequently cancelled.)
40	Himalaya Kesari	24-9-1938	20-10-1938	Enquiry. (Registration subsequently cancelled.)
41	Gramin	12-4-1938	18-6-1938	Enquiries had to be made twice as in the first instance they were found to be unsatisfactory.
42	Miran	31-3-1938	29-4-1938	Enquiry.
43	Imroz	15-9-1938	11-10-1938	Enquiry.
44	Kahani	28-9-1938	6-12-1938	Copy of the paper was received on 29th November, 1938.
45	Kanauj Samachar	14-9-1938	10-11-1938	Non receipt of the copy of the newspaper till 4th November, 1938.
46	Kirti Lehar	10-11-1938	22-12-1938	Enquiry.
47	Tarang	22-1-1938	16-2-1938	Copy of the paper received on 14th February, 1938.
48	Achal	17-2-1938	8-3-1938	Enquiry.
49	Vijay	26-2-1938	3-3-1938	Enquiry.
50	Nakhuda	3-10-1938	17-10-1938	Enquiry.
51	Mahnama	12-11-1938	15-12-1938	Enquiry.
52	Nonk Jhonk	17-11-1938	17-12-1938	Enquiry.
53	Bebak	22-9-1938	19-10-1938	Enquiry.
54	His Highness	29-8-1938	6-10-1938	Enquiry. Requisite papers received on 22nd September, 1938.
55	Railway Chronicle	24-9-1938	29-10-1938	Enquiry. Form of application received on 15th October, 1938.
56	Penal Reformer	17-12-1938	28-12-1938	Requisite papers received on 23rd December, 1938.
57	Hul	22-10-1938	5-11-1938	Enquiry.
58	Nyaya	12-10-1938	8-12-1938	Enquiry had to be made twice. Requisite papers received on 12th November, 1938.
59	Karmayogi	13-9-1938	28-9-1938	Enquiry. Copy of the paper received on 28th September, 1938.
60	Savadhan	26-9-1938	29-11-1938	Enquiry had to be made twice.
61	Bharatendu	30-9-1938	17-10-1938	Enquiry. Copy of the paper received on 6th October, 1938.
62	Jiwan Jeoti	7-9-1938	26-9-1938	Enquiry.

Statement showing particulars of newspapers which applied for registration and were registered during 1938—contd.

Serial No.	Name of paper.	Date of application.	Date of actual registration.	Remarks.
63	Gagan	12-8-1938	31-8-1938	Enquiry.
64	Hamdard	25-10-1938	28-11-1938	Enquiry.
65	Nyaya	12-10-1938	8-12-1938	Enquiry and non receipt of proper list of subscribers.
66	Rashtriamat.	2-9-1938	30-3-1938	Enquiry.
67	Chakkallas	25-3-1938	23-4-1938	Enquiry.
68	Samaj	14-3-1938	5-4-1938	Enquiry.
69	Comrade	8-3-1938	29-3-1938	Enquiry.
70	Agarwala Hitachi	11-4-1938	9-5-1938	Enquiry.
71	Sangram	21-6-1938	1-8-1938	Enquiry. Subscribers in villages.
72	Malumat Islam	18-7-1938	22-9-1938	Enquiry.
73	Municipal Review	9-8-1938	22-9-1938	Enquiry.
74	Nava Sandesh	23-6-1938	2-8-1938	Enquiry. Subscribers mostly in villages.
75	Moraqqa-i-Nihntaur	25-3-1938	14-4-1938	Enquiry.
76	Revenue Reports	17-1-1938	14-12-1938	Enquiry.
77	Criminal Reports	17-1-1938	17-2-1938	Enquiry.
78	Kirti Kisan	29-1-1938	10-2-1938	Enquiry.
79	Dibal Daily market report	10-1-1938	22-2-1938	Enquiry.
80	Sangharsh	24-1-1938	14-2-1938	Enquiry.
81	Jyoti Kiran	19-1-1938	25-2-1938	Enquiry.
82	Swaraj.	5-1-1938	16-2-1938	Enquiry.
83	Achhut Faryad	26-1-1938	28-2-1938	Enquiry.
84	Khel	6-1-1938	20-1-1938	Enquiry.
85	Tanzeem	5-1-1938	26-2-1938	Enquiry. Subscribers not being available for enquiry.
86	Ghalib	28-1-1938	5-8-1938	Enquiry. Subscribers in villages.
87	National Gazette	26-1-1938	24-2-1938	Enquiry.
88	Azad Baharat	10-10-1938	25-10-1938	Enquiry. Subscribers in villages.
89	Sahitya Sandesh	6-10-1938	1-12-1938	Enquiry. Subscribers in villages.
90	Naujawan	29-9-1938	28-11-1938	Enquiry. List of subscribers received on 3rd November, 1938.
91	Adhikar	1-10-1938	10-12-1938	Enquiry. Copy of the paper received on 12th November, 1938.
92	Amar	20-1-1938	19-2-1938	Enquiry.
93	The Echo	10-1-1938	17-2-1938	Enquiry.
94	Congress Samachar	18-5-1938	3-9-1938	Enquiry. Copy of paper sent on 4th August, 1938.
95	Prabha	14-4-1938	2-8-1938	Enquiry. Copy of publication received on 28th July 1938.
96	Sandesh	24-3-1938	31-3-1938	Enquiry.
97	Congress (Weekly newspaper).	20-7-1938	17-9-1938	Enquiry. Copy of publication received on 8th August, 1938.
98	Kisan Sewak	24-3-1938	7-4-1938	Enquiry.
99	Laljhanda	7-2-1938	23-2-1938	Enquiry.

Statement showing particulars of newspapers which applied for registration and were registered during 1935—contd.

Serial No.	Name of paper.	Date of application.	Date of actual registration.	Remarks.
100	Ras	26-1-1938	19-2-1938	Enquiry.
101	Navin Bharat	29-1-1938	16-2-1938	Enquiry.
102	Nationalist India	24-1-1938	18-2-1938	Enquiry.
103	Harishchandra	5-1-1938	9-2-1938	Enquiry.
104	Shankhnad	15-1-1938	22-2-1938	Enquiry.
105	Dehat	28-3-1938	20-5-1938	Enquiry. Complete papers not received till 2nd May, 1938.
106	Braj Sandeh Muttra	24-9-1938	14-11-1938	Requisite documents were received on 5th October, 1938.
107	Khalid Deoband (Saharanpur).	28-3-1938	7-5-1938	Enquiries were completed on 30th April, 1938.
108	Mecca (Bijnor)	22-4-1938	20-7-1938	Magistrate's certificate was received on 11th July, 1938.
109	Sudershan (Muttra)	30-3-1938	25-7-1938	The copy of the paper was received on 19th July, 1938.
110	Mera Parcha (Allahabad)	12-2-1938	29-4-1938	The complete list of subscribers was received on 21st April, 1938.
111	Sunday Gossips (Allahabad).	2-3-1938	20-4-1938	Enquiries.
112.	Congress	10-1-1938	29-4-1938	Enquiries proved unsuccessful in the first attempt.
113	Jhunjhana (Agra)	3-10-1938	16-11-1938	The contents were not in accordance with the rules.
114	Satyavir (Agra)	14-5-1938	5-9-1938	The enquiries proved unsuccessful in the first attempt.
115	Viplava (Lucknow)	17-10-1938	11-11-1938	Enquiries.
116	Sarguzasht	4-10-1938	16-11-1938	Enquiries.
117	Kirti Lehar (Meerut)	24-2-1938	1-10-1938	Enquiries in the first attempt were not successful. Besides the contents were not in accordance with the rules.
118	Swarajya (Allgarh)	17-1-1938	2-4-1938	The list of subscribers was received on 2nd March, 1938.
119	Moon-light	15-6-1938	29-6-1938	Enquiries.
120	Chandausi weekly market report.	6-8-1938	4-5-1938	Enquiries.
121	Prakash	19-2-1938	14-4-1938	Enquiry had to be made twice.
122	Utikarsha	1-3-1938	6-4-1938	Enquiry.
123	Haji Shakur Haji Karim Market Report.	4-4-1938	4-5-1938	Enquiry. Copy of the paper received on 16th April, 1938.
124	Shanishchar	26-4-1938	3-8-1938	Enquiry.
125	Chingari	22-2-1938	21-3-1938	Enquiry. District Magistrate's certificate received on 2nd March, 1938.
126	Shiksha Sudha	14-1-1938	4-3-1938	Enquiry.
127	Sangram	13-1-1938	18-2-1938	Enquiry.
128	Sultan	24-9-1938	10-10-1938	Enquiry.
129	Balark	10-1-1938	16-2-1938	Enquiry. Form of application received on 20th January, 1938.
130	Hukumat	28-4-1938	7-6-1938	Enquiry. Form of application received on 16th May, 1938.

Statement showing particulars of newspapers which applied for registration and were registered during 1938—concl'd.

Serial No.	Name of paper.	Date of application.	Date of actual registration.	Remarks.
131	Roopabh . . .	8-8-1938	26-8-1938	Enquiry.
132	Buhani Alam . . .	26-5-1938	22-7-1938	Enquiry. Necessary papers received on 16th July, 1938.
133	Daily Toofan	18-5-1938	23-6-1938	Enquiry. Form of application received on 31st May, 1938.
134	Habeeb	12-5-1938	8-7-1938	Enquiry had to be made twice as in the first instance, it was unsatisfactory.
135	Rahbar	7-1-1938	20-1-1938	Enquiry. Form of application received on 14th January, 1938.
136	Nava Sandesh	2-6-1938	2-8-1938	Enquiry. District Magistrate's certificate received on 28th June, 1938.
137	Lucknow Diocesan Chronicle.	6-5-1938	26-7-1938	Enquiry had to be made twice.
138	Haq-parast . . .	15-7-1938	9-8-1938	Enquiry.
139	Chand	3-11-1938	8-12-1938	Enquiry. Copy of the paper received on 9th November, 1938.
140	Bekar Sakha (Weekly) . . .	22-1-1938	19-2-1938	Enquiry.
141	Jame-Jehan-Numa	15-9-1938	29-9-1938	Enquiry.
142	Stree Bhushan	21-2-1938	29-3-1938	Enquiry.
143	Spirit of the Times	1-8-1938	29-8-1938	Enquiry.
144	Darshak	2-2-1938	8-3-1938	Enquiry.
145	Vljal	6-4-1938	7-5-1938	Enquiry. Necessary papers received on 29th April, 1938.
146	Janata	25-5-1938	28-6-1938	Enquiry.
147	Yogesh	14-2-1938	19-3-1938	Enquiry.
148	Kisan	8-1-1938	8-2-1938	Enquiry.
149	Hal	19-10-1938	5-11-1938	Enquiry.

PIE POSTAGE FOR NEWSPAPERS CIRCULATING IN RURAL AREAS.

441. *Pandit Sri Krishna Dutta Paliwal: Will the Honourable Member for Communications be pleased to state :

- (a) how many newspapers circulating in rural areas weigh four tolas or less;
- (b) the loss the Government may be put to if pie postage is introduced for such papers; and
- (c) whether Government intend to introduce pie postage for such papers with effect from the next financial year?

The Honourable Sir Thomas Stewart: (a) and (b). The information is not available.

(c) I am afraid I must ask the Honourable Member to wait for the budget statement of my Honourable colleague, the Finance Member.

**QUALIFICATIONS FOR APPOINTMENT AS ENGINEERING SUPERVISORS AND
WIRELESS OPERATORS.**

442. *Babu Kailash Behari Lal: (a) Will the Honourable Member in charge of Communications be pleased to state what are the requisite qualifications for candidates for the posts of engineering supervisors and wireless operators under the Posts and Telegraphs Department?

(b) Is it a fact that the Civil Engineering diploma of the Bihar College of Engineering is not recognized for the posts of engineering supervisors and wireless operators under the Posts and Telegraphs Department?

(c) Have the Local Government of Bihar made any representation to the Government of India in the Department of Posts and Telegraphs for the recognition of the civil engineering diploma of the Bihar College of Engineering for the posts of engineering supervisors and wireless operators under the Posts and Telegraphs Department?

The Honourable Sir Thomas Stewart: (a) and (b). I would refer the Honourable Member to the Department of Communications Resolution No. S.-116/3, dated the 9th August, 1938, a copy of which is in the Library of the House. It will be seen that the Subordinate Civil Engineering diploma of the Bihar College of Engineering is recognised.

(c) No.

**PRINCIPLE FOLLOWED IN PROMOTING CLERICAL STAFF IN THE DINAPUR
DIVISION OF THE EAST INDIAN RAILWAY.**

443. *Babu Kailash Behari Lal: Will the Honourable Member for Railways be pleased to state:

- (a) what principle is followed in the matter of promotion of the clerical staff in the Dinapur Division of the East Indian Railway in calculating seniority;
- (b) if it is a fact that sometimes the total length of service from the date of appointment has been made the basis of computing seniority and at other times seniority in a particular grade was taken to be the basis;
- (c) if it is a fact that on account of this fluctuating basis, there have been representations from the staff adversely affected;
- (d) if it is a fact that the Railway authorities have considered the representations from the point of view of possible charges of favouritism involved in the above method of promotion followed by the authorities; and
- (e) if the answers to parts (b), (c) and (d) be in the affirmative, whether Government propose to point out to the Railway authorities to fix one uniform principle in the matter of promotion?

The Honourable Sir Thomas Stewart: (a) to (d). Government have no information. I would, however, refer the Honourable Member to the reply I gave to Maulvi Syed Murtuza Sahib Bahadur's question No. 106 on 23rd March, 1938.

(e) I am sending a copy of this question to the General Manager, East Indian Railway, for such action as he may consider necessary.

**WANT OF LATRINES IN THIRD CLASS COMPARTMENTS ON THE BIHAR
BAKHTIARPUR LIGHT RAILWAY.**

444. *Babu Kailash Behari Lal: Will the Honourable Member in charge of Railways be pleased to state:

- (a) if it is a fact that in the Bihar Bakhtiarpur Light Railway there is no latrine provided in the third class compartments;
- (b) if the intermediate and other upper class compartments have got latrines in that Railway; and
- (c) if the Railway authorities have received complaints regarding want of latrine in the compartments of the Bihar Bakhtiarpur Light Railway and what has been the result of the complaints?

The Honourable Sir Thomas Stewart: The information is being obtained and will be laid on the table of the House in due course.

NON-BROADCASTING OF SCHOOL PROGRAMMES IN KANARESE.

445. *Sri K. B. Jinaraja Hegde: Will the Honourable Member for Communications be pleased to state:

- (a) whether it is a fact that broadcasting is not made in Kanarese language either from Bombay or Madras stations, though there is a large Kanarese speaking area of about one lakh square miles;
- (b) whether it is a fact that while school programmes are being broadcasted from Bombay station in Marathi, Hindi and Gujrati, the Station Director refused to broadcast school programmes in Kanarese for schools in Karnatak districts, even on representations made to him to that effect;
- (c) whether there is any proportion fixed between English and Indian programmes; if there is none, whether the Central Government are prepared to fix a proportion of English programmes to Indian programmes; and
- (d) whether Government are prepared to direct that at least 75 per cent. of the programmes be in Indian languages?

The Honourable Sir Thomas Stewart: (a) No.

(b) School broadcasts in Marathi and Gujrati are given from the Bombay Station. A representation for school broadcasts in Kanarese was made to the Station Director, Bombay, but as the number of schools in the Kanarese speaking area which listen in to these programmes is very small, the request could not be entertained.

(c) and (d). No. Government do not consider it necessary to fix any proportion between the hours of transmission devoted to English and Indian programmes. I may add, however, for the information of the Honourable Member that the proportion of time devoted to Indian programmes is in practice higher than that suggested by him.

ASSEMBLING OF LOCOMOTIVES IN RAILWAY WORKSHOPS.

446. *Mr. K. Santhanam: Will the Honourable Member for Railways please state:

- (a) whether there are sufficient facilities for assembling locomotives in the Railway Workshops;
- (b) the percentage of cost of assembling to the cost of the parts;
- (c) the difference in freight between getting the locomotive assembled outside and brought to India and getting the parts and assembling them in India; and
- (d) whether Government propose to consider the question of assembling the locomotives in India as far as possible?

The Honourable Sir Thomas Stewart: (a) The Honourable Member presumably refers to the existing alternative practice of shipping locomotives to India either fully erected or packed in cases in which case the answer to part (a) is in the affirmative.

(b) The cost of assembly of locomotives received packed in cases approximates four per cent. of their landed cost.

(c) No specific figures are available but generally speaking there is no appreciable difference between the freight charges on locomotives packed in cases and locomotives shipped fully erected. The latter method has, however, the advantages that erection costs are eliminated and the locomotives are placed in service earlier.

(d) Government propose to continue the existing procedure under which locomotives are shipped fully erected when this is both feasible and financially advantageous. The Honourable Member will appreciate that in the case of metre gauge railways shipment of locomotive fully erected is often impracticable due to the absence of metre gauge rail connection at some ports.

MANUFACTURE OF CAPROTTI VALVE GEAR PARTS OF LOCOMOTIVES IN INDIA.

447. *Mr. K. Santhanam: Will the Honourable Member for Railways please state:

- (a) whether Caprotti valve gear parts of locomotives are not very costly;
- (b) whether any Railway Administration has protested against the high cost of such parts; and
- (c) whether they cannot be manufactured in India?

The Honourable Sir Thomas Stewart: (a) and (b). The purchase prices of Caprotti valve gear parts recently purchased have been considered by some Railways to be unduly high compared with their probable works manufacturing costs. The matter has been taken up with the manufacturers

(c). Yes, but both material and special plant would have to be imported for their satisfactory production. The limited demand for such parts at the present time would also render the manufacture in India of parts now imported uneconomical.

MANUFACTURE OF BOILERS IN RAILWAY WORKSHOPS.

448. *Mr. K. Santhanam: Will the Honourable Member for Railways please state:

- (a) whether many of the Railway workshops in India have every facility for building boilers;
- (b) whether boilers were actually being built during the war and some years of the post-war period;
- (c) how many boilers were so manufactured and in which years;
- (d) why the practice of manufacturing boilers was given up; and
- (e) whether the Railway Board or any Railway Administration have any plan of reviving the manufacture of boilers?

The Honourable Sir Thomas Stewart: The information is being collected and will be laid on the table of the House in due course.

STOPPAGE OF TRAINS AT HALTING PLACES ON THE ASSAM BENGAL RAILWAY.

449. *Maulvi Abdur Rasheed Chaudhury: (a) Will the Honourable the Railway Member please state whether Assam Bengal Railway train stops at Bhattapatak where there is no station office?

(b) What are the other stations at which there is no station office, although the Assam Bengal Railway trains halt there and take passengers?

(c) Is it not a fact that passengers have to come and wait at these halting places for the trains, both in the sun and rain and that there is no shed for their protection there?

(d) Is it not a fact that guards have to issue tickets at these stations and that consequently there is unauthorised delay in the running of trains?

(e) Is it a fact that guards issue only third class tickets up to next station and that the passengers suffer a good deal of inconvenience in running for tickets at the next stations?

(f) Is it a fact that there are as many as nineteen such stations on the Assam Bengal Railway?

(g) Is it a fact that no railway officer attends to the passengers at these stations, and there remain chances of accidents at such stations as the passengers of the train get down and get into the train while it is still running?

(h) Do the Railway authorities contemplate providing station office and staff at these stations, or in the alternative for the safety of passengers contemplate stopping halt at these stations?

(i) Is it a fact that there were station offices and staff at these stations previously and, if so, what is the reason for their withdrawal?

The Honourable Sir Thomas Stewart: (a) Yes.

(b) and (f). A list giving the names of these unattended halts is laid on the table.

(c) Yes. Action is being taken to provide shelters at all unattended halts.

(d) It is a fact that in some cases guards of trains issue tickets: in other cases, contractors are employed to sell tickets on a commission basis.

(e) No.

(g) No. The guard attends to the needs of passengers. No accidents have been reported to the Administration.

(h) and (i). No. Ten of the twenty unattended halts used to be stations and were converted into unattended halts as they proved unremunerative. The Administration states that the closing of any of these unattended halts would be strongly resented by the local public.

List giving the names of unattended halts on the Assam Bengal Railway.

1. Bandua Gaultapur.	11. Bhattapathak.
2. Jalsuka.	12. Dagaon.
3. Phakhoagram.	13. Melamati.
4. Tarabari.	14. Kalikaprasad.
5. Bengura.	15. Machai Siding.
6. Paikpara.	16. Madhu Road.
7. Nutanpara.	17. Bipulashar.
8. Bishka.	18. Hashimpur.
9. Heearanpur.	19. Kaibalyadham.
10. Shakir Muhammad.	20. Kujibali.

NEGOTIATIONS FOR ACQUIRING GWADAR ON THE MAKARAN COAST.

449A. *Mr. M. Asaf Ali: Will the Secretary for External Affairs please state:

- (a) whether Government have been engaged in any negotiations for acquiring Gwadar on the Makaran Coast for the purpose of establishing a naval base in the Persian Gulf;
- (b) whether these negotiations are still in progress, and, if so, what is the result so far;
- (c) whether Government have also been engaged in any negotiations with the Khan of Kalat for the similar purpose of acquiring a port on the Makaran Coast;
- (d) whether they are also contemplating (i) the termination of the lease of Kalat Territory and (ii) setting up Kalat as an independent State and in return they are negotiating or assisting some private concern in negotiating the lease of oil-fields in Kalat State; and
- (e) if the answer to any of the foregoing parts be in the affirmative, which part of Baluchistan Government propose to retain and what will be its constitutional position in relation to the neighbouring Province, the North-West Frontier Province?

Sir Aubrey Metcalfe: (a), (c) and (d). No.

(b) and (e). Do not arise.

RAID ON BANNU.

449B. *Mr. M. Asaf Ali: (a) Will the Foreign Secretary be pleased to state what steps were taken by Government to prevent the raid of the 2nd July, 1938 upon Bannu?

(b) What was the strength of the Army and the Frontier Constabulary, on that date, and what was the strength of the raiders as against the former?

(c) How long did it take the raiders to cross over from the Independent Territory to Bannu, and what steps did the Frontier Constabulary and the Brigadier take (i) to prevent, and (ii) to pursue the raiders?

Sir Aubrey Metcalfe: (a) The Honourable Member is referred to the reply given to part (a) of question No. 647 asked by Mr. Abdul Qaiyum in this House, on the 31st August, 1938.

(b) The military strength at Bannu on the 23rd July, 1938, was one sub-section armoured cars, one Indian cavalry regiment (less two squadrons) and one Indian infantry battalion (less one platoon): The strength of the Frontier Constabulary was three platoons. The strength of the raiders has been estimated at 400, but no accurate figure can be stated.

(c) The Deputy Commissioner received information about 10-30 A.M. on the 23rd July that Mehr Dil with a lashkar was in the neighbourhood of Gumbatti on the border some ten miles from Bannu. The report suggested that the lashkar were about to attack Khassadar Posts and the Ahmadzai Jirga was immediately summoned and despatched with the Political Tahsildar to oppose the lashkar with the Ahmadzai Khassadars. The Brigade Commander was also informed and aerial reconnaissance was attempted but was found impossible owing to bad visibility. A heavy downpour of rain from 4 P.M. onwards rendered communication by signal with the border posts impossible and it was not until 8 P.M. that the lashkar was seen in the bed of the Kurram River close to Bannu Cantonment and City. Immediate steps were taken with all the forces available to deal with the lashkar. Efforts to cut off the retreat of the raiders were hampered since after the raid the gang broke up with small parties dispersed over a wide area and great difficulty was experienced in obtaining accurate and timely information regarding the location and routes taken by these parties.

MONEY SPENT ON THE INDEPENDENT TERRITORY AND TRIBAL BELT FOR PROVISION OF CERTAIN AMENITIES.

449C. *Mr. M. Asaf Ali: Will the Foreign Secretary please state how much of the money spent on (i) the independent territory, (ii) the tribal belt, is annually allocated to:

- (a) the establishment of educational institutions,
- (b) hospitals and dispensaries,
- (c) construction of reservoirs to relieve scarcity of water,
- (d) establishment of industries,
- (e) working the mineral resources,
- (f) the encouragement of improved cultivation wherever possible, and
- (g) finally on allowances and Mawajibs?

Sir Aubrey Metcalfe: The expressions used by the Honourable Member "independent territory" and "tribal belt" are not recognised by the Government of India, since the whole of the territory between the administered districts and the Durand Line is classified under the Government

of India Act as "tribal areas" and no part of it is "independent". The figures for actual expenditure in the year 1937-38 for the tribal areas bordering the North-West Frontier Province are as follows:

(a) Rs. 1,27,271.

(b) Rs. 1,61,781.

(c) to (f). The information is not readily available.

(g) Rs. 8,85,035.

There are of course tribal areas in Baluchistan and other parts of India but figures for these areas have not been collected, as I have assumed that the Honourable Member was referring only to tribal areas connected with the North-West Frontier.

RULING RE MOVING OF RESOLUTIONS.

Mr. President (The Honourable Sir Abdur Rahim): Honourable Mem-

12 Noon. bers will remember that I promised to give a ruling on the question that when Resolutions are put down and there is a Resolution in the name of one Member and in the event of that being barred, another Resolution has been put down in the same name, whether he is entitled not to move the first Resolution standing in his name and then move the second Resolution. Under Schedule I to the Standing Orders, in the case of a ballot for Resolutions, any Member who has given notice of a Resolution may have his name entered in the list against one number only. As Honourable Members are not in a position to know whether a Resolution named by them will be blocked under Standing Order 31 by another Resolution on the same subject obtaining an earlier place in the ballot, they are advised in the usual circular to name more Resolutions than one in the order of their preference and to authorise the Secretary to put down any of their Resolutions on the list in the event of their first choices being blocked. It will thus be seen that the sole object of indicating alternative Resolutions is to ensure that success in the ballot is not nullified by the operation of Standing Order 31. That relates to a Resolution being barred by a motion that has already been made. The indication of alternative Resolutions does not give a Member the right to select a Resolution on the floor of the House. To avoid any misunderstanding, the position is always explained in the remarks column of the circular intimating the result of the ballot. It is, therefore, clear that the right to move a particular Resolution is subject to the limitations indicated in the heading prefixed to each alternative Resolution in the List of Business.

RESOLUTION RE HAND-MADE MATCHES.

Mr. Sri Prakasa (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): Sir, I move:

"That this Assembly recommends to the Governor General in Council that with a view to encouraging the manufacture of matches with the aid of hand appliances as a cottage industry the rebate on hand-made matches be enhanced and that the licence fees on such producing concerns be reduced."

That more avenues of employment are necessary for our people, if the appalling poverty and misery that exist in the country are to be removed, is undisputed; and that this can only be done by the advancement of

[Mr. Sri Prakasa.]

industry is also beyond doubt. To have an adequate number of large factories and mills with large capital outlay is a dream that is not going to be fulfilled in the near future. Therefore, the only method by which we can combat the evils that exist is by encouraging cottage industries. The cottage industries, if properly handled, can relieve unemployment and also improve and extend our manufactures. If Aligarh can produce locks and Benares its brocade; and if Kashmir can produce shawls through its cottage industries on a commercial scale, surely it is possible to have other industries also which can be produced on a similar scale by the same methods. If I am not mistaken, the great industry of watch-making is a cottage industry in Switzerland. If such delicate mechanism as that of a watch can be produced in a cottage, then the simpler things that we, in India, need can be produced there with greater ease. We have only to search out what things can be produced in our cottages and what would be most easily produced. I feel that matches are such things and I venture to move this Resolution this morning in the hope that all sides of the House will accept it.

So far as I have been able to find out, India at the present moment consumes 17 million gross boxes of matches. My mathematics has always been bad, but from such calculations as I could make I find that our consumption comes to about eight boxes of 40 or 60 sticks per man per year in our country. The amount consumed is comparatively small because those who smoke—and those who continue to smoke in the division lobbies despite your reprimand—know that they consume almost a box a day. But the average inhabitant of our country consumes only about six boxes per year. Today a match box can be obtained with such ease that we are perhaps inclined not to value its importance very much; but if we think of the days when Prometheus is supposed to have gone to Heaven in search of fire and if we wander about in the remote parts of our northern hills, we will find that it is not so easy to produce fire as it is by merely striking a match. In the hills we still find men carrying *chakmak* stone, with the help of which they miraculously produce fire, and if one makes gift of a match box to them, they regard it as a most valuable gift that they can think of.

Sir, I should like, with your permission, to give in a few words the history of the use of matches in our country. As a boy, I remember that I could purchase for a pice two boxes of matches and I also remember that on more than one occasion I have counted the number of sticks in each box and I always found that the number was 80. Today you can only purchase a box of 40 sticks for a pice. In those days, all these matches came from Sweden. Later on, after the Russo-Japanese War, when Japan rose in all her splendour both politically and economically, Japan and Sweden shared the Indian market half and half. After the great European War however Japan monopolised the Indian market but again lost half of that market to Sweden by 1923. But the Swedish people being enterprising in match making, of both descriptions as my Honourable friend, Mr. Boyle, knows, monopolised our market again. In 1922, the Government of India, for the sake of increasing their revenue, imposed a heavy customs duty of Re. 1-8-0 per gross. The purpose was a legitimate one of improving the revenues of the country, but it further served the additional legitimate purpose of working as a protective duty. Factories sprang up in India after the imposition of this customs duty. The Indian factories

were very small, but the foreign factories brought foreign capital and established huge concerns in our country. The result of this was, so far as I have been able to study the figures, that the customs revenue decreased and from 154 lakhs it threatened to go down to 95 lakhs. This was, naturally, followed by an enquiry by the Tariff Board. In 1934, an excise duty was levied at the rate of eight annas for a gross of match boxes containing 20 sticks each. So, Sir, the peak was reached and while in 1923 and 1924 the Government got by the import duty a sum of 138 lakhs, in 1936-37, by a combination of this import duty and excise duty they got a sum to the tune of 238 lakhs.

Sweden, however, was in control all the time. I find that 70 per cent. of the world trade in matches is monopolised by Sweden. The Indian Tariff Board report says:

"While we think that nothing has so far occurred in the activities of the Swedish match company in India which calls for Government action, it must be admitted that the resources of the Swedish company are sufficient, if it so desired, to crush for a time at least all competition from Indian firms and can capture for itself the whole of the Indian market."

This, Sir, is rather ominous and, therefore, I feel that it was unfortunate that one of the findings of our Tariff Board was:

"We consider that the manufacture of matches organised as a cottage industry has hardly any future and that on account of the dangerous character of some of the materials employed in it, it is not a fit industry for development on cottage lines. We cannot, therefore, recommend any special measures for the encouragement of cottage match factories."

Still, Sir, this finding is tempered by the recommendation:

"If, however, an excise duty is imposed on matches manufactured in India, a reduction not exceeding two annas per gross should be made in the case of cottage factories in consideration of their limited resources."

The Excise Acts and orders as now in force work something like this: All premises where matches are manufactured have to be licensed, and whether the factory is big or small, the license fee is Rs. 100. The registration of the premises is an annual affair and every year a factory, large or small, has to pay a sum of Rs. 100. Then, Sir, there is a rebate of ten pies per gross boxes of 40 sticks in case of cottage factories; and cottage factories being defined as those which do not produce more than 100 gross per day. The Government realise this excise duty by the sale of banderoles. I do not know how many Honourable Members of this House, as they use the familiar match boxes, know what these banderoles are, and what are these that obstruct them from getting at the matches quickly. These banderoles are sold by Government and all match-boxes have to be fastened by them. The excise duty is recovered by the sale of these.

Now, our scheme is that match making can be made a cottage industry if the State helped indirectly—not directly, but only indirectly—by a proper and equitable revision of the rules and tariffs. I find, Sir, that waste paper and bamboos can be utilised in plenty for the production of matches and that two lakhs of people can get almost immediate employment. It is also said by those who know, that children at school can be taught this work and so they can meet a good portion of the expenses of their schooling and make up for the loss in labour that their families incur by their being absent at school. Therefore, our recommendations are that the rebate should be enhanced and instead of ten pies, as it is at present, it should be raised at least to the maximum amount that the Tariff Board itself recommended, namely, two annas per gross.

[Mr. Sri Prakasa.]

We also feel that the license fees should be reduced when matches are produced in cottages and they should not be required to pay the amount that large factories have to pay. Today, whether your factory is a small one or a huge one, you have to pay Rs. 100. The larger factories may be asked to pay more, but, in any case, these smaller workshops in the villages should not be required to pay so much. On the ground of general principle too, it does seem to me that having a flat rate like that is not proper or equitable. We also recommend that there may be some change in the method of supervision which is very expensive at the present moment because they have to post *chaprasis* at practically every factory and they have also to have many Inspectors. We also suggest that there may be a change in the method of selling these banderoles which may be sold through the post office, for instance, like revenue stamps. I hope, Sir, that these recommendations will meet with the approval of the House.

I cannot close better than by quoting the eloquent words of Mr. Satish Chandra Das-Gupta who has successfully carried out experiments in this line in his Khadi Pratishtan. He says :

"The villages are dying for want of industries. Mere agriculture cannot support the people. This has been proved beyond doubt. If all the necessary articles are produced in large factories, the villagers and cottagers are bound to be starving. If we convert all our jute into bags in jute mills, if we make all our sugar in sugar mills, our soaps in mammoth soaperies, our cloth in cotton mills, our leather in huge tanneries, our shoes by tens of thousand pairs per day in single factories, our matches in automatic machines, and our paper by tons in paper mills, and husk our paddy in rice mills, and grind our flour in flour mills and press our oil seeds in oil mills, what will be left for the villagers to do but to die."

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

"That this Assembly recommends to the Governor General in Council that with a view to encouraging the manufacture of matches with the aid of hand appliances as a cottage industry the rebate on hand-made matches be enhanced and that the license fees on such producing concerns be reduced."

Mr. J. D. Boyle (Bombay: European): Sir, my Honourable friend, Mr. Sri Prakasa, referred to my connection with Sweden, but I ask the House to believe me that my mind is not now so inflamed that I am unaware of the claims of the Indian industry.

The underlying object of this Resolution, if I understand it correctly, is so to lower the duty on hand-made matches that the industry can become a source of economic wealth and prosperity to the country. If I am right, I should like to make it clear at the start that I am not going to be drawn into any theoretical discussion as to the economic value of cottage industries. But I feel that because Mahatma Gandhi has given the full weight of his support to the encouragement of cottage industries, perhaps a somewhat misguided enthusiasm has inspired this Resolution now before the House. It is obviously clear that certain types of industry lend themselves to adaptation as cottage industries and as such they must offer relief to those who are not able even to provide for themselves the mere necessities of life and also may form very usefully a supplement to a family's income. And, at the same time, it was pointed out by an Honourable Member in this House, only a day or two ago, that the estimated figure of unemployment in this country was approximately 25 millions. That is an appalling figure and anything that we can do to reduce it should have our enthusiastic support. But it is necessary when examining which industries are most suit-

able for adaptation as cottage industries that we should be careful to see that they can be of real economic value to the country and that the conditions of the workers are not such as my Honourable friend, Mr. Joshi, would describe as sweated, and that they are also not deleterious to public health. First of all, I should like to deal with the question of whether a cottage industry does in fact provide employment for those who are completely unemployed or can be described as providing a supplement to the income of the family whose menfolk are (let us say) working in the fields. A study of this subject has revealed the fact that there are three types of persons connected with the cottage industry. There is, of course, the employer and the employee but there is also, which is far more important, the commission agent who is really our old friend the money lender under another name. Now it will be realised that there are different conditions existing in different parts of India, but I have tried, and I think with some success, to make an average which would be applicable to the whole of India. The employer is, I think I can honestly say, only a very nominal person. He is, if it is really a cottage industry, a very poor man and he has to have certain plant, elementary though it may be, for the manufacture of these matches. He has to have money for the raw materials,—wood, paper and chemicals; he has to have money for the license fee that Government imposes, and he has to have money for the banderoles which, I think, can best be described as a sort of receipt for the excise duty payable to Government which are pasted on each box of matches before it can be sold.

An Honourable Member: What will be the total amount?

Mr. J. D. Boyle: I will come to that; I will give the figures.

Now, it is a fact that can be readily established that so much in control of the business is the commission agent that it is he in fact who collects the ready-made boxes from the cottages, it is he who stores them in his own godowns and who sells them to the retailer. The nominal owner has no part in that whatsoever. Now, let us take a very average cost statement. Taking the average, which is actually drawn out for South India but which is applicable to the Bombay Presidency as well to my knowledge, the average cost of manufacture in the cottage industry of a gross of match boxes is anything from Rs. 1/5/- to Rs. 1/5/6. In quite a large number of cases, which were investigated, the commission agent insisted on those boxes being sold to him at less than the cost price, the apparent loss being the return to him for the capital loan or the interest on the loan. But I will not take these very extreme examples but the average maximum profit that is made by the owner is approximately $4\frac{1}{2}$ to $4\frac{1}{2}$ annas. Now let us see who does make money out of this match industry. First and foremost come Government who make Re. 1 per gross on the excise duty. Then comes the commission agent who, on a very wide survey, makes approximately 12 per cent. on his loan. And then comes the retailer who, whatever the cost of manufacture may be and however cheaply it may be sold, sells the boxes at three pies each, so that he makes a clear profit of 12 annas a gross. The owner, who is the real man that we are trying to help by the cottage industry, makes an average of $4\frac{1}{2}$ to $4\frac{1}{2}$ annas per gross out of which he has to pay the workers their salary. From that I think you will agree with me that there is extremely little reason why we should support that middleman, the commission agent. These figures are very easily established and have been drawn out in the form of statistics by a gentleman who would please my Honourable friend, Mr. Joshi, as he was an Indian lately in the International Labour Office at Geneva.

[Mr. J. D. Boyle.]

Now, it appears, as I was saying, that the commission agent who is in fact the middleman does not really deserve our support. But the Government of India, in their wisdom, have given a rebate of five per cent. on the small scale industry of which to my personal knowledge I can say that 100 per cent. goes into the hands of the commission agent. That enables that commission agent to compete with the bigger scale factory,—the bigger scale factory which comes under the Factories Act, which has, therefore, to conform to certain rules and regulations laid down by this House and which provides infinitely better conditions of labour, produces an infinitely better match and pays infinitely more revenue to the Government of India. Now I do not complain of the theory which actuated Government in giving that rebate. It was clearly to assist the small industry as against the big; but I will now try and prove to you that it is not in fact a cottage industry at all. I can only tell you that in the overwhelming number of cases the work is not done in the homes of the people who are employed. You can readily understand that if the workers are scattered over a large area and boxes made there it will cost a considerable amount to collect these together before they are sold, and the commission agent will not do that. Therefore, all the workers are brought together from distances one of which to my knowledge was two miles. The workers have to come two miles to the central hut which may or may not be used as a dwelling place,—that is immaterial,—and they work there in just sufficiently small numbers to prevent them coming under the Factories Act. There may be three cottages together in a row so as to avoid it; there may be as many as sixty people employed in that particular factory but they are put into separate cottages in order to avoid them coming under the terms of the Factories Act. That is not a cottage industry at all. That is not a means of supplementing a person's income—it is a full time occupation; and a survey of the number of hours done by these workers shows it to be something between eight and ten hours a day. Now that is a whole time industry under wretched conditions producing a wretched match which incidentally is a very serious loss to the consumer because, as my Honourable friend, Mr. Sri Prakasa, has pointed out, matches are really universally used throughout the whole of India. If I may sum up this particular point, it is only a very clever move on the part of the moneylender to transfer a large scale industry into small scale workshops so as to get the benefit of the rebate and that is where all the benefit is going.

My Honourable friend, Mr. Sri Prakasa, referred to an article by Mr. Satish Chandra Das Gupta which appeared in the *Modern Review* for April of last year. The basis of that article, as I understood it, was that since the cottage industry employed approximately ten times as many people to make the same number of matches as a properly organised factory, if the cottage industry was properly organized it would make at any rate some contribution to overcoming the problem of unemployment. But I would very sincerely suggest that the conditions of the cottage industry should be very carefully examined by Government before anything is done which is likely to break down the competition of the bigger factory, and I would ask the House to bear in mind the fact that as things are at present, to a very large extent indeed this is not a cottage industry as the word is ordinarily understood in the country: it is not a supplement to a family's income: it is a whole-time occupation, under wretched conditions, for wretched wages, and with the result that the quality of matches throughout the country has been greatly lowered. In conclusion, since I see my

time is nearly up, I would also point out that this is going to mean a very serious loss of revenue to Government which is a point which presumably they will look after themselves and so I do not intend to go into it here, except to say that if we are prepared to ask the House to recommend to the Government of India that they should give up any considerable volume of their revenue in order to support an industry such as a cottage industry for matches, we should have a great deal more information at our disposal as to the benefit that will accrue from that support. Sir, I oppose the Resolution.

Dr. P. N. Banerjea (Calcutta Suburbs: Non-Muhammadan Urban):

Sir, India is a land of villages and is likely to continue to be a land of villages for at least some time to come. But what is the condition of the villages at the present moment? All the villages are in a decadent condition. The people are extremely poor, and there is unemployment and under-employment everywhere. Now, is it or is it not desirable to remedy this state of things? The Government have no difference with the people in this regard. A few years ago, the Government of India sanctioned the sum of more than a crore of rupees for village reconstruction. The people also have taken up the cry of village reconstruction and Mahatma Gandhi's interest in the matter has given a great spirit to that movement. But how are the villages to be reconstructed? At the present moment there are very few occupations which the villagers have besides agriculture. In order to revive the villages you will have to give the people some occupations, occupations independent of, as well as subsidiary to, agriculture. It is suggested that the match industry in an occupation which the villagers can engage themselves in. My friend, Mr. Boyle, says that this is not suitable as a cottage industry...

Mr. J. D. Boyle: Not suitable, if I may say so, under present conditions.

Dr. P. N. Banerjea: But the conditions can be changed. There is no reason why those conditions should continue for ever. The conditions are not unchangeable. I have myself visited some of these cottage factories and I can assure you that matches can be made in these small cottages as a cottage industry without any great difficulty. My friend, Mr. Boyle, sheds tears for the consumer. He says that the consumer would suffer. Whenever there is competition between an Indian industry and a foreign industry our friends always shed tears for the consumers. My friend also sheds tears for the labourers and various other classes of people. He asked, why should the middleman or the commission agent have so much money? What is the objection? It is not impossible to eliminate the commission agent; there may be Co-operative Societies which may finance these cottage industries and there may be other ways of financing the production and retail sale of cottage matches. But if there are no other ways, I would prefer helping this commission agent rather than helping Sweden. It should be remembered that the bulk of the match industry is in the hands of foreigners. Why should the foreigners gain at the expense of the people of the country?

Mr. B. Das (Orissa Division: Non-Muhammadan): And one company!

Dr. P. N. Banerjea: We are all in favour of discriminating protection, but in this case the advantage is gained not by the people of this

[Dr. P. N. Banerjea.]

country but by foreigners. The sacrifice is made by the people here but the advantage goes to the foreigner. The time has come when this state of things should be put an end to. (Interruption.) Whether that is a possibility or not I am not discussing at the present moment. But I do suggest that matches can be made a cottage industry, and such a cottage industry deserves the help of the entire people of the country. As regards the distribution of these matches, when they are in villages there is no need of commission agents. In every village there are unemployed persons who can carry them from one village to another and sell them. So that difficulty can be obviated very easily.

As regards loss of revenue, we suggest that at present moment a rebate to the extent of two annas per gross boxes should be granted, and this was the sum suggested by the Tariff Board. Further, we demand that a concession should be made in the matter of license fees. The license fees are now fixed at the rate of Rs. 100 for all factories—large, or small, or conducted on a cottage scale. This is very unjust. When a cottage industry which employs only a few hands, say four or five persons, is asked to pay Rs. 100, it is a great burden on that industry; but when a large match factory has to pay Rs. 100, it is no burden at all on it. This state of things should be remedied and the concession that is asked for is that in the case of cottage match industries a nominal license fee should be fixed, say Rs. 10 or Rs. 5. Then there are other facilities which can be granted. The method of supervision can be simplified and banderoles can be sold in the post offices. If all these steps are taken, the match industry, on a cottage scale, can be made successful, and those who have doubts in this regard will do well to visit the cottage match factory started by Mr. Satish Chandra Das Gupta at Sodepur. This will convince my doubting friends that it is not an impracticable proposition . . .

Dr. F. X. DeSouza (Nominated Non-Official): Is it a cottage industry at Sodepur?

Dr. P. N. Banerjea: Yes, Sir.

The Honourable Sir Nripendra Sircar (Law Member): Just as this is a cottage industry!

Dr. P. N. Banerjea: What is it, Sir?

The Honourable Sir Nripendra Sircar: Just as this is a cottage industry!

Dr. P. N. Banerjea: I am unable to understand that joke.

There is no likelihood of a loss of revenue. I submit that the industry is in an infant and experimental stage at the present moment. When there is an apprehension of a serious loss, the matter may be referred to a Tariff Board for enquiry, and, if necessary, the Tariff Board may fix a higher scale of excise duty for the larger factories. There is no justification why these larger factories in the hands of foreigners should make huge profits at the expense of the consumers of this country. But that time is not yet. It is not necessary to have an investigation made by a Tariff Board just now. What is necessary at the present moment is to encourage the match industry, on a cottage basis, so that it may stand on its own legs; and when the revenue is threatened, then other steps can be taken.

Sir, the demand which has been made by this Resolution is a very modest one, and I hope the House will accept this demand and that the Government will also accede to it, so that a great boon may be conferred on the rural population of this country.

Mr. Muhammad Nauman (Patna and Chota Nagpur *cum* Orissa: Muhammadan). Sir, I rise to support the Resolution which reads thus:

"That this Assembly recommends to the Governor General in Council that with a view to encouraging the manufacture of"

Mr. President (The Honourable Sir Abdur Rahim): It has been read out already.

Mr. Muhammad Nauman: Very well, Sir, then I will try to be brief, as my friend, Mr. Sri Prakasa, when moving same has already explained the importance of it.

In the first place, I should like to point out that there is one country more than any another which laid great stress on the encouragement and development of cottage industries, and it is Japan, and there they succeeded so well that even industrially advanced countries like England and America could not keep pace with Japan in the industrial sphere. Sir, India, with her vast population and with her vast army of unemployed millions who number about 25 millions or so according to some calculations, I think, is in a position to embark on an industrial programme on cottage lines in regard to the manufacture of matches, because I think the match industry would not be a bad beginning to start with. What this Resolution asks for is really a very modest demand. We do not want to suggest anything which will suddenly cripple the big match factories of this country. Our demand is a very modest one, and that is, we ask you to give a small rebate and also to reduce the license fees.

Then, the question is whether the Government of India will lose any big revenue. I do not know it. The Honourable the Finance Member is the proper person to say whether he has calculated any figure of loss that is likely to accrue to Government if they assisted and encouraged this cottage industry.....

Dr. P. N. Banerjee: Not immediately.

Mr. Muhammad Nauman: At any rate, for the present I do not think that there is any prospect of the Government of India losing any substantial sum, and in view of the fact that the Government of India have shown their anxiety for the uplift of the rural population and for rural reconstruction programme, I think they ought to encourage this industry, because, after all, if there is a deficit in the budget, we have to meet it from some source or the other, and Government need not bother about same.

Then, my friend, Mr. Boyle, stated that the average profit that a large scale manufacturer will make cannot be expected to be more than four or five annas a gross, and he said that the agent would be making a big profit of something like twelve annas a gross, and these agents would be able to compete with the factory produced matches. My friend, Mr. Boyle, does not like that these agents should be given any opportunity of receiving preferential treatment. Of course, as things are today in India,

[Mr. Muhammad Nauman.]

it may be possible, because the co-operative societies are not as yet working on national lines, and the Government of India also is not probably willing to subsidise, directly or indirectly, the cottage industries as the Japanese Government did in the beginning. Bankers in India are mostly foreign and those that are Indian are not yet in a position to finance cottage industries. Why should any one grudge the Indian agent for making a little more money? Why should you term him or class him as a money-lender? It is not a crime to be a money-lender and if he is going to finance our industries and assist poor people, why should he not get a share? I am sure my friend, Mr. Boyle, will admit that in England and other countries most of the industries are financed by managing agents, commission agents or financiers, and if he does not grudge them making larger amounts of money there, why should my friend grudge our Indian friends making a little more money in India. It is really a mystery to me.

Another point to which I should like to draw the attention of the House is this, that if we succeed after an experiment of two or three years in establishing match industry on a cottage industry basis, probably it will give an impetus to people to go in for other kinds of industries on cottage industry lines such as weaving of cloth, silk and so on and so forth, as has been done in Japan.

Sir, I do not want to take any more time of the House, but I do hope that the House will support this Resolution unanimously.

Mr. Sami Vencatachelam Chetty (Madras: Indian Commerce): Sir, if my friend, Mr. Boyle, wanted to oppose this Resolution, he could well have chosen other arguments than his fulminations against the commission agents. It comes with very ill grace from a representative of the most princely among middlemen in this country.....

Mr. F. E. James (Madras: European): What about yourself?

Mr. Sami Vencatachelam Chetty: I admit I am a middleman.

In this country, Sir, no set of people are worse middlemen than the foreign companies.....

Mr. F. E. James: If that is my Honourable friend's view about foreign middlemen, why is he employed by them?

Mr. Sami Vencatachelam Chetty: I am a middleman, I do not deny it.

Mr. F. E. James: Why are you employed by one of these foreign companies who are such sweaters?

Mr. Sami Vencatachelam Chetty: I cannot avoid it, and I deny they are sweaters. At least the middlemen in this country accept certain onerous responsibilities as distinguished from the middlemen of other countries. The middlemen here have got to finance industries and agriculture from the very beginning and they render a very useful service indeed in marketing the wares that are produced either here or imported into this country. I am, therefore, astonished that Mr. Boyle should

have chosen the middlemen as a target for his attack in respect of this Resolution. I am sure he wanted merely to play upon the feelings that are generally prevalent both amongst my countrymen and others, that these middlemen are parasites and that co-operation can play the part of the middlemen very much to the advantage of the producer or the manufacturer. We can't make too much fetish of this co-operation. I want Mr. Boyle to tell me whether co-operation has not ended in greater loss to the producer or the agriculturist than what might be caused by the middlemen in this country. Can he tell me of a single instance where a co-operative organisation is able to sell the articles cheaper than what the middlemen and the commission agent have been able to do in this country?

An Honourable Member: That does not arise in this connection.

Mr. Sami Vencatachelam Ohetty: It is no use talking of co-operation which does not exist here and decrying the middleman who is really rendering a great service. If persons who have got to finance trade from beginning to end have to be condemned on account of their service that they are rendering, you have got to condemn the railway service which is no other than what the commission agent is doing. In every transport you have this, from carting down to sending the commodity to a marketing organisation—every service is necessary for purpose of selling the product. My Honourable friend, Mr. Boyle, has given a definition of a cottage industry. What I consider to be a cottage industry is that industry which can be carried on by the head of a family with the assistance of his family members, or, if necessary, with the assistance of his neighbours, in his own house, either as a whole time occupation or as a subsidiary occupation of that man. If that be so, and that is, I think, as far as possible, a correct definition of a cottage industry, I do not see how you cannot call match-making a cottage industry. It is true that the Government will have to forego revenue by giving this concession. That will certainly mean a loss of revenue to Government and that is exactly the request that is being made, that Government should put up with this loss in order that you may give employment to people who are unemployed. That is the point. Therefore, it is no use merely begging the question by saying that the Government is losing a lot of revenue. The Government has got to lose this revenue. It is only a matter of choice whether Government will be going on collecting this money or will be affording unemployment by relaxing some of the stringent conditions with regard to the making of matches and allowing people to manufacture matches in their own cottages. Therefore, I consider, having regard to the fact that, somehow or other, this industry has come to be concentrated in one organisation and that organisation has neither Indian capital nor Indian management, it becomes a matter of economic importance whether that industry should not be made more universal by making it a cottage industry and removing these restrictions upon the cottage manufacturers. Even those big manufacturers could not dispense with the middlemen. They have got their distributors all through the country and it is through their distributors that they are able to sell their wares. Whether Mr. Boyle likes it or not, the middlemen will be able to carry on the sales organisations more efficiently than these manufacturers can ever dream of doing. After all, owing to the restrictions that have been placed upon the cottage industry, the income that is derived from the manufacture of matches by these cottage factories has

[Mr. Sami Vencatachelan Chetty.]

not become very much and I think that is an amount which Government can forego in order to give an impetus to employment in villages. I, therefore, support the Resolution.

Mr. B. Das: Sir, I feel that the House does not properly appreciate the position of the All-India Village Industries Association which works and organises industries for the rural population of this country. My Honourable friend, Mr. Boyle, who lives in the big town of Bombay and is accustomed to sweated labour and to the life of the workers in insanitary conditions does not appreciate the situation that, if the All-India Village Industries Association succeeds in organising cottage industries in the rural areas, then there will be no necessity for the villager to go to the town and live in insanitary conditions and work with sweated labour, to be exploited by big capitalists like Mr. Boyle or the smaller capitalists like the moneylenders. I am not interested in the exploiting part of the problem that has been brought out on the floor of the House this morning, and which ought not to have been so brought out. What is our desire, particularly, of those of us who are associated in one way or another, with the activities of the All-India Village Industries Association, that the Government of India and also the Provincial Governments will give us all help so that we can organise cottage industries all over the country. The unemployment problem has been referred to by my Honourable friend, Mr. Boyle, but that is a subject which cannot be lightly touched upon. Surely, that is the main aspect of the thing that is agitating great thinkers, that is agitating the All-India Village Industries Association. Men like Mr. Kumarappa, Mr. Satish Chandra Das Gupta, not to speak of that great man Mahatma Gandhi—they are always thinking of how a man living in the village can earn a little more and get a full meal instead of the half meal that he is getting.

Mr. Satish Chandra Das Gupta's name has already been mentioned. He is known as the Gandhi of Bengal. His noble efforts in organising big manufacturing industries, in organising the Bengal Chemical and Pharmaceutical Company, are well-known all over India. He gave up all that and now he is applying his great scientific genius to the development of cottage industries with the sole object of bringing about more contentment and a little more prosperity to the teeming millions throughout India. We all know how unemployment is rampant all over Bengal. There are many chemists, many mechanics, many half-educated F. A.'s, B. A.'s and M. A.'s knocking about the streets of Calcutta without finding any employment.

An Honourable Member: How are we employed when we are outside this House?

Mr. B. Das: They should not have gone up for this higher education at all. My Honourable friend, the Finance Member—now his time is running short, but for the last five years he has been planning, not for himself, but thinking out as to how to solve the unemployment problem in this country. We shall have a dose of it after a fortnight and we shall be glad to hear his considered views as to how best to solve the problems of unemployment. But here in Mr. Satish Chandra Das Gupta we have got a tried expert who is thinking solely in terms of the teeming millions of India and is trying to relieve the distress in our village life and in our rural economics.

There are three problems facing those who want to organise this match industry on a cottage industry basis. One is the difficulty in getting licence from the Government.

1 P.M.

The licence is entirely in the hands of the Government of India. I do not blame the Government of India in not allowing every small manufacturer to manufacture matches but the object of bringing this Resolution forward is to ask the Government of India to relax this rule, so that *bona fide* applicants who come forward and are prepared to manufacture matches at the rate of 10,000 grosses per annum on cottage industries basis should be allowed to do it and there would not be too much trouble in arranging this between the Provincial Government and the Imperial Government. The second point is the high licence fee and this has been referred to by Dr. Banerjea and Mr. Sri Prakasa and the third is the inadequacy of the rebate. When the Match Excise Duty Bill was discussed on the floor of the House in 1934 some of us who come from the eastern part of India wanted that there should be a definite rebate for the cottage industry. In one of the speeches then it was suggested that the rebate should be eight annas per gross. Since then experience has shown that even the rebate of ten pies has not helped this cottage industry which had been flourishing in different parts of India at that time. The big business whose cause Mr. Boyle advocated has swallowed up all these small businesses by various processes, such as obstruction and incorporation and the small industries have gone to the wall. We argued at that time that the activities of these big concerns should be controlled in the matter of using Indian timber and Indian materials. Our advice was not heeded by the then Finance Member. But, I am not today discussing Wimco's activities or inequities. I hope to do that in the budget speech but today I am pleading the cause of the poor villagers and the Government of India should consider favourably the request of the All-India Village Industries Association. The Finance Member need not be scared by Mr. Boyle's statement that lot of revenue will be lost if a firm manufactures 10,000 gross boxes of matches per annum. I would suggest that six to eight annas should be the rebate per gross for these small cottage industries which manufacture per annum up to 10,000 gross. For anybody who manufactures up to 100 gross per day there would be a graded rebate which will vary from eight annas to two annas per gross as Dr. Banerjea suggested. That is my suggestion and if it is adopted Government will of course lose a little revenue but one should not expect that there will be a lot of small manufacturing concerns going up at once. As Mr. Sri Prakasa suggested, think of the material that is lying waste and that can be utilised. Mr. Satish Chandra Das Gupta is utilising waste paper for match boxes. The matches are also made of fine Bamboo sticks and you can put 80 sticks inside and it can be carried in the pocket like those pretty match boxes we buy abroad. We should not look at this problem only from the financial side as to what the Government will lose by way of revenue. The Government and the House should take into consideration the hopeless condition of our young men who find no employment. They will learn to manufacture matches on the co-operative system in family life. Two or three families will join together and produce 10,000 gross per annum. They will try to eke out a living, better than that of the ordinary daily labourer in the streets of Calcutta or Bombay, but more respectable to himself, to his family and his family members. This is a problem which we should not turn down lightly. The great American manufacturer

[Mr. B. Das.]

of cars, Mr. Henry Ford is trying to settle his employees in villages where parts of machinery can be manufactured and, at the same time, the employee can live in the country and live under better sanitary conditions with a cottage and vegetable garden of his own. India is a land of villages and the people want to live their own life in the villages. Bombay and Calcutta would be depopulated and would only have half their present population if cottage industries can be developed. People will go back to the villages and a national government will try to organise industries in such a way that there will be no exploitation from capitalists by resorting to mass production schemes. That will not solve unemployment. It may enable my friend, Mr. Boyle, to go about in Rolls-Royce cars but it will not give daily food to the millions. I appeal to my friend, Mr. Boyle, and the Members of the European Group to approach the problem in the way it is being approached by Mahatma Gandhi. I can assure my friends in the European Group that this problem can only be appreciated by making a proper approach to the subject from the point of view of the contentment of the rural population of India and that problem can only be solved by starting cottage industries as subsidiary industries for our rural population. Bombay and Calcutta cannot solve them.

Mr. J. D. Boyle: May I say a few words by way of personal explanation. In my speech I did not, in any way, oppose the establishment of cottage industries. On the other hand, I said that I was all in favour of them. All I said was that in the conditions of this particular industry, the present moment was not suitable for further grant from the Government.

Mr. A. H. Lloyd (Government of India: Nominated Official): The Honourable the Mover of this Resolution opened his remarks with a reference to the need which he felt for advancing the industries of India and he went on to say that large factories were a dream of the future and that at the present stage he would begin by furthering the development of small industries. I was a little surprised to find that he used that as a starting point in dealing with a particular industry which is already very largely in the hands of a large industry, so that there can be no question of a dream of the future. On the other hand, it appears to me that he regards the position as a night-mare of the present,—that is to say, the fact that there is a large-scale industry established in India itself in the manufacture of matches, and that is a feeling which appears to be shared by a good many of those who have spoken, particularly, so far as I can see, on the ground that the most important manufacturers of matches in India are a concern which has a close connection with a foreign country. I do not intend to go into questions of that sort which raise, in my opinion, issues which are not definitely of an economic or financial nature. It is my purpose to look at this question from a more general point of view and not with reference to any form of personalities.

The Honourable the Mover did, however, appear to give us a hint that the development of the factory industry might not be a good thing, in due course, in quoting an illuminating passage from some other writer in his peroration; he thus made it clear that what he wants is that Government should take action deliberately designed to assist the small-scale industry in competition with the large-scale industry,—and that appears to reflect the attitude of most speakers, with the exception perhaps of Mr. Nauman,—who made it clear that he did not want to damage the big industry, and

only wanted to give a little extra profit to those engaged in the small industry. I do not think that approach to the question commends itself to other speakers. Well, Sir, if we take the other approach, *viz.*, that the small-scale industry as such must be assisted by Government in its competition with the large-scale industry, and this must be done by discriminating taxation, I think it must be clearly recognized that that is a demand that Government should adopt a new policy which really is as revolutionary in its character as the adoption of the policy of discriminating protection some years ago, and it is not a new policy which the Government of India could be asked to lightly and unadvisedly to adopt. Hitherto, all that the Government have had to be concerned to do, so far as competition within India is concerned, when dealing with taxation in the form of excise duties, has been to ensure that no branch of the industry is put at a definite disadvantage in competition with others. Now that is precisely the line that has been taken in connection with matches in the existing provision in the law and rules for the grant of a rebate. We have attempted to secure that the extra expense and inconvenience which the small-scale industry might have to put up with, as a result of Government control, should be set off by a suitable reduction of the duty. I have not yet seen any proof produced that the reduction is not suitable for that particular object, that is to say, to remove disadvantages depending upon the collection of the duty and not inherent disadvantages which may exist for other reasons such as inferior quality. We, ourselves, recently examined the question of the sufficiency of the rebate and we find that the license fee, in the case of the small-scale factories, works out to about 2·7 per cent., of the manufacturing costs while the advantage is 5·2 per cent. in duty, and as the duty is higher than the manufacturing costs, that advantage is considerably greater in terms of manufacturing costs. Therefore, so far as we can make out, the existing rebate quite amply serves the purpose which was really in view.

It may be suggested that I am forgetting that when we had the cotton excise duty we had no tax at all upon the handloom weaver. I would reply to that that the cost of collecting an excise duty on the handloom products would be prodigiously high compared with the yield when you are dealing with a duty of only three and a half per cent., but when you are dealing with a match duty which is over one hundred per cent. in its incidence, you cannot ignore any section of the industry. The whole must be brought within taxation, and if so, then the limit of the rebate you ought to give should be measured by the extra disadvantage which may fall upon the small factory because of the Government control, necessary for the collection of the duty but not any other disadvantages . . .

Mr. President (The Honourable Sir Abdur Rahim): If the Honourable Member wants to continue his speech, he can do so 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.

Mr. A. H. Lloyd: Sir, before we adjourned at lunch time, I attempted to show that the existing rebate, taking into account the existing license

[Mr. A. H. Lloyd.]

fee, is adequate, if all we are concerned to do is to prevent the small industry being handicapped in its competition with the large industry as a result of the measures which Government have to take in order to secure the collection of the revenue. I further suggested that to give them any additional advantage in that competition, by the use of the fiscal weapon, would involve making a very important departure of policy, as important as that which was made when the policy of discriminating protection was adopted. Now, Sir, I should like to suggest that even if it were suitable and proper for us to adopt that policy generally, this is a particular case to which it would be undesirable to apply it. There were very good reasons,—as my time is very short I will not attempt to recapitulate them,—why the Tariff Board came to the conclusion that match-making was not an industry which was particularly suitable for development on cottage industry lines. I would refer Honourable Members to paragraphs 125 to 134 of the Tariff Board Report, and with your permission, I will simply read a few words from it. This is what it says:

"It will not, therefore, be right for us to propose any special measures which would have the effect of encouraging a type of manufacture, which in the end must give way to more modern and improved methods. Nor do we believe that the manufacture of matches is a suitable industry to be undertaken on cottage lines. Not only are the essentials for successful operation absent, but the raw materials and the finished product are of a highly inflammable nature."

Then, they refer to the inflammable nature of some of the chemicals used and the precautions to be taken against fire in some of the small factories. There is an additional consideration that was alluded to and which I should like to mention, namely, that these small factories, in many cases, use splints, (that is to say, the piece of wood which is dipped in chemicals to make the match) and veneers (to make the boxes) which are cut in large factories and bought from them. Now, I submit that an industry which merely consists of pasting the box made of these factory veneers and dipping these factory made match sticks in chemicals is not an industry which is entitled to any kind of special consideration whatever, even if Government had adopted a policy of discriminating taxation in order to encourage the cottage industry. If this kind of material is not used, then I think it will be generally agreed that the resulting product is likely to be an inferior article to that which is available from machine made splints and veneers.

There is one other point, and I think a very important one, which makes match-making a peculiarly unsuitable one for receiving the favours of Government in the way proposed. If a small increase of the rebate was given such as was suggested by most of the speakers, it would not be possible for the manufacturers to put matches on the market at a cheaper retail sale price than at present. The unit of retail sale is a very important governing factor in the case of matches, and if we are going to give cottage made matches a real advantage, it must be sufficiently considerable to be reflected in the retail sale price. In short, the problem may be said to be this,—of enabling the cottage industry to sell three boxes of matches for two pice where now only two boxes can be sold for two pice. That would mean that we should have to reduce the present duty from Rs. 0-15-2 to Rs. 0-3-2 per gross. To the extent that it will be effective in putting large factories out of business, we shall have involved ourselves in a loss of nearly 13 annas a gross, or over three quarters of our revenue.

apart from the Indian States who would also lose a small proportion of their revenues,—I mean those States which have joined the match pool

An Honourable Member: What will be the loss?

Mr. A. H. Lloyd: Three quarters of our revenue will be about one crore and twenty lakhs. That is not practical politics. Perhaps my friends will answer, then you will have the alternative of enhancing the duty on manufactured matches, and by giving a rebate on that enhanced duty it will bring back the duty on the cottage matches to the present level. But if that were done, the unit of retail sale again is a governing factor, and in order to affect the retail price, we should have to secure a minimum rise in the price of manufactured matches to such an extent that what now sells at one pice per box could only be sold at the rate of three pice for two boxes. That would mean enhancing our tax on the manufactured match by something like one rupee per gross. Now, such an enhancement would probably mean the practical extermination of the large factory industry, since all that would be left would be a small luxury trade which would probably be adequately supplied by foreign imports. That would not be all. It would also mean the forcing of an inferior article at not less than the old price on the public. Well, I have gathered from some of the speeches today that perhaps that some of my friends would not be sorry to see the large industry wiped out completely, but that is not a view the acceptance of which is part of the Government's policy at present, and it is a proposition which obviously raises issues of the utmost significance affecting the whole of the existing economic organization of society. I look at it from a narrower point of view at the moment, and it is this, that if a measure of this sort were to be successful, it would, probably, raise the prices of matches, and this would greatly reduce the consumption of matches,—probably one third would go and we should again have an enormous loss of revenue. On financial grounds alone I find it my duty to say that the Government of India are unable to accept this Resolution.

Pandit Lakshmi Kanta Maitra (Presidency Division: Non-Muhammadan Rural): Mr. Deputy President, from what I have just heard from my Honourable friend, Mr. Lloyd, it is apparent that the Government are not at all giving the Resolution and the subject matter thereof the serious consideration it deserves. Sir, the House has by now indicated in unmistakable terms how important it is to have manufacture of matches by hand-made appliance in cottages. It is extremely unfortunate that a discordant note was struck by my Honourable friend, Mr. Boyle, and that it was followed up by the Treasury Bench. Mr. Lloyd trotted out arguments which clearly showed that he had the poorest case to plead in this House. Sir, I believe the bulk of the Honourable Members of this House would agree with me when I say that they could not appreciate the arguments advanced by my Honourable friend, Mr. Lloyd, from the Treasury Bench. All that could be gathered from what he said was this: that the Resolution, if given effect to, would mean tremendous loss of revenue to the Government. That is one of the convenient bogeys with which the Treasury Bench tries to confront us whenever we want any money for nation building or national purposes. The second argument of his was this that it would have the inevitable effect of increasing the price of matches and, incidentally, reducing the consumption of matches which would also result in loss of revenue to the Government. The third point which I

[Pandit Lakshmi Kanta Maitra]

understood him to make was that it would mean paying higher price for inferior quality match. In other words, this third point is a special pleading for the consumers of this land for whom they express, in season and out of season, a good deal of solicitude. Sir, it was a great surprise to us that even in such a matter Mr. Boyle would not support us.

Mr. Sri Parkasa: Sweden is Mr. Boyle's country-in-law.

Pandit Lakshmi Kanta Maitra: I can well understand my Honourable friend and his Party supporting Government and going against us when it concerns their own vested interest. But does it not really mean that even when they have not their own private axe to grind, even when their own private interests are not concerned in any way, they should even then stand up against my countrymen? That is indeed very sad and painful, and I hope my friends of the European Group will think over the position.

Mr. J. A. Mackeown (Government of India: Nominated Official): You may be wrong.

Pandit Lakshmi Kanta Maitra: The Honourable Member is now standing outside and making this remark. He is concerned mainly with whipping his men and not with understanding or following debates. He is, therefore, more likely to be in the wrong than myself. It may not have been the intention of Mr. Boyle to give us that impression, but he must realise that the way in which he spoke today, or the line of argument he adopted is open to this interpretation from this part of the House.

The history of match industry in this country is a chequered one and a particularly unfortunate one. It was born on the crest of the wave of swadeshi agitation in Bengal in 1905 alongside of the tremendous political upheaval that was in evidence at that time. There was a moment for economic and industrial regeneration and it spread all over India and the result was that many match factories sprung up not only in Bengal but in all parts of India. Sir, they could not hold their own against foreign competition. They all failed owing to a variety of causes. They could not stand either because the planning or management was not good or because the way in which they were run were uneconomical or because the machinery, staff or materials selected were not suitable for the industry. From 1901 to 1910, vast imports of matches poured into India and their value ranged between 41 lakhs in 1900 to eighty lakhs in 1912. In 1912 and 1913 the value of these imports went up to 90 lakhs. During the war and, thereafter, there was general economic disorganisation and the exact official figures for this period are not available, but there is sufficient indication that during this period also the imports poured forth from Japan and from Sweden and Norway in large quantities. Up to the year 1916 there was an *ad valorem* import duty of five per cent. on matches. It went on till March when it was enhanced to 7½ per cent. *ad valorem* and, thereafter, in March, 1921, it was fixed at twelve annas per gross which again in March, 1922, was raised to Rs. 1-8-0. By this time Japan and Sweden, between themselves, captured the entire Indian market and monopolised the entire match trade of this country. By uneconomic rates and relentless rate-war they managed to strangle out of existence all the nascent and struggling match industries in this country. That is a fact for which there

is indication even in the Tariff Board's report. The Tariff Board report says that the match industry in India took advantage in 1922 of this heavy import duty of Rs. 1-8-0, established itself and thrived in the succeeding years. And it is interesting to note here that while our own countrymen, interested in the match manufacture and the commercial interests, were pressing on the Government to have this high import duty declared as a protective duty, the Government strangely enough opposed it. They refused to declare that it was a protective duty, as that had to be logically followed up by other concomitants which the Government were not prepared to do. Nevertheless, heavy revenue duties when imposed have a natural tendency to be protective in their operation and the result was that a real and substantial protection was given to the Indian match industry. Numerous match factories came into being in the country. Foreigners also took advantage of the position and Sweden started several huge factories here. Then followed a period of strenuous fight amongst the manufacturers and importers particularly between Japan and Sweden. In this fierce competition Japan and Sweden fought against each other, sometime Japan getting the upper hand and controlling the trade and, subsequently, Japan's exports dwindling only to six per cent. and the rest going to Sweden. Japan was thus completely ousted from the Indian market and the Indian manufacturers who were very hard hit by this ruinous rate war succumbed to it, leaving the field clear for Sweden. Then they formed into a big combine—the Swedish Trust and by all the elaborate technique of a powerful cartel, wiped out competition and virtually established a monopoly of match trade in this country. The Government realised that all this time there was a steady downward curve in the import revenue from matches and so they referred the whole question to the Tariff Board which was asked to make a thorough investigation of the whole question and to make such recommendations as might appear germane to the subject. The Tariff Board, however, digressed into all manner of unimportant matters. They touched upon cottage manufacture of matches in a half-hearted manner and devoted an inordinately long space in their Report to Swedish competition without suggesting any remedy against it. Some passages in the Tariff Board report have been quietly passed over by my Honourable friend, Mr. Lloyd, and he has touched only those passages in it where they were of the opinion that match manufacture should not be encouraged as a cottage industry. He referred the House to paragraphs 124, 125 and 134. The House will see that there is no doubt a passage in paragraph 134 which says:

"There is little future for match manufacture as a cottage industry nor do we believe that the manufacture of matches is a suitable industry to be undertaken on cottage lines."

But if my Honourable friend had gone two or three paragraphs lower down he would have seen that some of the arguments used by the Tariff Board for not recommending special protection to the cottage manufacture are very far from convincing. They dealt with the appalling conditions of sweated labour and the danger incidental to this kind of manufacture and so on, which are neither here nor there. But with all the prejudice of the Tariff Board against manufacture of matches as a cottage industry, they, in paragraph 36, amongst other considerations, strongly recommended that if Government decided upon imposing an excise duty on matches they should, at least, grant a rebate to cottage factories to the extent of two annas and not exceeding two annas per gross. What have Government

[Pandit Lakshmi Kanta Maitra.]

been doing? They have been giving only ten pies. Can we not expect Government at least to go up to this limit fixed by the Tariff Board which were not at all sympathetic to the cottage manufacture of matches in this country? This recommendation was far too modest even for those days; but the situation has now completely changed since the report of the Tariff Board, in 1928. The Match Excise Act of 1934 marked another important stage in the history of the Match Industry. By this Government have been raising an Excise Revenue of about 240 lakhs a year. Again there has been since then a tremendous upheaval in this country. We have been running Governments in the provinces; political awakening is there and industrial consciousness is there and today the Government of India ought not to come forward to say that they cannot do anything for resuscitating the dead industries of this country. Now, Sir, the scheme which the House has in view and which has been put forward by my Honourable friend, Mr. Sri Parkasa, relates to the manufacture of matches, purely as a cottage industry from waste paper and bamboo by simple and inexpensive hand appliances. It has been evolved by Mr. S. C. Das-Gupta a selfless patriot gifted with scientific and inventive genius who has dedicated his life to the revival of village industries in this country. He is not a dreamy idealist but a practical man to the core. He is running important industrial concerns on cottage lines. Mahatma Gandhi in the *Harjan* expressed the view that this scheme as formulated by Satish Babu should be given a fair trial; and he went so far as to say that if the match industry of this country were run on the cottage model as demonstrated by Mr. Das-Gupta, the whole demand of the country could be met. Sir, on the basis of production, the world's requirement of matches has been put at 150 million gross. After various calculations it has been found that India's demand is about 17 million gross. If we make further allowance for improved standard of living, we can put it safely at 18 million. So India has got a very big home market. There is also abundance of cheap and efficient labour. The appliances are cheap and simple. The materials are common waste paper and bamboo.

Mr. Deputy President (Mr. Akhil Chandra Datta): The Honourable Member's time is up.

Pandit Lakshmi Kanta Maitra: I am closing, Sir. These are the advantages of this scheme of manufacture and Government should help us in this small matter by enhancing the rebate. The Government need not fear any serious loss of revenue if they increase the rebate. They need not at all apprehend that bulk of the manufacture will be immediately diverted to the rural area which will ultimately capture the entire match trade and that, by rebates, the whole. Excise income of Government would be eaten up. We are just wanting a beginning. Let Government indicate to us that they are willing to give us a lead in this direction of encouraging cottage industry by increasing the rebate, by lowering the license fee and fixing it on a cautious and carefully graduated scale according to the size of the manufacturing unit so that people, who honestly believe that they can build up this industry on the cottage scale, may make a start and successfully compete and provide employment to thousands of unemployed. I may tell the House in this connexion, that match manufacture is

actually done by the Khadi Pratisthan. It is not only a commercial concern but also an institution where the manufacture of matches is taught. There are many men from different parts of the country who get regular training in match manufacture and its processes which are simple and can be easily mastered. This institution competed for the requirements of the Calcutta Corporation and by lowest tender they secured the contract for matches from that body. Therefore, unless you have a special inclination for high scale industries to give them protection at all costs, you cannot say that it is an uneconomical and impracticable proposition. It is quite a practical proposition; only we must have the encouragement and support to work it. We want Government help in this matter. Sir, we also gave notice of a Bill to amend the Indian Match Act of 1934 in which we suggested to Government

Mr. Deputy President (Mr. Akhil Chandra Datta): The Honourable Member must conclude now.

Pandit Lakshmi Kanta Maitra: Yes, Sir. We suggested to Government that we were prepared to allow even an increase in the taxes but we wanted a substantial rebate for small manufacturing units. By that we were prepared to give them 30 lakhs more if they would only part with a portion of it to give a fillip to this industry. But the permission to introduce the Bill was refused. This is the position. Sir, I support this Resolution and appeal to every elected Member to vote for its acceptance.

Mr. Bhulabhai J. Desai (Bombay Northern Division: Non-Muhamadan Rural): Sir, in this debate I wish to say a few words because of the questions raised by Mr. Boyle and also by Mr. Lloyd. It is because of the larger issues raised that I ask leave to intervene and state the point of view of those who support this Resolution. I will take Mr. Boyle's arguments first and then deal with those which have been stated on behalf of Government. But in order to be able to appreciate what I am going to tell the House, there are figures which are available in a Government publication named "Review of Trade in India, 1937-38" from which you get the situation as it stands. The pre-war average of the import of matches was 88 lakhs, the war average was 153 lakhs, the post-war average was 176 lakhs up to the year 1935-36 and in 1935-36 it was 22 lakhs, next year it was 14 lakhs and in the following year it was 20 lakhs. This raises an important question as to whether the protective duty did really any good to India, in the proper interest of India as we understand it. If you look at the Tariff Board Report the facts are clear. In paragraph 148 they say:

"It may be estimated that the Swedish Match Company now controls not less than 65 to 70 per cent. of the total world's demand."

And I say without fear of contradiction that in so far as India is concerned, having acquired a large number of factories in Northern India they now must be controlling a very large percentage of India's demand, although I have not got the exact figures because I have not looked into their last balance sheet. And in paragraph 152 you will see the real reason for it. They say:

"Japan was the most formidable competitor of the Swedish Match Company in the East and, therefore, as we have stated in an earlier chapter, an intense price war was carried on against Japan in all the markets of the East, especially in India. In the end the Japanese industry succumbed to this competition."

[Mr. Bhulabhai J. Desai.]

With these eloquent facts, you know actually the economic condition as it exists in India, apart from whether any loss of revenue would be involved in this question or not. In other words all that has happened is this: that the protective tariff really was, as in the result, instituted for the benefit of nobody else but another capitalist from a foreign land. If that is the only result of protective tariffs, we are now beginning to realise that the Government ought, in the interests of India, to look into the question from the point of view which is also adumbrated—and adumbrated ten years ago—in the report of the Tariff Board. They referred in para. 156 to this question as follows:

3 P.M. "Whichever point of view has been put forward, it has been assumed that a definite line of policy in the treatment of all foreign capital and of all monopolies is justified. Very important questions of policy have thus been raised which affect not only the match industry, but also a number of other industries in this country. As regards the question of foreign capital, the matter was considered in some detail by the Fiscal Commission. In 1925, the Government also appointed a separate Committee—the External Capital Committee—to consider this subject. The reports of both these bodies indicate that the question whether the interests of the country necessitate the imposition of restrictions on the employment of foreign capital is by no means as easy of solution as it might at first appear and that in any case the difficulties in administration of any special measures and the possibility of evasion of any special disabilities imposed on foreign firms are such as to render the success of any system of differentiation extremely doubtful."

But measures must be taken if India is to have any advantage from these protective tariffs at all. It may be that in some industries by reason of this protective tariff India has gained to some extent and even substantially in some of them. But the question is really very important from the point of view—and is only illustrated by this relatively small industry. It is for that reason that I have thought it right that I should give reasons in support of the policy behind the Resolution now before the House.

To come to Mr. Boyle, the facts are very eloquent. 178 lakhs was the average import upto 1935-36; and it dropped as you see next year to 22 lakhs and then to 14 lakhs and then to 20 lakhs. It merely comes back to this, that what was then imported became merely produced by the very same body of capital. That is the actual result which this House must recognise and appreciate before saying there is very little in this Resolution. Hence, I can well understand my Honourable friend, Mr. Boyle, rising to make what, I may call, an extraordinarily clever special pleading. He says "Yes; what you have to choose is between this very nice match which I or somebody whose interest I protect here in this House produces". And here I am not saying it in any personal sense: he will understand it that I mean there is no personal question in this matter—it is entirely a question of the interests of India, whether and to what extent this policy of discriminating protection or protection at all does any good without some restriction on the employment of foreign capital in this country: that is the grave issue as the results clearly show. Friends are aware as to the number of companies which have been started in India during the last few years. under the protection of this wall and to what extent the results so far as India is concerned have been in so far as the advancement of the interests of his country are concerned. Mr. Boyle says: "What is the good if you give them this two annas rebate which is asked for? They work under wretched conditions and produce a wretched match." The eloquent answer to a businessman like Mr. Boyle ought to have occurred to him when he

said this. If the match really was so wretched as he suggests, it could not stand any competition and, therefore, he need not be afraid of it. But the very fact that he feels sympathy and pity for the wretched conditions of work and the wretched article produced is to me highly suspicious. If it was not going to compete with him, he need not have bothered. But the very fact that he gets up and talks about it and advises us in our own interests that it is better to work in Ambernath than in some villages in Bengal—it is a lesson which I am not prepared to accept at its face value.

In so far as the conditions of work are concerned, they generally come to examine the conditions of work in this country in a thoroughly extrajudicial point of view as I call it, but largely the view of a foreigner looking at it in a patronising manner and he comes and says: "You are not working under conditions as nice as those provided in some well laid out factory in some other country. You have sweated labour: you have cheap labour; and, therefore, you are a class of country which ought to be put down." But the problem that India has is this: we cannot help the fact that we have a large unemployed population which naturally results in a competitive wage that is low: secondly, of course, its purchasing power is low and, therefore, the two combined results of poverty and unemployment makes the wages low. But may I not treat this as an advantage in so far as the cost of ultimate production is concerned, instead of treating it as if it was a crime? In other words, he says, you must raise the cost of production, you must buy more, whether you can afford it or not, even to the extent of excluding them from getting anything at all. That is not the way in which I am prepared to look at this question. India undoubtedly may gain, as some of my friends think, by industrialisation. Nobody objects to it. But the limit is reached even in a country which is highly industrialised, as to the elimination of men from works of this kind. I remember reading, only the other day, a text-book written by a great American economist in which he points out how investigations are now set up in that country, whether the limit of elimination of men from factory has not been reached because in one instance he gave a machine has been invented in one of the departments of industry where it results in the elimination of 600 men as against one who operates that machine today. I dare say there will be, according to the wishes of Utopian thinkers, ultimately all the leisure for man and no work to do, but I have not yet reached that stage of Utopia. I, therefore, feel that where labour is plentiful and cheap, the problem is not merely solved by saying: "You industrialise the country." The Labour Commission, Dr. Ziauddin Ahmad will remember, reported—Mr. Joshi always does remember—that we had a million and a half to two millions in factories employed in this country—I always speak subject to correction from the biblical readers—but supposing, now that we increased our production in the branches in which we are still importing a certain amount from other countries, I am not one of those who having roughly estimated the thing say by mere industrialisation we can provide employment for perhaps twice that number which means about 40 lakhs of people. But the problem does not affect only the 40 lakhs of people: they may work in very ideal sanitary conditions.

The problem to us is not a mere matter of verbal argument whether an industry which is supplementary to the farmer or whether it is a cottage industry because it is carried on in a cottage or whether there is a commission agent who gets a certain amount of money and so on—they are

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very easy examination for those to whom it suits to examine. To us the question is to add every pice by additional labour. Wage to an Indian is a real problem. It may look very small to the rich races, represented by the European Group, but to us these matters of pice which can be looked upon with certain amount of contempt are not a matter of contempt: it is a matter of great economic value to us because any addition to the earnings of the man who makes on an average five or six rupees a month, in so far as the average income of this country is concerned, is of immense value and immense advantage. And there is another answer to my Honourable friend, Mr. Boyle, and it is this. He said that the commission agent will get 12 per cent. and the retailer will probably get a certain amount of it and the other man will get $4\frac{1}{2}$ annas. Those are the figures he gave. Well, in the first instance, $4\frac{1}{2}$ annas is better than nothing. To him $4\frac{1}{2}$ annas is probably not a coin that counts. Probably, he thinks in terms of shillings or even pounds. We cannot think in terms of shillings or pounds. We must begin to think in terms of pies. A pice is big enough and an anna is very big indeed. The other point is this and I make no secret of it because I wish to make an open confession on the point of policy raised. The other day there was a gentleman of very high position versed in economics and he argued with me for several hours as to the gain to the consumer, a point which my Honourable friend, Sir James Grigg, has often raised in this House. He told me that notwithstanding the fact that the foreign cloth is not coming into this country, is it a fact that the consumer pays roughly the same price or perhaps a little more? I said that I would accept it from you that he pays the same price and we won't argue about it. Then he said, "What do you gain by it?" I gave him an answer which I would like to repeat here. I will try to give the exact words that I used then. I said that I would rather that Kasturabhai and Ambalal, even at the risk of being called capitalists, kept the money than that John or Smith carried it out of this country. In that case, that wealth will remain in this country and some day, at all events, it will be available to me. Therefore, there are always two steps in the industrial growth. First, to keep it within the country itself and then an equitable distribution between the populace of the country. These two problems must be kept separate and must be clearly understood. If I am to be exploited as the result of this protective duty, it does not matter to me who the foreign capitalist is. It is entirely a question of an Indian against an outsider, so long as I am not able to sell a rupee worth of my material to an outsider. Every foreign industrialist thinks that this country is his heaven and our market is for his exploitation. It is a point on which we, at all events, have begun to pay our attention, in far more detail than my friends are sometimes under a belief that we do. Therefore, the problem is not that the match is wretched but it is a matter between the Indians who will use it.

So far as the European clubs are concerned, the Swedish match will always be there, because they can pay twice the price. So far as the rest of us are concerned, we will sooner do with our wretched things, assuming that they are wretched, than have the foreign stuff. So far as the conditions of our works are concerned, they will remain what our cottages are. They are not by any means as good and as clean as they should be, but it is certainly a comfort to make them richer by adding a pice rather than leave them in the present condition. That is what I wish to point out in answer

to the points raised by my Honourable friend, Mr. Boyle. In other words, if the profit goes to the middleman, between two capitalists I would choose my own. I make no secret about it at all, and I should think it should be the policy of the Government of India also.

Take the next point that was raised on behalf of Government, that we are introducing some new principle in this country. I understand he referred to discriminating protection. But the new principle which he suggests is this: that as between the factories and what you may call the cottage industries is a new principle. Well, for myself, assuming it is a new principle, I think we ought to make a beginning because we ought to remember that, while we merely keep out the outsider and continue to deal with the same outsider inside, we have really made no real progress so far as this country is concerned. The objective effect is much more valuable than merely the question of how it was started. The origin is immaterial. The fact remains that we have begun to recognise that the economy of Indian life requires to be revised and requires to be more carefully attended to than it has hitherto been attended to. My Honourable friend has got a peculiar hypothesis in his own imagination. His hypothesis is this. His two crores will be wiped out and what is it that we will produce? Only the matches that will be produced by these cottage factories and that no match will be produced by anybody else. I will welcome that day even at the risk of the loss of revenue. So, it is no use merely trying to frighten the people by saying what you apprehend will happen and that a loss of revenue will occur. Unfortunately, I am not so hopeful as my Honourable friend. Therefore, the mere question of the loss of revenue is not the issue today. The issue today is to enable the cottage industry to make a beginning. I would not be sorry if it succeeds. But one thing is quite clear that in so far as the factories manufacturing matches in this country are concerned, for all practical purposes not much of it is owned by the Indians at all. Therefore, I do appeal to the Government that it is after all as a matter of experiment that this is asked for. If the experiment succeeds to the extent of making the wretched match good enough for the Indian consumer and, therefore, replacing the match produced in the hygienic and beautiful mechanical conditions of foreign owners, I should not be sorry. Secondly, if all the matches which are required in this country are produced in this country, I should not only not be sorry but I should be proud of it. Therefore, from the point of view of the fact that we wish to gain really by this protective duty and, secondly, from the point of view of the fact that the problem of India is a problem of adding whatever little you can, it may be even a pie, to the earning capacity, whether it is done as a supplementary industry and I will grant for the purpose of argument that it is not a question of supplementary industry, that it is a cottage industry in its proper sense because it is carried out in rural areas by small families ultimately collected by the commission agent and then sold by the retailer, notwithstanding all that I feel that it is a very important cottage industry. In one of the estimates which was given, it was shown that some two lakhs of people, either wholly or spasmodically, are actually employed in carrying on this avocation. I really want that these two lakhs should grow into a bigger number so as to replace all the match that comes from elsewhere. I have always felt that in addition to the protection that any State can grant, the greatest protection is the patriotic feeling and the patriotic action of men of that country. I said the other day that it will be a great day for

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us when we began to realise that by buying anything cheaper or better, we were only retaining an anna instead of paying 15 annas to Smith. I would rather retain the 15 annas and pay 18 annas instead to one of our children of the soil. That is the economics to which, at all events, I pledge myself. It may be right or it may be wrong. I believe that it is right and I have the courage to say it before this House. Sir, it is in that spirit that I support this Resolution.

The Honourable Sir James Grigg (Finance Member): Sir, this Resolution started by being an innocent looking Resolution relating to the setting up of one cottage industry. The number of issues which have been raised during the course of the debate have almost taken my breath away, particularly those raised in the speech of the Leader of the Opposition. First of all, he gave us a resume of his side on an economic debate that he had with some learned economists. But he has not presented you with the other side of the picture which I will now try and do in a few words leaving myself and the Leader of the Opposition to argue out the matter fully in private. The Leader of the Opposition says that he would rather the people of India paid 18 annas to buy goods which they could buy for 15 annas from outside because these 18 annas would remain in the country. But that is not quite what happens. He assumed that the whole eighteen annas would be re-distributed to the poor cottager.....

Mr. Bhulabhai J. Desai: I did not say that.

The Honourable Sir James Grigg: What I fear is that not only the three extra annas but most of the fifteen would go to the Indian industrialist and that the great masses of the people of this country would be worse off than before, not possibly in money but in the goods their money will buy,—and that is the question which he carefully did not put before you,—that the result of high protection is not to give a rebuff to John Smith or some German or Swede or Japanese,—Mr. Okamura is the generic name, I gather—it is not that at all. It may give Mr. Okamura a rebuff but it also gives all the masses of India a blow too, and the only result is that the Indian industrialist makes a vast fortune, partly at the expense of John Smith but mainly and indeed almost entirely at the expense of the Indian peasant and that is the real statement of the economic problem and not the over-simplified one which the Leader of the Opposition gave you. Sir, the next issue raised by the Leader of the Opposition is whether the policy of protection has or has not been a success. I would ask you to follow with me for two minutes the chain of thought which has gone on. First of all, we must have industries; therefore, we must have protection; and, therefore, by the process of very high protection you keep the foreign product out, and you start factory industries in India. Then you get to the stage when you have your factory industry,—and another idea comes to you: "would it be a good thing? Are we so right in wanting factories? Is not what we want cottage industries? We must kill these enormous and obscene growths and we must go back to cottage industry". And, therefore, you take measures for encouraging the cottage industry and for destroying the factory industry. At the end of that process I would like to point out to you what in fact happens. Your revenue has been destroyed! And on the figures given by Mr. Sri

Prakasa arising from recollections of early childhood when I think there were two boxes for one pice each containing eighty sticks, now for the one pice you get one box containing forty sticks; in other words, the result of this process is that the cost to the consumer has gone up four times,—and you have lost all your revenue,—and nobody is any better off! That is the process which Honourable Members seem to want to pursue in this case. Or is this fear of industrialization that industrialization is obscene and ridiculous only when it results in this inevitable consequence of excessive protection, that is to say, some efficient foreign manufacturer sets up under the aegis of your tariff? The Leader of the Opposition with his usual game, which he plays most skilfully, viz., that of having it both ways, wants protection, but he does not like to face the inevitable result of protection, all that happened over matches, and other inevitable consequences.....

Mr. S. Satyamurti (Madras City: Non-Muhammadan Urban): Why? You can prevent that by legislation.

The Honourable Sir James Grigg: . . . inevitable consequences of excessive protection, unless you super-impose on that a measure which, in the last analysis, will have to be this,—“no non-Indian shall carry on any enterprise in India”.....

Mr. M. S. Anay (Berar: Non-Muhammadan Rural): By all means, an ideal state of things!

Mr. Bhulabhai J. Desai: You have been long enough!

The Honourable Sir James Grigg: Now, we know where we are! Proceeding from this innocent debate on encouraging cottage industries, we have got at the real objective of the Party opposite—another demonstration as to the merits of autarchy. I cannot quote the exact words, I have not them here, but if Honourable Members opposite are so extremely keen on the merits of autarchy, I think, they might read with some care Herr Hitler's last speech in which he proclaimed that Germany can never become self-sufficient,—or words to that effect—and the other fact of that same truth,—“Germany must export or die”. (Interruption.) I do not propose to be drawn any more into the issues which have been raised by this debate and which ought not to have been raised if the Resolution had the innocent meaning that its actual words portended. Sir, my position is a very simple one. I have no intention whatever of being betrayed into saying anything which may be regarded as a condemnation of the idea that cottage industries have a great part or ought to be able to play a great part in the future economy of India. Everybody, particularly when unemployment remains at its present level, sympathises with the object of that. Incidentally, however, I did a little rapid mental arithmetic while Mr. B. Das was speaking as to the number of matches that could be produced by one of his cottage factories per diem,—and I would rather like to know what size of a cottage it would take to produce two hundred thousand matches a day.

Mr. B. Das: Ten thousand grosses per annum.

The Honourable Sir James Grigg: Ten thousand gross of boxes, that is, two hundred thousand matches a day. He was talking about ten thousand gross boxes per annum. That is thirty gross a day of boxes, and there are forty matches in each box.

Mr. Bhulabhai J. Desai: And you divide by the number of cottages.

An Honourable Member: Two hundred thousand matches a day.

The Honourable Sir James Grigg: And I repeat my question to Mr. B. Das—what size of a cottage is it which is going to produce two hundred thousand matches a day?

Mr. Bhulabhai J. Desai: Two hundred cottages of that size.

The Honourable Sir James Grigg: Sir, Mr. Lloyd has made it quite clear that this is a question to us of revenue,—the danger of the proposals put forward in the Resolution and the logical extension of them if the policy therein is to be given full effect to is the loss of a very great deal of revenue. The Leader of the Opposition says, "I do not care a bit".

Mr. Bhulabhai J. Desai: Give the 'if'.

The Honourable Sir James Grigg: He says "That is what I want". We have been pretty successful in losing revenue over the protectionist policy. He says "I do not care". But, unfortunately, the existing Government, even if it is under sentence of death, cannot be quite so light-hearted as that.

Mr. Bhulabhai J. Desai: Have the cut in salaries.

The Honourable Sir James Grigg: So that the whole question amounts to Honourable Members opposite proposing to spend say a crore odd of revenue in subsidising one particular cottage industry, never mind where the money is to come from! If you go on spending a crore on each of your cottage industries you want a good deal more taxable capacity than India has got. As I say, Government cannot afford to be so light-hearted about throwing away large sums of revenue and, therefore, we will be obliged to oppose the Resolution. In doing so, we want to make it quite clear that nobody on the Government side wishes to express any opinion for or against cottage industries.

Mr. S. Satyamurti: I thought you said something for cottage industries.

The Honourable Sir James Grigg: Nobody on the Government side wishes to say anything against the general objective of fostering cottage industries. Nobody on the Government side wishes to express any opinion on the merits or demerits of the new policy that no foreigner shall carry on business in India in any shape or form.

An Honourable Member: Nobody has said that.

The Honourable Sir James Grigg: The Leader of the Opposition does not challenge that statement of his view. All we wish to do in dividing the House on this Resolution is to prevent creating the impression that by refraining from dividing the House Government think the loss of revenue involved a matter of no concern.

Dr. Sir Ziauddin Ahmad (United Provinces Southern Division: Muhammadar Rural): We know that the Unani system of surgery is based upon operation on a monkey which Aricenna performed in the 9th century and that is the basis of all surgical knowledge in that science. The fiscal policy of the Government of India is in the same position as the Unani Surgery. Some years ago there was a commission called the Fiscal Commission. They wrote a report in 1921 and still they are accepting it as a gospel truth whenever it suits them. Many things have happened since 1921. The whole idea of trade has changed. Economic policies have altered. We have seen the troubles in Germany and we have seen how the prosperity of a country has been estimated at different times. At one time it was supposed that the prosperity of a country depends upon the favourable balance of trade. Germany exploded the theory. Later on it was maintained that prosperity depends upon the stability of prices. This theory was also given up. The world is changing. Yet my friends on the Treasury Benches still rely on the report made in 1921-22. The Fiscal Commission reported on the conditions which existed immediately after the war. Conditions have changed enormously since then. Government continues to quote this report whenever it suits them but, in practice, they have not followed the principles laid down in that report. In the Bill which the Government brought forward in 1934, they chose at random certain articles on which they increased the prices and they said the object was to raise the price level of those articles to the level of 1930. So the fiscal policy of the Government of India is as antiquated as the knowledge of the Unani system of surgery which is based on the operation on one single monkey. Take the case of the protection policy. We have been going backward and forward. We don't know where we are pulled into. Coming to the reports of the Tariff Board on matches, we find that, they do not know their own mind. On page 102 of the report they say:

"We consider that the manufacture of matches organized as a cottage industry has hardly any future and that on account of the dangerous character of some of the materials employed in it, it is not a fit industry for development on cottage lines. We cannot therefore recommend any special measures for the encouragement of cottage match factories."

Later on they say:

"If, however, an excise duty is imposed on matches manufactured in India, a reduction not exceeding two annas per gross should be made in the case of cottage factories in consideration of their limited resources."

So, I say, they do not know their own mind. In one paragraph they do not recommend any encouragement to the cottage match industry and in the next paragraph they say that a reduction not exceeding two annas per gross should be given to cottage industry. There is one other defect in the recommendations of the Tariff Board. They never take into consideration the view point of the consumer. Therefore, it is very desirable that we should reconsider the whole question of our taxation and protection

[Dr. Sir Ziauddin Ahmad.]

policy. I should very much like the whole world to be treated as one unit, and there should be free trade and each country should develop the industry for which economically it is most suited. And, further, there ought to be a single currency for the whole world. But, unfortunately, after the war, every country has put up high tariff walls and they want to isolate themselves. They have developed their own peculiar language, so that they can neither be understood nor heard but they want their articles to be exported. My friend, the Finance Member, said: 'Germany wants either to export or to die' but at the same time they put up high tariff wall, and live without any currency. Each country is anxious to develop its own language not intelligible to any person outside the high wall. These are the two manias from which the world is suffering.

The Honourable Sir James Grigg: The third being "higher mathematics".

Dr. Sir Ziauddin Ahmad: My friend talks of higher mathematics. I wonder whether it helped him to face the hard realities of life. Here we have seen that if we follow the policy of open market and free trade we will soon be squeezed out. Every country has become mad in favour of protection.

The Honourable Sir James Grigg: You will be forced to go mad too.

Dr. Sir Ziauddin Ahmad: We will be forced to take our own steps to enable us to exist in this world. But at the same time we should recognise that India is a country of villages. Whatever scheme of protection we may adopt, it is impossible for us to ignore the cottage industry of this country. We have to face a dual problem. We have to protect our mills from foreign competition and we have to protect our cottage industries against the mills of our own country. We should also consider that India is a poor country and the consumers are very poor in India, if we raise the prices too high, consumption will diminish. We will have, therefore, to fix prices so that the article may be within the means of consumers. The question of protection, so far as India is concerned, is not so simple a matter as in other countries. There they have only one problem to face, and that is, to protect the home industry. But here we have got three problems, namely, to protect the mills from foreign competition, to protect the cottage industries from our own mills and the mills from outside and we have got to protect the consumer who is poor and who has got no money to spend in order to buy expensive articles.

There is another important question which has been referred to both by the Leader of the Opposition and the Honourable the Finance Member. That is the question of factories built up by foreigners. I have repeatedly said on the floor of this House that our English friends want some facilities in a manner that there may be no racial discrimination. We are prepared to give them the facilities. They open a door, and what frequently happens is that through this backdoor more foreigners pass than English people. That is our chief difficulty and we will be much better off economically if we say once for all that the Englishmen enjoy all the privileges of Indians, and thus cement the backdoor. We have to protect our own industry not only against foreign articles, but against factories opened by foreigners in this country.

Mr. Deputy President (Mr. Akhil Chandra Datta): The Honourable Member has got four minutes more.

Dr. Sir Ziauddin Ahmad: These factories are established in India in order to avoid the customs duty. We know that whenever a protective duty is put on any article it immediately reduces the income of the State. That has happened in the case of the match industry and in the case of other industries. By high protective duties State loses its income and country is not benefited. There is a loss of revenue to the State whenever a protective duty is imposed. Immediately foreigners come here and open their factories in this country, by sometimes registering the company in India and sometimes registering it in a foreign country and establishing a branch factory here. The result is that the advantages we had in mind when giving protection to our Indian industries disappear and the disadvantage of our losing the State income remains. Therefore, we have to revise the whole of our fiscal policy and the time has now come when the Government of India should seriously consider this particular matter and recognise definitely that the policy of taxation and protection laid down in 1921 does not suit the conditions which exist now in 1939, and that the Government had been groping in the dark. One individual Member of the Government comes along and adopts one economic policy, his successor comes and adopts an entirely different policy. One Commerce Member said, though the Tariff Board had recommended a certain quantum of protection, but we should give 50 per cent. higher, in order to create more factories who would compete with each other and by cut throat competition the prices would come down. But he entirely forgot that all those manufacturers would combine together and artificially raise the prices as we see in the case of sugar. The sugar manufacturers have combined together and have raised the prices to such an abnormal extent that the consumer cannot afford to buy the article. The Government has been moving about absolutely in the dark. Any Secretary or Under Secretary writes a note on any particular commodity. He puts it to the Secretary, then it goes to the Member, and it becomes the fiscal policy of the Government.

The Honourable Sir James Grigg: That is not true.

Dr. Sir Ziauddin Ahmad: It may not be true in the case of the department over which the Finance Member presides, but it is certainly true in the case of some other departments. In one particular case my Honourable friend himself was a partner. I can quote it.

Mr. Deputy President (Mr. Akhil Chandra Datta): The Honourable Member's time is up.

(Dr. Sir Ziauddin Ahmad then resumed his seat.)

Some Honourable Members: Let the question be now put.

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

"That this Assembly recommends to the Governor General in Council that with a view to encouraging the manufacture of matches with the aid of hand appliances as a cottage industry the rebate on hand-made matches be enhanced and that the licence fees on such producing concerns be reduced."

The Assembly divided:

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair.]

AYES—60.

Abdul Ghani, Maulvi Muhammad.
 Abdul Qaiyum, Mr.
 Abdullah, Mr. H. M.
 Abdur Rasheed Chaudhury, Maulvi.
 Aney, Mr. M. S.
 Asaf Ali, Mr. M.
 Ayyangar, Mr. M. Ananthasayanam.
 Azhar Ali, Mr. Muhammad.
 Bajoria, Babu Baijnath.
 Banerjea, Dr. P. N.
 Basu, Mr. R. N.
 Bhutto, Mr. Nabi Baksh Illahi Baksh.
 Chaudhury, Mr. Brojendra Narayan.
 Chettiar, Mr. T. S. Avinashilingam.
 Chetty, Mr. Sami Vencatachelam.
 Das, Mr. B.
 Das, Pandit Nilakantha.
 Datta, Mr. Akhil Chandra.
 Desai, Mr. Bhulabhaj J.
 Deshmukh, Mr. Govind V.
 DeSouza, Dr. F. X.
 Essak Sait, Mr. H. A. Sathar H.
 Fazl-i-Haq Piracha, Khan Bahadur
 Shaikh.
 Govind Das, Seth.
 Gupta, Mr. K. S.
 Hegde, Sri K. B. Jinaraja.
 Jogendra Singh, Sirdar.
 Kailash Behari Lal, Babu.
 Kushalpal Singh, Raja Bahadur.
 Lahiri Chaudhury, Mr. D. K.

Lalchand Navalrai, Mr.
 Maitra, Pandit Lakshmi Kanta.
 Malaviya, Pandit Krishna Kant.
 Mangal Singh, Sardar.
 Manu Subedar, Mr.
 Mudaliar, Mr. C. N. Muthuranga.
 Muhammad Ahmad Kazmi, Qazi.
 Murtuza Sahib Bahadur, Maulvi Sycd.
 Paliwal, Pandit Sri Krishna Dutta.
 Pande, Mr. Badri Dutt.
 Parma Nand, Bhai.
 Raghbir Narayan Singh, Choudhri.
 Ramayon Prasad, Mr.
 Rao, Mr. M. Thirumala.
 Saksena, Mr. Mohan Lal.
 Sant Singh, Sardar.
 Santhanam, Mr. K.
 Satyamurti, Mr. S.
 Shan Lal, Mr.
 Siddique Ali Khan, Khan Bahadur
 Nawab.
 Singh, Mr. Ram Narayan.
 Sinha, Mr. Satya Narayan.
 Sivaraj, Rao Sahib N.
 Som, Mr. Surya Kumar.
 Sri Prakasa, Mr.
 Subbarayan, Shrimati K. Radha Bai.
 Umar Aly Shah, Mr.
 Varma, Mr. B. B.
 Zafar Ali Khan, Maulana.
 Ziauddin Ahmad, Dr. Sir.

NOES—42.

Abdul Hamid, Khan Bahadur Sir.
 Ahmad Nawaz Khan, Major Nawab Sir.
 Aikman, Mr. A.
 Ayyar, Mr. N. M.
 Bajpai, Sir Girja Shankar.
 Bewoor, Mr. G. V.
 Boyle, Mr. J. D.
 Buggs, Mr. L. C.
 Chanda, Mr. A. K.
 Chapman-Mortimer, Mr. T.
 Dalal, Dr. R. D.
 Dalpat Singh, Sardar Bahadur Captain.
 D'Souza, Mr. Frank.
 Greer, Mr. B. R. T.
 Griffiths, Mr. P. J.
 Grigg, The Honourable Sir James.
 Hardman, Mr. J. S.
 James, Mr. F. E.
 Jawahar Singh Sardar Bahadur Sardar
 Sir.
 Kamaluddin Ahmed, Shams-ul-Ulema.
 Lillie, Mr. C. J. W.
 Lloyd, Mr. A. H.

Mackeown, Mr. J. A.
 Maxwell, The Honourable Mr. R. M.
 Menon, Mr. P. A.
 Menon, Mr. P. M.
 Miller, Mr. C. C.
 Mukerji, Mr. Bassanta Kumar.
 Nur Muhammad, Khan Bahadur
 Shaikh.
 Ogilvie, Mr. C. M. G.
 Rahman, Lieut.-Col. M. A.
 Row, Mr. K. Sanjiva.
 Scott, Mr. J. Ramsay.
 Sher Muhammad Khan, Captain Sardar
 Sir.
 Sircar, The Honourable Sir Nripendra.
 Spence, Mr. G. H.
 Staig, Mr. B. M.
 Stewart, The Honourable Sir Thomas.
 Sukthankar, Mr. Y. N.
 Sundaram, Mr. V. S.
 Thomas, Mr. J. H.
 Zafarullah Khan, The Honourable Sir
 Muhammad.

The motion was adopted.

RESOLUTION *RE* POSITION OF WOMEN UNDER THE EXISTING LAWS.

Sri K. B. Jinaraja Hegde (West Coast and Nilgiris: Non-Muhammadian Rural): Sir, I move:

"That this Assembly recommends to the Governor General in Council that a committee be appointed, consisting of a chairman and eight other members, of whom not less than five shall be non-officials, who shall include women to examine and report on:

- (1) the present position of women under the existing laws with special reference to—
 - (a) rights and disabilities in regard to ownership and disposal of property,
 - (b) rights of guardianship over children,
 - (c) rights to maintenance,
 - (d) rights in respect of joint family property,
 - (e) rights of inheritance and succession,
 - (f) marital rights;
- (2) the various other aspects in which the existing laws relating to these matters stand in need of reform;
- (3) the legislative measures that should be enacted to carry out the necessary reform."

Sir, this is a Resolution concerning the women of India. This matter should have properly fallen to the hands of our Lady Member, Mrs. Subbarayan, though, I consider that it should be the concern of every Member of this House to bestow a serious thought over the problems facing 170,000,000 of women of this country. If women of India are found to be the most backward human race in the world, the responsibility, in my opinion, for such a state of affairs lies more on men of India than women. It is a common knowledge that women in India are treated more like chattel than human beings. They are governed by the same old Law of inheritance, maintenance and marriage, which was laid thousands of years ago under entirely different mode of living. We all know, the Law of the land must change and must keep pace with the growth of civilization. Today all women are not confined to the kitchens. The growth of civilization and learning, the various problems of the world and of the country, facing men and women alike, have developed a sense of independent thinking. The idea of a patriarch holding all and governing all, according to his whims and fancies, is a relic of the past. Today the popular demand is "Independence", independence to one's own country, and independence to one's self.

Property, Sir, is again according to the present day ideas, not to be held and utilised by few men alone, but it should be equally distributed to all, so that every one of God's creatures may enjoy His creation, without fear or favour and without any restriction as to sex.

With these premises, let me examine the present state of women in this country with regard to their capacity to hold and inherit properties. No doubt the civil law of the land does not make a distinction with regard to woman's capacity to hold properties or to use them in any manner she likes. But the whole difficulty arises in getting the properties or assets to own.

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Under the Hindu Law, which governs nearly 120,000,000 women in this country, the woman does not inherit any property, except in a few cases of *Stridhana*. Under the Dayabagha Law, prevalent in Bengal, religious efficacy is the guiding principle of succession, under the Mitakhara Law, religious efficacy and some times consanguinity are the principles that determine inheritance and survivorship. Under both these systems, a woman, whether widow, mother, daughter or sister, though heirs in the absence of male heirs, cannot hold properties absolutely. They hold limited estates with only right of enjoyment until their life time and absolutely no right of disposal except in a few specific cases under Bombay School.

If there are two brothers, both married, and if one of them dies leaving a widow, under the Dayabagha Law the widow would succeed to enjoy $\frac{1}{2}$ the share of the properties until her life time, but under Mitakhara School the widow would be entitled to maintenance only and the whole property would pass to the surviving brother. Males under Hindu Law succeeding to a male or a female get absolute ownership whereas a female succeeding to a male or female mostly get a life estate, as limited owner, except in few cases in Bombay.

Stridhana is a specific kind of property under Hindu Law. Strictly according to the meaning of the term "*Stridhana*" it should mean "woman's property". But the name is anomalous. It is not always that a woman has full rights of disposal over her *Stridhana* properties. It consists of all kinds of gifts made to her, at the time and after her marriage by her father, mother, brother or their relations or by husband or by her sons. And it does not include any property which she may inherit either by reason of her birth in a family or being married in a family. According to Mitakhara School two propositions are laid down (1) every kind of *Stridhana* belonging to a woman passes on her death to her heirs and (2) every kind of *Stridhana* cannot be disposed of by a woman. Property consisting of gifts from strangers or her own earning by gains of science or art or property given to her by the husband out of affection cannot be dealt by her absolutely without the consent of her husband.

Whether a particular property is her *stridhana* or not is determined by the source from which the property is acquired, her status at the time of acquisition, whether married or unmarried, and the school of Hindu Law to which she belongs.

In a certain case, where the parties were Jains, it was held that the widow was entitled to her husband's properties and that it was her *Stridhana*. The decision was based on proof of a custom, which the party succeeded in proving in that particular case, as against too strong presumptions usually held by the British Courts against custom in such cases. This rule is not available for general application in all cases. Nor is it easy to prove a custom of that nature in every case that comes up before courts of Law. Whatever might have been the nature of such a property, in the minds of framers of Hindu Code, it is the established law today, that the property of the husband to which a woman succeeds, is only a life estate to her, to be dealt with absolutely after her death by male relations of her husband, who were least concerned either in acquiring it or maintaining it.

Succession to *stridhana*, again, varies in different schools of Hindu law and depends on various factors:

- (a) As to when the woman acquired it.
- (b) Whether when acquiring she was married or unmarried.
- (c) Whether her marriage was in an approved or unapproved form.
- (d) Source from which the properties came and;
- (e) The character of *stridhana* whether jewels, money, house property or agricultural property.

In the line of succession to *stridhana* the uterine brother intervenes before the mother or daughter whether married or unmarried. Even gifts received from the husband, and from relations after the marriage, goes not to her unmarried daughters, but in equal shares to sons and unmarried daughters. In all schools except in Bombay a female succeeding to *stridhana* properties gets only a life estate, therein, and it passes on from hand to hand until a male gets it, when he would hold it absolutely to the exclusion of all females. Thus a Hindu woman practically has no chance of holding and enjoying any property absolutely. Though she could enter into any contract, her liability is always limited to the extent of the value of her *stridhana* properties over which she has absolute right of disposal.

Under the original Jaina law, the widow succeeded to her husband's properties even if there was a son and she could deal with the properties just in the same way as her husband dealt with it. The son had no right to own or deal with the properties so long the mother was alive; but by the advent of British Courts the steam roller of Hindu Law was applied on all who came under the broad term "Hindu," and the Jains have lost the privilege of being governed by their own personal law which was a real improvement on the Hindu Law, shorn of all its inequities meted out to women folk.

The Muhammadan Law, which is of later origin, does not recognise a life estate as in Hindu Law. A gift to a Muslim woman for life, it has been held, operates as an absolute gift. Except under Wakf, nothing else can create a life estate. Though this is slightly modified later on by British Courts, it is clear that the original Muslim Law did not contemplate life estates. A female under Muslim Law is as competent as a male to hold properties absolutely. Wife is a sharer in her husband's properties as much as the son. And whatever she gets as her share she takes it absolutely. Daughters, mothers, sisters, uterine sisters, son's daughter, widow, are different classes of females who inherit some share of the property and take it absolutely. The right of a daughter to obtain her share cannot be defeated by her father without her consent.

To compare the two systems, one has only to imagine as to what happens if one dies leaving one daughter and a son. Under the Muslim Law, the son gets $\frac{2}{3}$ share and the daughter $\frac{1}{3}$ share, but under the Hindu Law the son takes the whole and the daughter gets nothing, whether married or unmarried. But an inroad has been made into this fair law by the Watan Act of 1886 (Bombay) whereunder the daughter of a Muhammadan has been excluded from inheritance. By another Act, I of 1869, applicable to the Talukdars of Audh, daughter and daughter's son were excluded from inheritance.

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Now, this brings me to the rights of women under the Indian Succession Act. The Succession Act is of recent origin, the rights of women came to be better recognised in the several enactments that are now consolidated in the Indian Succession Act. When a Christian dies intestate, $\frac{1}{3}$ of his properties goes to his widow and $\frac{2}{3}$ to the lineal descendants, if he has no lineal descendants, but he has left kindred persons like brothers and sisters $\frac{1}{4}$ of the properties goes to the widow and the other half to brothers and sisters. If there is no kindred then the whole property goes to the widow. There is no limited estate like the widow estate under the Hindu Law. Every female takes absolutely. Where the net value is less than Rs. 5,000, the whole of the estate goes to the widow in the absence of lineal descendants. Where the intestate has left only children, they share equally without distinction of sex. The brothers and sisters also share equally without distinction based on sex.

The law applicable to Parsis is slightly different. The widow in the absence of paternal relatives takes whole of the intestate properties. In the absence of a widow the properties are divided among his children so that share of each son is four times the share of each daughter.

Thus the rights of women with regard to ownership, inheritance and succession differ great deal among different communities in India without any apparent justification.

Now, let me examine the provision for maintenance of female relatives. Under the Hindu Law, the wife is entitled to maintenance but she cannot claim a permanent arrangement for it. It is only a personal obligation of the husband, even if he has properties. She can neither claim a share in it nor can she follow it, in the hands of creditor of the husband. Whether the properties of the husband are sold for just or unjust debts or family debts is of no consequence. The widow's maintenance is not an *ipso facto* charge upon the properties. The debts take a precedence over the right to maintenance. If the woman happens to have *stridhana* properties it is yet doubtful whether in such cases she could claim maintenance from the family properties. The amount of maintenance is liable to be decreased if the value of the joint family properties or income thereof decreases. A widow's maintenance is conditional on her living a life of chastity. So in all claims by a woman for maintenance, unchastity is the defence, whether true or untrue, and the defendant cannot be proceeded against for defamation if found untrue, because it is a legal defence open to him. Chastity is a rule under Hindu Law applicable to women alone and the males are exempted from it. A Hindu is bound to maintain his mother and his unmarried daughter but he is not bound to maintain his unmarried sister unless he has properties inherited from his father. Whether a widowed daughter who could not obtain maintenance from husband's estate, because he had none, could legally obtain maintenance from father's estate is yet unsettled law. The Bombay High Court has held that she acquires no such right whereas the Calcutta High Court has held that she acquires such a right. There is no right under Hindu Law for illegitimate daughters to claim maintenance though sons could. Under the Muhammadan Law daughters are bound to be maintained by the father until they are married or reach the age of puberty. The wife is entitled to maintenance but she cannot claim past maintenance. But the claim for maintenance by the wife can always be defeated by the husband divorcing her.

Under the Malabar Law, it has been held that wife cannot claim from her husband and children from their father, maintenance, if their family were in a position to maintain them. This decision is based on the ground that "marriage" under the Malabar Law is only a "legalised prostitution". May I point out that this is prostituting the Malabar Law itself. The marriage is as sacred under this Law and creates as close a tie between man and woman as marriage under any known system of law. No doubt the section 488 of the Criminal Procedure Code provides for the maintenance of wife and children legitimate or illegitimate, but the provision is not without difficulties. It is incumbent on the claimant to prove that the marriage was held in an approved form and the parties were married lawfully according to their personal law. Serious difficulties arise in cases of interprovincial and intercaste marriages. The mere fact that a man and a woman lived as husband and wife should be sufficient to a claim for maintenance by the wife or her children.

This brings me, Sir, to the question of marriages. Under the Hindu Law marriage is a sacrament that determines inheritance and succession. Conversion of a Hindu married woman does not dissolve the marriage except under the Native Converts Marriage Dissolution Act, 1886, where the court could pass a decree dissolving the marriage on an application by the convert. Conversion *per se* does not operate as a dissolution. Re-marriage of a Hindu widow is legalised under the Hindu Re-marriage Act of 1856. But such a woman would lose all her rights under the Hindu Law and she is civilly dead for all purposes. Hindu Law does not recognise divorce. The Indian Divorce Act of 1869 applies only where one of the parties is a Christian convert. Thus, both these Acts are not improvements on the institution of Hindu marriage. They are enabling Acts for converts to dissolve the Hindu marriage ties.

Under the Hindu Law, the husband is the guardian of his minor wife. He can demand her presence in his house even if the marriage has taken place ~~against her~~ consent. Infidelity on the part of the husband, minority of the wife, or the presence of several wives and concubines of husband in his house is no valid ground for refusal to stay with him. Christian marriage is a contract but divorce is not permitted. Marriage under Muslim Law is also a contract but it recognises divorce. A Christian can marry only one wife, a Muslim can have four wives at one time but a Hindu can have any number of wives. The rigour of the Hindu marriage and the consequences thereof, with least civil liberty to wife, have put a large section of 120,000,000 Hindu women to untold miseries. The misery of an uncomfortable life of Hindu wife is more to be imagined than described. The life of a Hindu widow is worse.

Under the Hindu Law, no doubt the mother is a legal guardian, but the father could defeat this right, he could by his will appoint a guardian of his children and their properties though their mother is living. The father is entitled to the custody of the minor child in preference to the mother. Even though the father changes his religion, he is still entitled to the custody of his children. But, under the Muhammadan Law, the mother is entitled to be the guardian of a male child until he is seven years of age, and of a female child until she attains puberty. I would commend this rule for acceptance by all communities in India.

There are few other matters that come under the scrutiny of woman's rights, for instance, the right to adoption under the Hindu Law, requires a

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drastic change and the law should be made uniform in this respect. There is no reason why a woman should be refused the right to adopt to herself a girl or a boy when her husband failed to adopt to himself.

Sir, I place the following suggestions for improvement of womenfolk of this country, when Government think fit to appoint a Committee:

- (a) All distinction between a male and female should be removed in the matter of inheritance and succession, and the principles enacted in the Succession Act should be followed as far as practicable. There should be no life estates to women.
- (b) Marriage should only be a matter of contract between two free individuals with right to divorce, if necessary, on specified grounds.
- (c) Guardianship over children up to the age of seven years in case of a male, and 14 years in case of a female, should be the concern of the mother.
- (d) Wife should have the right to adopt to herself a male or a female on failure of the husband.
- (e) Every marriage should create a definite right to share the properties of husband by the wife.

Whatever justifications there were at the time when these laws were first laid down, the time has come to change the time-worn law which is only an anachronism in the present day world and social relations. I hope the House would adopt the Resolution.

Sir, I move.

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

"That this Assembly recommends to the Governor General in Council that a committee be appointed, consisting of a chairman and eight other members, of whom not less than five shall be non-officials, who shall include women to examine and report on:

- (1) the present position of women under the existing laws with special reference to—
 - (a) rights and disabilities in regard to ownership and disposal of property,
 - (b) rights of guardianship over children,
 - (c) rights to maintenance,
 - (d) rights in respect of joint family property,
 - (e) rights of inheritance and succession,
 - (f) marital rights;
- (2) the various other aspects in which the existing laws relating to these matters stand in need of reform;
- (3) the legislative measures that should be enacted to carry out the necessary reform."

The Honourable Sir Nripendra Sircar (Law Member): Sir, I rise very early during the discussion of this Resolution, because I am not too sure whether I shall be able to take part in it when it comes up again for discussion on the 11th or 12th April; otherwise, I would have preferred to listen to some more speeches before taking part in it. Sir, it is a coincidence that this House is dealing only with inflammable materials today. We started with matches, and now we have come to the ladies!

Sir the Resolution is so unpractical and it imposes such a duty on any committee who may have the misfortune to be appointed that I would have expected the Honourable the Leader of the Opposition, metaphorically, to put his foot down and not allow this to be moved. But, unfortunately, unlike myself, the Leader of the Opposition has not reached that age when he can resist successfully the blandishments coming from certain quarters.

Coming to the Resolution, Sir, I do not desire to repeat its various parts, but the first part requests that a committee should be formed of eight members who will include women. There will be some women,—the number has not been mentioned but let us assume that there will be three women and five men or, on the principles of equality, four and four, or on the basis of Dr. Deshmukh's Bill where woman has a higher position, five women and three men. But, whatever it is, I ask the House to realise what the task of this committee will be. This committee of five very learned super-men and three learned super-women will discuss the whole of Hindu law, Muslim law, the law applicable to Parsees and Sikhs and Jains and then they will send a report, "Sir, we beg to report that these are the matters in which reforms should be introduced."

As regards the first part, the report is very easy to make. If I were a member of the committee I should say: "Being appointed a member of this committee by Resolution number so and so, I beg to report that the Hindu law is to be found in Mulla's book, which is being sent herewith and I expect to be paid Rs. 7-8 in return." What is the difficulty that the Honourable the Mover has found in understanding Hindu Law? I am now confining myself to Hindu Law because so far as the Muslim Law is concerned I do not think that for one moment, any Muslim Member of this House will agree to have a committee telling them in what way the *Shariat* should be reformed. What is the difficulty in finding out the rights and liabilities in regard to the holding and disposal of property

Mr. Muhammad Azhar Ali (Lucknow and Fyzabad Divisions: Muhammadan Rural): But why deprive us of this Rs. 7-8?

The Honourable Sir Nripendra Sircar: When it comes to Muslim Law, I would say: "I beg to forward herewith a copy of Mulla's Muslim Law, price Rs. 2-6"

Mr. Muhammad Azhar Ali: I will send Ameer Ali, two volumes, for Rs. 28.

The Honourable Sir Nripendra Sircar: I was dealing with Hindu Law and the point I was making was, there is not the slightest difficulty in finding out what the law is. It can be found from any reliable text-book, and if any one has any objection to Mulla, he can look up some other book.

So far as the first part of the Resolution is concerned, there is really nothing in it. As regards the second part, the various other aspects in which the existing laws relating to these matters stand in need of reform—what are they? What are the aspects which have been described before and what are the other aspects in part (2)? Or, is the Honourable the Mover under the impression that the committee will start with the major premise that so far as part (1) (a) to (f) is concerned there must be reforms and they should go and find out if there are other aspects in which reforms are necessary?

Mr. Mann Subedar (Indian Merchants' Chamber and Bureau: Indian Commerce): What about cosmetics?

The Honourable Sir Nripendra Sircar: That comes under clause (f)—marital rights. Confining myself to Hindu Law again, I have no desire to refer to rulings or things of that kind or tire the patience of the House; but let us see what is the magnitude of this task. I shall come to the other communities later on. First of all, if one will turn only to one heading in Mulla, he will find what we are confronted with. For political purposes, there might be one community—the Hindu: but for laws of succession and other matters, we have got at least a dozen schools with their different rules of succession and rules relating to other matters. I will not go on reading out from text-books, but I would refer the House to pages 11 and 12 of Mulla's Hindu Law: starting with the statement that the two main schools are the Mitakshara and the Dayabhaga, he proceeds to point out in the next page the various sub-divisions—the Mithila school, the Benares school, the Maharashtra school, the Dravida or Madras school: again I do not want to tire the patience of this House—the rules of succession are different: the rules of prohibited degrees in marriage are not the same in the Dayabhaga as in the Mitakshara: whether a woman loses her right of property on the ground of unchastity there is a slight difference between the Mitakshara and the Dayabhaga; and I ask this House, if any Member of this House were a member of this committee, what reforms would he suggest as regards the Hindus? If you suggest what may be acceptable to the people whose ideas are consonant with the rules of the Dayabhaga school, why should the other Hindus accept that? I believe that the committee is not expected to say that all these differences will be kept up.

Again, coming to the next subject which was just touched by the Honourable the Mover—what is called *stridhana* property or what in English text-books is described as the peculiar property of women, may I remind the House that there also the laws differ in the different schools of Hindu law as regards succession; and not only that; they are not agreed as to what is *stridhana* and what is not. What is the reformist going to say? The question is what reforms should be made. How is any member of the committee going to answer that question? That must vary with the length of the reformer's foot. I am sure, if I put Pandit Aney on the committee, we shall have one report, and if I put Mr. Hegde on the committee, there will be another report. It is impossible even to imagine that we can have a report from a number of persons sitting in a committee, which will be acceptable to the Hindu community at large.

Then, Sir, is not there an obvious way to deal with this matter? We know what the law is; and those who are complaining of Hindu Law—and I do not say there are no grounds for complaint—what is the procedure to be followed? If you are dissatisfied with any provision of Hindu Law, by all means try this House. That has been done. Many Bills have been introduced by the Hindus. The other day, Mr. Kazmi's Bill was passed. That is the way in which you can find out whether a law is going to be accepted by the House. But to expect a committee to produce a report upon which the Government will proceed to do the reforming business is, I submit, an Utopian idea. Then, I would like to know what is the community which has demanded a general revision of laws as is indicated by the Resolution? Which community has done it?

An Honourable Member: Women.

Another Honourable Member: Feminists.

The Honourable Sir Nripendra Sircar: I believe my friend is so gallant where ladies are concerned that he does not recognise communities: they all belong to the same community. But what I had in mind was that if, for instance, the Muslims are concerned, they do not want this committee to bother themselves as to how the *Shariat* is going to be reformed: they will not stand it.

An Honourable Member: How do you know?

The Honourable Sir Nripendra Sircar: I shall leave others to speak. You will very soon hear how they will look upon your attempt—and when I say “your”, I am not meaning anybody personally, but the attempt of a committee of this kind of eight persons of whom probably one or two will be Muslims, to lay down how the Muhammadan law of succession or property or guardianship of children should be reformed: they will not stand it: I am sure of it. If I am mistaken, we shall hear other speakers who will correct my mistake

Major Nawab Sir Ahmad Nawaz Khan (Nominated Non-Official): You are quite correct so far as Muslims are concerned.

Babu Baijnath Bajoria (Marwari Association: Indian Commerce): No true Hindu will accept it.

The Honourable Sir Nripendra Sircar: I know in this House one true Hindu. As regards the other communities, has there been a general demand for revision? What about the Sikhs? What about the Jains? What about the Buddhists? They do not ask that the law should be generally revised.

Mr. M. Ananthasayanam Ayyangar (Madras ceded Districts and Chittoor: Non-Muhammadan Rural): The Mover is a Jain.

The Honourable Sir Nripendra Sircar: Now, Sir, we have got to remember another peculiar difficulty existing under the Hindu Law. As I said yesterday, one method of getting rid of all these difficulties is to become Mussalmans. But if that is not acceptable, then the difficulties have got to be pointed out. Under the Hindu Law, as Honourable Members are well aware, unless there is express enactment to the contrary or unless it is opposed to public policy, customs override the texts—and that explains the various technical rules of succession which have been called customary law overriding the general provisions of the Hindu Law. That also explains the existence of these big Rajes. Then we have Ghatwals. In impartible Rajes, there is often the family custom of female exclusion and the inheritance goes to one single heir. I may remind the House that by custom we have got all these big Ghatwals in Monghyr and other places where they have got their peculiar rules of succession. These customs, as Honourable Members will remember, may be local or they may be confined to a class or they may be even confined to a family. It is this family custom which is responsible for the peculiar law of the Ghatwal Rajes. Is this Committee going to discuss all these family customs and then to report: “Now that a spirit of reform has come,

[Sir Nripendra Sircar.]

we destroy all these things in one clean sweep of four lines in a paragraph saying these are not wanted and they are mere anachronisms. The Ghatwalis should go and the impartible Rajes must go and the families which are governed by customs must give up their customs and follow the law which we, the reformists, are going to lay down for them." I submit that this is an absolutely impossible proposition which the Honourable the Mover wants the Government to take up. No single Committee can possibly do justice to a matter of this kind where we have got to discuss the position of women of every community and who are governed by different sets of laws, one having no bearing on the other. Then, there is another difficulty. What is meant by this reform and in what way this reform should take place? Who are these eight men to say what is reform and what is not reform? My idea of reform may be very different from the idea of reform of the next member of the Committee. We may not be agreed as to what is reform. But what is desirable and what is not desirable has got to be found by the usual procedure, namely, of taking up the matter, coming up before this House, having a discussion and then await the result as to whether what is called reform is accepted or whether that is turned down by the House. And that, Sir, is the course which has been followed. We have so many Bills for amending the law. More than a dozen are pending. There are Bills on divorce and so many other things which I need not recapitulate. Each Bill has got to be discussed on its merits when it comes up before this House. I have no desire to repeat but I think the House will realise that this recommendation, if it is carried out, will leave us in this position, that we shall be unable to take up a task which is impossible of performance, namely, to report what reforms should be made in all branches of law of all communities. That is a task impossible of performance. It is so stupendous that it cannot be done. Apart from its gigantic nature, it will be so difficult to produce a report and even if such a report is forthcoming, it will be impossible for the Government to take up legislation on the lines suggested by the so-called reformists. I do not think I should labour the point further, but I do strongly object to the passing of this Resolution and I beg the House once more to feel that the Government cannot possibly accept this Resolution, because it cannot believe that a Committee can undertake the task which has been tried to be thrown on its shoulders.

Maulana Zafar Ali Khan (East Central Punjab: Muhammadan): Sir, while having every sympathy with the Mover of the Resolution, I am afraid I cannot support it in its present form. The position of the Hindu woman—I am confining my remarks to the Hindu woman because the Mover of the Resolution refers only to the Hindu woman when he speaks of her lot—is this, that she has been prevented from rising to the height of the status given by Providence. She was in bondage while she was a daughter. She was in bondage while she was a wife. She was the slave of her parents, the slave of her husband and the slave of her father-in-law. She had not the right to inherit property from her parents, as explained by the Mover of the Resolution. She cannot enter into a contract as a free agent. These and many other disabilities have been imposed upon the poor Hindu woman from time immemorial. Sir Nripendra Sircar has, in his very humorous speech, already torpedoed the Resolution. If it lay in his power, he would kill it as is the wont of all Governments who never pat any liberal measure on the back. That has been the nature

of the bureaucracy from time immemorial. I am at one with him when he says that the task is stupendous, as stupendous as the conversion of Harijans into Brahmanism, or as the giving to these seven crores of human beings the rights which have been denied to them for seven thousand years. It is a great task. But I do not agree with the view that merely because the task is great and merely because there are many obstacles in the way, nothing should be done. I am also in sympathy with my friend over there when he says that no true Hindu would tolerate these reforms which are advocated by the Mover of the Resolution. So *pat* comes the reply of Sir Nripendra Sircar that there is only one true Hindu here. But I believe that the Mover's contention that something could be done for Hindu women is not an impracticable contention; it is practicable; it can be done. The sympathy of the entire world. . . .

Bhai Parma Nand (West Punjab: Non-Muhammadan): The Resolution is for all women, not Hindu women only.

Maulana Zafar Ali Khan: At the outset, I declared that, while sympathising with the Honourable the Mover in his attitude which he took up with regard to Hindu women, I could not support the Resolution in its present form. I sympathise with him when he said that the lot of Hindu women was hard. Do you think that the Hindu woman is happy? When she is moving in silk and gold, evidently with a smile on her face, do you think she is happy? She is certainly most unhappy.

Mr. S. Satyamurti (Madras City: Non-Muhammadan Urban): No, no. They are very happy. Our women are very happy.

Maulana Zafar Ali Khan: All these hardships which are imposed on the Hindu women—something should be done to remove them. But, so far as the Muslim women are concerned, they are not within the ambit of these remarks, some 1,300 years ago, a change came over the world. . . .

Mr. M. S. Aney (Berar: Non-Muhammadan): She is shut out from the whole world!

Maulana Zafar Ali Khan: Whenever I talk of thirteen hundred years ago, my Honourable friend, Mr. Aney, gets up; whenever I talk of Islam, he gets up. You cannot ignore us. You cannot ignore the blessings that have been showered upon women by Islam.

Bhai Parma Nand: Purdah is one!

Maulana Zafar Ali Khan: She does not need reform. Islam is sufficient for her. We have got the law of Islam for us. But, here, so far as the Hindu women are concerned, my sympathy goes to them; the Hindu woman is also my countrywoman. She is as much entitled to my sympathy as that of my Hindu friends. My heart weeps. . . .

An Honourable Member: The Hindu women are better looked after than Muslim women.

Maulana Zafar Ali Khan: The Honourable the Mover of the Resolution says that you have been treating the Hindu women as chattels.

An Honourable Member: He is absolutely wrong.

Maulana Zafar Ali Khan: Please don't champion the cause of Christian women and Muslim women. Champion the cause of Hindu women only. (Interruption.) So far as Islam is concerned, my case is that Islam has given to women all those rights to which she is entitled by nature. She can inherit property, she can enter into a contract as a free agent, she can divorce her husband if the husband divorces her. She is as much entitled to take her seat on a throne as a man. She, in fact has nothing what a man has not.

Mr. S. Satyamurti: Yes, she has.

Maulana Zafar Ali Khan: The only difference between a man and a woman is that man being a greater vessel and woman being a weaker vessel, he is given two shares and the woman one. That is the only difference. Otherwise, she is as much entitled to inheritance from her parents as the man. So, you see our *Shariat*, our personal law, our Muslim law, so far as the rights of women are concerned, leaves nothing to be desired. But I admit that in certain parts of the country the benefits that accrued to women from Islam, the rights that should come to her according to Islam, are being denied by certain cruel people. In the Punjab and certain other parts of the country, they say, "We prefer custom to *Shariat*." Then there were certain parts of Bombay Presidency in which a section of the Muslims, who were new converts to Islam from Hinduism, carried with them the same old traditions and they submitted themselves to Hindu law. Lately, however, that law has been abrogated, and cancelled. So far as the Muslim law is concerned, the position of women is quite safe. We might, of course, some day, call upon the Government to see to it that the sanction that ought to be behind law—that sanction should be provided by the administrative machinery. When, for instance, a woman has been by law entitled for so many ages to a one-third share in the inheritance from her parents as against two shares of the son, if obstacles are placed in the way of carrying out that right, the law must step in and see to it that this very useful law of Islam is implemented by the administrative machinery. We may have to do that later on. (Interruption.) I again point out that so far as the position of Muslim women is concerned, Islam has given them everything; they do not require anything. You may want to reform Hinduism. The position of women in Hinduism requires reform, but so far as Islam is concerned, it is a perfect law and does not require any alteration or addition or subtraction. With these words, I oppose the Resolution in its present form.

Babu Baijnath Bajoria: Sir,

An Honourable Member: A true Hindu!

Babu Baijnath Bajoria: I do not deny that I am a true Hindu, and you will hear the views of a true Hindu. (Interruption.) I am not calling anybody else as non-Hindu, but they say I am a true Hindu which I do not deny, rather I assert that I am a true Hindu. I rise to oppose this Resolution.

An Honourable Member: Tooth and nail.

Babu Baijnath Bajoria: There is neither tooth nor nail in this. My Honourable friend, Mr. Hegde, has stated that women are treated like chattels. If I heard him aright, he probably meant this against Hindu women. Am I right, or was it against all women?

Sri K. B. Janaraja Hegde: All women.

Babu Baijnath Bajoria: Against all women? Very well. As regards the position of women in Hindu society, I may inform the House that we Hindus call our women *Grihalakshmi*, meaning the goddess of the home.

An Honourable Member: *Grihini*.

Babu Baijnath Bajoria: That is wife when she is called by the husband, but as regards mothers, sisters, daughters, we call them *grihalakshmis*, that is, goddess of the house. No better respect can be paid to a woman than what is being paid by a Hindu.

An Honourable Member: What do you call a sweeper?

Babu Baijnath Bajoria: I will ignore these interruptions, because they have got nothing to do with the Resolution under discussion. So, I must contradict this notion which any Member of this House may have, that we Hindus do not treat our women in the manner in which they should be treated, and affirm that we do everything that is possible for her. It is said that women have got no absolute right of inheritance but there are other things which make up for that. If the Hindu women have got lesser rights than men, they have got no obligations to perform. My friends know this and still they would not mention it in the debate. The Hindu woman has no debt to pay. It is the son and not the daughters that pay the debt of the father. If the women have no debts to pay, then they cannot expect to get a share in the property. A couple of years ago, in this very House, we passed Dr. Deshmukh's Bill giving right of partition to widows to meet hard cases where she was not getting her maintenance. I strongly objected to the Bill as introduced, because that Bill wanted to give right to mother, sisters and daughters equally with the sons, which was an absurd proposition, which the Mover himself realised at a later stage. As regards the rights of widows I supported it. If the woman has got to get her right, she must also meet the obligations. At the present moment she does not pay for the family expenses. It is the man who earns and he has not only to maintain himself but he has to maintain her and the children.

An Honourable Member: If he dies?

Babu Baijnath Bajoria: Even if he dies, the woman does not earn, because for a true Hindu, the woman has to look after the House. We will think it beneath our dignity for women to go to workshops and mills to work. Mrs. Subbarayan may laugh at this proposition but if she thinks that it is better that women should go and work as coolies in the mills, then they are not enhancing their prestige. It is only on account of chill penury and the fact that the man cannot earn sufficient to make both ends meet that she has

[Babu Baijnath Bajoria.]

to go out and earn in order to meet some portion of the family expenditure. But, after all, the obligation of meeting the family expenses rests on the man. Then there are other numerous expenses, *e.g.*, the marriage of sons and daughters. The woman has got nothing to do with the expenses incurred for these. Then, Sir, according to our Hindu *shastras*, a woman should not be independent throughout her whole life. She must be dependent on her father during her childhood. She must be dependent on her husband during her youth and if by chance her husband dies before her, she must be dependent on the sons.

An Honourable Member: If she has no son?

Babu Baijnath Bajoria: Then she will be dependent on the other male relatives of her husband's family. I am glad that my friend has become so woman-minded that he is even prepared to give up his rights in favour of women. I would like now to deal with the different items mentioned in this Resolution. As regards ownership and disposal of property, I have already said that she cannot and should not get absolute right of ownership. In the present state of illiteracy, she will be robbed of her property by other men, because she is generally very simple. About rights of guardianship, I do not know what is meant. Is it meant that women alone should be the guardian of children? As far as I know, when the father dies, it is the mother who becomes the guardian *ipso facto*. I do not know by what name it is called. I am not a lawyer. She becomes the natural guardian of the children. Now, about rights of maintenance, she has already got full rights. What happens now? If a man earns, the wife and the children are maintained first and the expenses for the wife are much more than for himself. Here, I have a shawl which I bought twelve years ago and I am still using it, whereas my wife wants one new dress every month. I have got a wrist watch worth Rs. 30, whereas my wife must have ornaments worth Rs. 30,000 or more than that. As regards maintenance, I would rather plead on behalf of the men, that they should get more than what the woman gets and the expenses should be more evenly divided between man and woman.

Sir, as regards the joint-family property and inheritance, I think this can go together with Item (a) about property, and I will not
 5 P.M. detain the House any further about that. Now, I shall come to marital rights. Sir, I do not know what is meant by "marital rights". Is it meant that if the husband wants to go to England or wants to come to the Assembly, the wife will say, "no, you cannot go there, I must have my marital rights, and you must stay with me."? Sir, I do not understand what is meant by "marital rights". Therefore, in my opinion, this Resolution is absolutely unnecessary and I strongly oppose it. Now that the time is up, I sit down.

The Assembly then adjourned till Eleven of the Clock on Thursday, the 16th February, 1939.