

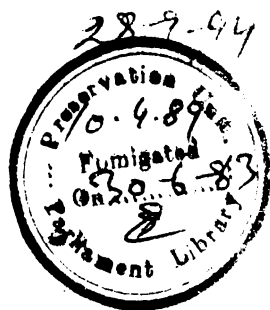
5th February, 1934

THE
LEGISLATIVE ASSEMBLY DEBATES
(Official Report)

Volume I, 1934

(24th January to 16th February, 1934)

SEVENTH SESSION
OF THE
FOURTH LEGISLATIVE ASSEMBLY,
1934



NEW DELHI
GOVERNMENT OF INDIA PRESS
1934

Legislative Assembly.

President:

THE HONOURABLE SIR SHANMUKHAM CHETTY, K.C.I.E.

Deputy President:

MR. ABDUL MATIN CHAUDHURY, M.L.A.

Panel of Chairmen:

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MR. K. C. NEOGY, M.L.A.

SIR LESLIE HUDSON, Kt., M.L.A.

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

Secretary:

MIAN MUHAMMAD RAFI, BAR.-AT-LAW.

Assistant of the Secretary:

RAI BAHADUR D. DUTT.

Marshal:

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

Committee on Public Petitions:

MR. ABDUL MATIN CHAUDHURY, M.L.A., *Chairman.*

MR. K. C. NEOGY, M.L.A.

SIR HARI SINGH GOUR, Kt., M.L.A.

MR. T. R. PHOOKUN, M.L.A.

MR. MUHAMMAD YAMIN KHAN, C.I.E., M.L.A.

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LEGISLATIVE ASSEMBLY.

Monday, 5th February, 1934.

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

MEMBER SWORN :

Lieut.-Colonel Sir Henry Gidney, Kt., M.L.A. (Nominated Non-Official):

QUESTIONS AND ANSWERS.

RECRUITMENT OF POSTAL CLERKS IN MADRAS.

66. *Mr. K. P. Thampan: (a) Will Government be pleased to state whether there has recently been any recruitment of clerks in the Postal Department at Madras? If so, how many candidates were selected?

(b) How many of the total number selected are the sons and immediate relatives of the postal employees?

(c) Is there any departmental rule to the effect that in the matter of selection of candidates for appointment, preference should be given to the sons of those who are already in service?

The Honourable Sir Frank Noyce: (a) and (b). Information has been called for and will be laid on the table of the House in due course.

(c) Preference is usually given to the sons of postal officials already in service over those who are not the dependents of deceased and retired postal employees.

Mr. Lalchand Navalrai: May I know if there is a Selection Board for selecting these clerks, or they are selected by the head of the Office?

The Honourable Sir Frank Noyce: I must ask for notice of that question.

Mr. K. P. Thampan: May I know whether there is any other Department under Government where such preference is given to the sons of the employees?

The Honourable Sir Frank Noyce: I am afraid I must also ask for notice.

Mr. Lalchand Navalrai: May I know if, when preference is given, it is given on merits, or the people are merely selected whether they have merit or not.

The Honourable Sir Frank Noyce: No, Sir; preference is only given in cases in which the applicant is properly qualified. I may perhaps explain for the benefit of the House that this preference is usually given to the relatives of the inferior staff, and it does often provide a way of doing something to help them. If Honourable Members had, as I have to do, an opportunity to go through the applications for help from our compassionate fund, they would find what a useful measure this is. It does enable us to help families in necessitous cases. The amount available in the compassionate fund is extremely limited and does not go very far, and we can occasionally, not very often, but we can occasionally help by giving this preference, and for that reason it is a very useful measure.

Mr. Lalchand Navalrai: I do not object to such preference being given, but what I want to know is this, when preference is given, are the qualifications of candidates equal, or simply because a candidate is the son of a clerk and has no proper qualifications that he is given preference?

The Honourable Sir Frank Noyce: I think, Sir, it is correct to state that preference in these cases is usually given in regard to a class of appointments such as postmen and mail-runners and people of that kind where the qualifications of candidates are much of a muchness.

Mr. K. P. Thampan: Does not the Honourable Member think that it is an injustice to other men, whose fathers do not happen to be in the service, to accord a kind of monopoly as it were, to the families of a few people?

The Honourable Sir Frank Noyce: There is no question of monopoly. The number of cases in which it is possible to give preference is very small.

Mr. Lalchand Navalrai: May I know, therefore, that in cadres higher than in the subordinate cadre it is a crime to give preference to the sons of those who have already worked in that office? My learned friend thinks on this side that no preference should be given at all. I am not of that opinion. What I am asking is, whether it is a crime to give preference to those people whose relatives had worked under Government and who are equally qualified?

The Honourable Sir Frank Noyce: If, Sir, Government thought that it was a crime, they obviously would not do it.

DISCONTINUANCE OF OFFICIATING PROMOTIONS IN THE RAILWAY CLEARING ACCOUNTS OFFICE.

67. *Pandit Satyendra Nath Sen: (a) Is it a fact that in the Railway Clearing Accounts Office, officiating promotions in the clerical grades have been discontinued whereas in some other Accounts Offices such promotions continue to be made?

(b) If the reply to part (a) be in the affirmative, will Government be pleased to state the reasons for this singular treatment meted out to the staff of that office?

Mr. P. R. Rau: (a) and (b). Officiating promotions are ordinarily admissible only if the officiating appointment involves the assumption of

duties and responsibilities of greater importance than those attaching to the post held substantively by an officer. I am informed that officiating promotions in certain clerical grades are not being given in the Railway Clearing Accounts Office, as also in some other Railway Accounts Offices, as the question of classifying the various charges has presented serious difficulties. The matter is under examination.

OUT OF TURN CONFIRMATIONS IN THE RAILWAY CLEARING ACCOUNTS OFFICE.

68. ***Pandit Satyendra Nath Sen:** (a) Will Government please state if under the rules any preference is given to Appendix D and E men in the State Railway Accounts Offices for promotion in the clerical grades?

(b) If the reply to part (a) be in the negative, will Government please state why such men have been confirmed out of turn in the higher clerical grades in the Railway Clearing Accounts Office?

Mr. P. R. Rau: (a) and (b). I understand orders were issued in 1930 that clerks who had passed the Appendix E Examination should be confirmed as clerks Class II in preference to others. Apart from this no preference is given in the matter of promotion in the clerical grades to men merely because of their having passed the Appendix D or E Examination but the rules require that selection for promotion should be based on merit.

CLASSIFICATION OF THE CHARGES IN THE CLERICAL GRADES IN THE RAILWAY CLEARING ACCOUNTS OFFICE.

69. ***Pandit Satyendra Nath Sen:** (a) Is it a fact that in the Railway Clearing Accounts Office, routine clerks are made to discharge the duties of clerks class III and class II for prolonged periods without any extra remuneration?

(b) Will Government be pleased to state the total number of such clerks at present?

(c) Do Government propose to regularise the matter by classifying the charges between routine clerks, clerks Class III, II and I?

(d) Is it a fact that the question of classifying the charges in the clerical grades is under consideration of the Director, Railway Clearing Accounts Office, for the last twelve months? If so, why have the charges not been classified as yet?

Mr. P. R. Rau: (a) and (b). I am informed that in certain cases routine clerks have been employed on clerical duties. The matter is I understand receiving the attention of the Controller of Railway Accounts.

(c) and (d). The question is under examination, but as I have already said, it presents considerable difficulties and I am afraid it may be some time before a final solution is arrived at.

MOVE OF THE GOVERNMENT OF INDIA SECRETARIAT BETWEEN SIMLA AND NEW DELHI.

70. ***Mr. Lalchand Navarai:** (a) Will Government be pleased to state whether they have finally dropped the consideration of the question of curtailing the Secretariat's move to Simla for summer? If so, what are the grounds?

(b) Is this question to be reconsidered when the new federal constitution comes into force? If so, when is the federal constitution coming into force?

The Honourable Sir Harry Haig: (a) and (b). The Government have carefully considered the question in all its bearings and have decided that the present arrangements, which are in their opinion definitely the most efficient, should not be altered until constitutional changes require it. I am not in a position to say when the Federal Constitution will come into force.

COST OF THE SIMLA EXODUS.

71. ***Mr. Lalchand Navalrai:** Will Government be pleased to state how much the Simla exodus costs the Indian exchequer?

The Honourable Sir Harry Haig: I would refer the Honourable Member to the reply given by the Honourable Sir George Schuster to part (c) of Mr. Maswood Ahmad's starred question No. 1291 on November 21, 1982.

Mr. N. M. Joshi: May I know whether the Government spent a lot of money to improve the water supply of Delhi as they wanted to stay in Delhi longer and whether Government will not now incur a loss on that account?

Mr. G. S. Bajpai: With your permission, Sir, I shall answer that question. The improvement in the water supply was not made primarily with the object of enabling the Government of India to stay down here.

Mr. N. M. Joshi: May I know, how much of the additional cost of the water supply was intended for the exodus and how much for ordinary purposes?

Mr. G. S. Bajpai: The position is that the Government of India have not incurred any cost themselves. They have lent money to the Joint Water Board for the purpose, and they will recover it from the Joint Water Board in the usual way.

Raja Bahadur G. Krishnamachariar: In any case, having spent all the money to improve the amenities of life in Delhi, will Government consider the question of staying down longer rather than hustle us in the Assembly and expect us to finish the business according to the time table prepared by Government to run up to Simla?

The Honourable Sir Harry Haig: I am afraid I could not hear the Honourable Member's question.

Raja Bahadur G. Krishnamachariar: Having improved the amenities of life in Delhi by improving the water supply, will Government be pleased to postpone their departure to Simla instead of hustling us here in the Assembly to get through all their Bills and legislative business according to their time table to go up to Simla?

The Honourable Sir Harry Haig: The Government hope to be able to complete their legislative business in the present Session before leaving Delhi.

Mr. Lalchand Navalrai: May I know from the Honourable Member if the Simla exodus cost is approximately so much that it should be avoided, because the Honourable the Finance Member would be jealous of spending all that money. I have no idea now of the amount of money spent on the exodus, because the Honourable Member referred to it a long time ago.

The Honourable Sir Harry Haig: The answers to which I referred were to the effect that the annual saving would be 8 lakhs 70 thousand approximately, but the Honourable the Finance Member had previously explained that about half of that saving would be at the expense of the North Western Railway, so that, taking a broad view, it would not benefit the Government finances very much.

Mr. Lalchand Navalrai: Does not the Honourable Member think that even what is spent now could be used in stopping the retrenchment of staff which is now going on? Will it not be more profitable?

The Honourable Sir Harry Haig: But efficiency also has a money value.

Mr. Lalchand Navalrai: I do not know if there is no efficiency in working in Delhi.

Mr. President (The Honourable Sir Shanmukham Chetty): The Honourable Member cannot be making comments on the answers. He must ask supplementary questions and not make comments.

Mr. Lalchand Navalrai: I am adding the question at the end.

Mr. President (The Honourable Sir Shanmukham Chetty): Is the Honourable Member putting the question or giving the answer?

Mr. Lalchand Navalrai: No, Sir. I am not giving the answer. I put my facts and then put my question and I get an answer.

Mr. S. C. Mitra: Is it a fact that insufficiency of water supply in New Delhi was one of the main reasons for not putting a stop to the exodus?

The Honourable Sir Harry Haig: Since the water supply has been put on a satisfactory footing, the Government of India have considered the whole of this question on its merits and have come to the conclusion which I have just communicated to the House.

Mr. N. M. Joshi: May I ask whether the Government of India did not consider the question on its merits when they considered the question of the water supply?

The Honourable Sir Harry Haig: I am not familiar with the full details of the question about water supply. I have no doubt that, the improvement in water supply was made, because it was considered necessary in view of the general requirements of the Government of India during the period they are in Delhi.

Mr. Gaya Prasad Singh: Is it not a fact that a Session of the Central Legislature in Delhi costs considerably more to the general taxpayer than a Session held in Simla?

The Honourable Sir Harry Haig: I am told by some of my Honourable colleagues that that is so.

ALLEGATIONS AGAINST BRITISH OFFICERS AND SOLDIERS.

72. *Mr. Lalchand Navalrai: (a) Are Government aware that on Indian Railways, both State and Company-managed, British officers and soldiers travelling in first and second class compartments create trouble for Indian travelling public by not allowing them to occupy vacant berths, and by turning them out of the compartments?

(b) Is it a fact that instances have occurred where such conduct of British soldiers has resulted in blows, inconvenience being caused to Indian gentlemen and ladies?

(c) Are Government aware that on such occasions the Railway authorities and, sometimes, the Police who were present, were unable to control them?

(d) Are Government aware of such an instance having recently occurred at Hyderabad (Sind) on the North Western Railway, as published in the *Sansar Samachar*, Karachi, dated the 18th January, 1934?

(e) Will Government please state for the information of this House as to what action have Railways taken against this very long standing nuisance?

(f) Will the Army Secretary please inform this House if he is aware of such occurrences, and, if so, what steps have the Military Department taken in the interest of discipline amongst such military officers and soldiers and to eradicate such long standing abuse of Railway rules, and what steps are Government now taking in that direction?

Mr. G. R. F. Tottenham: (a), (b), (c), (d) and (f). Orders were issued some years ago by His Excellency the Commander-in-Chief to all ranks stressing the importance of correct and seemly behaviour when travelling on railways and informing them that stringent disciplinary action would be taken against any soldier who behaved insultingly towards Indians. These orders are still in force. I have no reason to believe, nor has the Honourable Member given any reason to believe, that they are not being obeyed. The extract from the paper referred to in part (d) does not even allege that the individual complained of belonged to the Army.

(e) Enquiries are being made and information will be laid on the table in due course.

Mr. Gaya Prasad Singh: Where can I get a copy of the order to which reference has been made by the Honourable Member?

Mr. G. R. F. Tottenham: The orders that I have just read out? They will appear in the proceedings of the House.

Mr. Lalchand Navalrai: May I know whether those orders were published in the newspapers?

Mr. G. R. F. Tottenham: The orders were issued by the Commander-in-Chief to the Army, and I have just read out what those orders were.

Mr. Lalchand Navalrai: May I know whether since these orders were passed, there have been any instances in which Indians have been maltreated?

Mr. G. R. F. Tottenham: Certainly, during the last two or three years, as far as I am aware, no instances of this kind have come to the notice of the Army Headquarters or the Government of India. Perhaps I cannot say none, but very, very few.

Mr. Lalchand Navalrai: May I know from the Honourable Member whether he is prepared to enquire with regard to the particular incident I have brought to his notice in the question?

Mr. G. R. F. Tottenham: I see no necessity to make any enquiry on the very vague allegations which are made in the article.

Mr. Lalchand Navalrai: May I inform the Honourable Member that the matter was personally brought to my notice, and I request him to make an enquiry into the incident.

Mr. G. R. F. Tottenham: I do not gather that that is a question.

Mr. Lalchand Navalrai: I may say, I come from Sind and this incident was personally brought to my knowledge, and so this is first hand information. Therefore, I request that he may enquire into the incident and place the reply on the table.

Mr. G. R. F. Tottenham: That, Sir, does not seem to me to be a question.

Mr. Lalchand Navalrai: Will the Honourable Member make enquiries and place the reply on the table of the House?

Mr. G. R. F. Tottenham: No, Sir. I do not think it is necessary to make an enquiry.

Mr. Lalchand Navalrai: Will the Honourable Member tell me why it is not necessary?

Mr. G. R. F. Tottenham: Because the allegation is extremely vague and unsupported by facts.

Mr. Lalchand Navalrai: If the Honourable Member means that I should give more facts, I am prepared to do that.

Mr. G. R. F. Tottenham: Certainly.

SURCHARGE ON COAL FREIGHTS.

78. ***Mr. G. Morgan:** Are Government aware that the imposition of 15 per cent. surcharge on coal freights has proved a serious burden to Indian industries, and will Government be pleased to state whether the surcharge is likely to be reduced or abolished in the near future?

Mr. P. B. Rau: It has been estimated that the increase in earnings of Railways due to the surcharge is in the neighbourhood of 65 lakhs and I

am afraid the financial position of Railways at present is not such as would justify their foregoing this amount. In the absence of a marked improvement in the position of Indian Railways, Government cannot hold out any hopes of an abolition of the surcharge. I may add, however, that in view of various representations made to them on the subject, Government are considering whether the surcharge bears unduly heavily on long distance traffic and requires modification in such cases. They are collecting statistics in order to enable them to arrive at a decision.

SURCHARGE ON COAL FREIGHTS.

74. *Mr. G. Morgan: Are Government aware that since the imposition of the 15 per cent. surcharge on coal freights a large number of mills and factories have already changed over to electrical power and that if the surcharge is allowed to remain in force for any length of time it is probable that many others will change over to electricity with the result that a considerable amount of revenue from coal traffic will be lost to the Railways?

Mr. P. B. Rau: At the meeting that Sir Guthrie Russell and I had with the Indian Mining Association recently a statement was made by one of the members to the effect that the Calcutta Electric Supply Corporation had reduced their rates and that a number of jute mills had been persuaded to change over to electricity. The surcharge has increased the cost of coal in Calcutta by about 12 annas per ton and it is doubtful whether the slight saving that this implies in the cost would by itself induce mills and factories to incur additional expenditure on the entire re-equipment of mills and factories which would be necessary if they were to change over to electricity. The point, however, is receiving the consideration of the Railway Board.

Mr. N. M. Joshi: May I ask whether the Government of India look upon mills and factories using electricity with disfavour?

Mr. P. B. Rau: No; an extension of this process is inevitable.

EQUALITY IN TREATMENT OF THE INDIAN MINING ASSOCIATION AND THE INDIAN MINING FEDERATION.

75. *Mr. G. Morgan: (a) Is it a fact that the Indian Mining Association and the Indian Mining Federation are treated on an equal footing by Government?

(b) If the answer to part (a) be in the affirmative, will Government be pleased to state on what grounds both the Association and the Federation are treated alike, having regard to the fact that members of the Indian Mining Association are responsible for approximately 75 per cent. of the total output of coal?

The Honourable Sir Frank Noyce: (a) I am not sure what the Honourable Member means by "an equal footing". Government endeavour to accord equally fair treatment to all representative associations whatever their size, but this does not mean that in considering any particular question, they attach equal weight to the views of every association.

(b) Does not arise.

PURCHASE OF COAL BY STATE RAILWAYS.

76. ***Mr. G. Morgan:** (a) Will Government be pleased to state whether the fact that certain firms give the Railways much more freight than other firms, carries any weight when the purchases of coal on behalf of State Railways is decided?

(b) Will Government be pleased to lay on the table a statement showing the names of colliery concerns whose tenders for the supply of coal to the State Railways were accepted for the years 1942-83 and 1983-84 and who have failed to carry out their contract obligations?

(c) Will Government be pleased to state how the rates for the current year's contract for raising coal from railway collieries compare with the rates for the previous years contracts?

Mr. P. B. Rau: (a) The selection of coal to be purchased for State Railways is made mainly on the price and quality of the coal offered together with the distance of the colliery from the place at which the coal is required, but as the House is aware, we have for the past few years also taken into consideration the desirability of distributing the orders in order to keep as large a number of the collieries as possible in existence.

(b) Government are not aware that any have failed to carry out their obligations, but are obtaining the information and I shall lay a statement on the table in due course.

(c) Fresh tenders have been called for raising coal in State Railway Collieries but any new rates that may be decided on after considering the tenders will not have effect during the current financial year.

PLACING OF RAILWAY COLLIERIES UNDER THE CONTROL OF THE STATUTORY RAILWAY BOARD.

77. ***Mr. G. Morgan:** (a) Having regard to the fact that in the White Paper proposals it is recommended that the actual control of the administration of Railways in India should be placed in the hands of a Statutory Railway Board, will Government be pleased to state whether Railway collieries will be placed under the control of this Statutory body?

(b) Are Government aware that collieries owned by private enterprise are ready and willing to supply coal to Government departments at reasonable rates? If so, are Government prepared to recommend that Railway collieries be conserved as a national asset?

Mr. P. B. Rau: (a) Presumably so.

(b) I am glad to have that assurance from the Honourable Member, but it is quite possible that he and I might not agree to what are reasonable rates. As the House is aware, Government have already restricted raisings from railway collieries to a considerable extent and are at present taking from them not more than one-third of their total requirements. In 1934-35, State-managed Railways will raise only 1,190,000 tons from their own collieries, which is less than 45 per cent. of their present capacity. Government do not consider that it would be in the public interest to stop the working of the State Railway Collieries entirely as suggested by the Honourable Member.

SELECTION GRADE POSTS IN THE BOMBAY AND CALCUTTA GENERAL POST OFFICES.

78. *Mr. S. O. Mitra: (a) Is it a fact that selection grade posts in the grade of Rs. 250—350 in Bombay and Calcutta General Post Offices are opened in the Bombay and Bengal and Assam Circles, i.e., the senior-most official in the grade of Rs. 160—250, working in either of these towns or in mufassil, gets promotion in that grade?

(b) Is it a fact that in Calcutta these posts are exclusively being filled up by senior officials from mufassil in the grade of Rs. 160—250?

(c) Is it also a fact that during the next few years officials from the mufassil will get promotion in the grade of Rs. 250—350 and none from Calcutta?

(d) If so, why?

(e) Is it a fact that in the mufassil an official reaches the grade of Rs. 160—250 after nine or ten years' service and gains seniority, while an official of Calcutta cannot get into that grade before at least 20 years' service?

(f) Do Government realize that the officials of Calcutta have been placed in a great disadvantageous position? If so, what is the remedy?

The Honourable Sir Frank Noyce: (a) Promotions to the grade of Rs. 250—350 are made by selection from the combined list of senior officials in the grade of Rs. 160—250, whether working in the mufassil or in a Presidency town.

(b) No.

(c) The fact is probably as stated by the Honourable Member.

(d) Because the senior officials in the grade of Rs. 160—250 happen to be employed at present in the mufassil.

(e) No.

(f) No. The latter part of the question does not arise.

COMMITTEE TO ENQUIRE INTO THE POSSIBILITIES OF FURTHER ECONOMY IN THE POSTAL DEPARTMENT.

79. *Mr. S. O. Mitra: (a) Is it a fact that Government have appointed a committee, under the presidentship of Mr. S. P. Verma, to enquire into the possibilities of further economy in the Postal Department?

(b) What are the terms of reference of the said committee, and who will be members of the committee?

(c) What was the cost of the Telegraph Establishment Enquiry Committee, and what will be the cost of the proposed committee?

The Honourable Sir Frank Noyce: (a) and (b). No, but Government propose to appoint a committee to investigate and overhaul the methods of work adopted in the postal branch of the Posts and Telegraphs Department and the manner in which the strength of various kinds of personnel required in that branch is determined. The personnel of the Committee has not yet been settled.

(c) The total expenditure incurred in connexion with the Telegraph Establishment Enquiry Committee amounted to Rs. 38,126-2-0. The cost of the proposed Postal Committee is estimated at Rs. 60,000.

**EXPOSED CONDITION OF THE POST OFFICE IN THE COUNCIL HOUSE,
NEW DELHI.**

80. ***Rao Bahadur M. C. Bajah:** (a) Has the attention of Government been drawn to the exposed condition of the Post Office situated in the Council House?

(b) Do Government propose to take immediate steps to have the Post Office protected from the cold winds?

The Honourable Sir Frank Noyce: (a) I am aware that the Post Office is in a somewhat exposed position.

(b) The matter has been referred to the Public Works Department which, it is hoped, may be able to effect an improvement.

**SHORTAGE OF STAFF IN THE MONEY ORDER DEPARTMENT, CALCUTTA
GENERAL POST OFFICE.**

81. ***Mr. S. C. Mitra:** (a) Will Government be pleased to state what is the number of clerks and selection grade supervisors of the Money Order Department, Calcutta General Post Office?

(b) Is it a fact that the clerks of that department are required generally to work up to 8 P.M. every day? If so, why?

(c) Do Government propose to arrange to collect statistics of the department in order to see whether additional staff is justified or not?

(d) Is it a fact that clerks have been retrenched in many departments of the Calcutta General Post Office due to fall of traffic, but although there was increase of work in the Money Order Department additional staff was not sanctioned?

(e) Will Government please also state how many supervisory posts are justified in that department according to Mr. Bewoor's Time Test?

The Honourable Sir Frank Noyce: (a) There are 64 clerks, 4 supervisors in the selection grades and 2 supervisors in the ordinary time scale.

(b) As a general rule, the staff are not required to work after 7 P.M. The second part of the question does not arise.

(c) The matter will be reviewed by the Head of the Circle as suggested by the Honourable Member.

(d) Retrenchment was effected only in those departments in which clerical posts were found in excess of actual requirements after a review of the work. In the Money Order Department, the statistics showed a decrease in work and the question of any additional staff did not therefore arise.

(e) Ten. It may be mentioned that for purposes of determining the strength of any particular establishment Mr. Bewoor's time-tests are intended to serve as a guide and must be supplemented by an intelligent appreciation of the actual conditions and circumstances in each case.

HUNGER-STRIKE IN THE DEOLI DETENTION CAMP.

82. ***Mr. S. C. Mitra:** (a) Is it a fact that there was a hunger-strike at the Deoli Detention Camp in January, 1934?

(b) Is the hunger-strike over now?

- (c) How long did it last?
- (d) How many detenus took part in the hunger-strike?
- (e) What was the cause of the hunger-strike?
- (f) Are the hunger-strikers all well now?

The Honourable Sir Harry Haig: (a) and (b). Yes.

(c) Six days in the case of eight detenus and two days in the case of the remainder.

(d) 55.

(e) As a protest against the detention at Deoli of a man who had developed leprosy.

(f) Yes.

SUFFERING OF A DETENU AT DEOLI FROM LEPROSY.

83. *Mr. S. C. Mitra: (a) Is it a fact that one of the detenus at Deoli is suffering from leprosy?

(b) What is his name?

(c) How long has he been suffering from leprosy?

(d) Did he contract the disease while under detention?

(e) When was he brought to Deoli? Where was he before he was brought to Deoli? Had he any symptoms of the disease before he was brought to Deoli?

(f) Is it a hereditary disease in his family?

(g) How is he treated now?

(h) Is not leprosy a highly contagious disease?

The Honourable Sir Harry Haig: (a) to (e). Dhanesh Chandra Bhattacharji arrived in the Deoli Camp Jail from Hijli on the 10th July, 1933. Soon after his arrival the Medical Officer suspected that he was suffering from leprosy and his diagnosis was later confirmed by the Chief Medical Officer, Rajputana. No signs of the disease had been noticed in the Hijli Camp. I cannot say how or when he contracted the disease.

(f) I have no information.

(g) He was treated with injections and given nourishing food.

(h) The detenu was suffering from the less contagious form of the disease and was given a separate room in the jail hospital away from other detenus.

Lieut.-Colonel Sir Henry Gidney: Will the Honourable Member inform me whether it is a fact or not that leprosy is neither contagious nor an infectious disease, nor is it a disease that is hereditarily transmitted?

The Honourable Sir Harry Haig: I should be very glad if the Honourable Member will give the House the benefit of his own practical knowledge. I am afraid I am not equal to answering his question.

Mr. Lalchand Navarai: Will the Honourable Member change his method and keep him with others, if he is in favour of the reply given by Sir Henry Gidney?

The Honourable Sir Harry Haig: I thought that the Honourable Member was objecting to a particular word I used and not to the treatment which I described.

Mr. S. C. Mitra: Is it a fact that the Medical Officer, who is also a qualified man at Deoli, considers that leprosy is highly contagious and his views are opposed to those of the Honourable Colonel.

The Honourable Sir Harry Haig: The Medical Officer was certainly a well qualified doctor. I do not understand that my Honourable friend was denying that leprosy could be communicated in some form or other.

Lieut.-Colonel Sir Henry Gidney: Quite right, but we know not how it is communicated.

SUFFERING OF A DETENU AT DEOLI FROM LEPROSY.

84. ***Mr. S. C. Mitra:** (a) Was there any application from the detenu who is suffering from leprosy for transfer to Bengal or any other place? If so, when did he apply?

(b) What is the opinion of the medical officers at Deoli about the transfer of this detenu?

(c) Had the Government of Bengal any objection to his transfer?

(d) Why was not the detenu transferred for such a long time since his application?

The Honourable Sir Harry Haig: (a) to (d). The detenu asked the Superintendent in September to arrange for his transfer and as the Medical Officer also thought a transfer desirable the Chief Commissioner took the matter up with the Government of Bengal. The Government of Bengal, in view of the character of the detenu, were not in favour of his being transferred, unless it could be held that there was danger of infection. The Medical Officer at Deoli held that, though the detenu had the anæsthetic form of leprosy, the case was contagious. The Government of India, thereupon, requested the Local Government to arrange for the transfer, which they did. The detenu left Deoli on January 21st.

Mr. S. C. Mitra: Is the Honourable gentleman in a position to tell us how long he was in Hijli and whether there was any suspicion of his being attacked with leprosy while he was at Hijli?

The Honourable Sir Harry Haig: No, Sir. I have already said that no signs of the disease had been noticed in the Hijli Camp.

Mr. K. C. Neogy: Are the detenus in Hijli or elsewhere subjected to a regular medical examination apart from any specific complaint?

The Honourable Sir Harry Haig: I cannot answer that. It concerns the administration of the Government of Bengal.

FIXATION OF PAY OF INSPECTORS OF STATION ACCOUNTS.

85. ***Pandit Satyendra Nath Sen:** Is it a fact that when the old East Indian Railway Inspectors of Station Accounts, fixed up in the grades of Rs. 140—10—380, Rs. 345—15—390 and Rs. 440—20—500, were given

the option to elect the new scales of pay Rs. 150—15—270 (junior scale), and Rs. 290—20—450 (senior scale) introduced with effect from the 1st October, 1926, they were not informed that the total strength of Senior Inspectors—both old East Indian Railway and Oudh and Rohilkhand Railway—would be reduced from 16 to 10 on and from that date, and further to seven from 1929? If so, will Government be pleased to state:

- (i) why this was not done; and
- (ii) if they propose to increase the number of the Inspectors of Station Accounts, which has been greatly reduced?

Mr. P. R. Rau: Yes.

(i) It is impossible when staff are given the option to choose new scales of pay to guarantee that the cadre as it existed at the time would not be altered.

(ii) Not unless an increase is required for the work to be done.

PROVISION OF AN INTERMEDIATE CLASS WAITING ROOM FOR FEMALES AT KALKA.

80. *Mr. M. Maswood Ahmad: (a) Is it a fact that there is no intermediate class waiting room for females at the Kalka Railway Station?

(b) Are Government aware that the Indian ladies, and specially the Muslim ladies, are very much inconvenienced for want of an intermediate class waiting room at that station?

(c) Have Government or the North Western Railway Administration ever considered the question of the provision of a waiting room there? If so, when and with what result?

(d) Do Government propose to consider the desirability of bringing this matter to the notice of the Agent, North Western Railway, and the Local Advisory Committee of that Railway?

Mr. P. R. Rau: Government have no information, but have sent a copy of the question to the Agent of the North Western Railway for consideration.

Mr. M. Maswood Ahmad: Are Government aware that the majority of the *purdanashin* ladies travel in the intermediate class?

Mr. P. R. Rau: I am afraid I cannot say.

Mr. M. Maswood Ahmad: Are Government aware that even in the third and second class compartments, the *purdah* arrangement is not very satisfactory and it is not rather observed, and so *pardanashin* ladies generally travel in the intermediate class and they require an intermediate class waiting room in the big stations at least.

Mr. P. R. Rau: If my Honourable friend is raising this as a general question on all Indian Railways, I think he will have an opportunity of raising it in the Central Advisory Council for Railways, of which he is a member.

Mr. M. Maswood Ahmad: Will the Honourable Member be pleased to include this item in the agenda of the Central Advisory Council?

Mr. P. R. Rau: My Honourable friend knows the usual procedure of forwarding questions to be taken up for consideration in the Council.

Mr. M. Maswood Ahmad: Are Government aware that I gave notice of many items, but that none of them have been accepted for inclusion in the agenda?

Mr. P. R. Rau: My Honourable friend has been very diligent in collecting all sorts of subjects for inclusion in the agenda, but there are limitations of time.

Mr. M. Maswood Ahmad: Was any of my suggestions included in the Agenda at any time?

Mr. P. R. Rau: I should like to have notice of that question.

Dr. Ziauddin Ahmad: Will the Honourable Member promise that Mr. Maswood Ahmad will be more fortunate in future and that this will be included in the agenda?

Mr. P. R. Rau: My Honourable friend was himself partly responsible for Mr. Maswood Ahmad's ill fortune in the last Session.

PROVISION OF AN ADDITIONAL POINT FOR ELECTRIC LIGHT IN THE "D" TYPE ORTHODOX QUARTERS IN NEW DELHI.

87. ***Mr. M. Maswood Ahmad:** (a) Is it a fact that there is no point for electric light in one of the rooms of the "D" type orthodox quarters in New Delhi?

(b) Is it also a fact that Government have already recognised its necessity?

(c) Is it a fact that "unauthorised electric extensions" are not allowed in Government quarters in New Delhi?

(d) Is it also a fact that an extension by means of an adapter from the point in the verandah to the room which has not been provided with electric point is also forbidden? If so, will Government please state whether the use of an adapter also falls under the category of "unauthorised extension"?

(e) How much will it cost Government to provide an additional point per quarter?

(f) When do Government propose to provide this additional point?

The Honourable Sir Frank Noyce: (a) There are electric light points in all the living rooms in the 'D' class orthodox clerks' quarters in New Delhi, but there is no point in the godown.

(b) Yes, it is intended to install electric points in the godowns of all classes of orthodox clerks' quarters in New Delhi when funds permit.

(c) Yes.

(d) The use of adapters is not forbidden, provided that:

(i) the load taken by the apparatus fitted or connected to the adapter does not exceed the rated capacity of the fitting in lieu of which the adapter and apparatus are used; and

(ii) the adapter is not used for connection to wires that are exposed to and not properly protected against weather conditions.

(e) The cost of providing additional lights in all the 'D' class quarters will be roughly Rs. 13,580 for points in the godowns and Rs. 19,400 for points in the lavatories.

(f) As soon as funds are available for the purpose.

DIFFERENTIATION IN THE LEAVE SALARIES OF GOVERNMENT EMPLOYEES.

88. *Mr. M. Maswood Ahmad: (a) Is it a fact that the Government of India employees getting less than Rs. 200 per mensem, who were permanent in August 1927, are given leave on pay drawn by them in the month previous to their taking leave?

(b) Is it also a fact that the persons who were temporary in August 1927, had continuous service, and were subsequently confirmed, are given leave on the average of last twelve months' pay?

(c) Is it also a fact that Government have never differentiated in the matter of pay and allowances, etc., between the permanent and temporary employees?

(d) Is it also a fact that the new scales of pay and the new leave rules have been made applicable only to those who entered the Government service after a particular date and not to those who were temporary on that date?

(e) If the answer to part (d) above be in the affirmative, will Government please state the reasons which made them to differentiate between the temporary and permanent employees in this particular matter?

(f) Are Government prepared to consider the desirability of making the rule referred to in parts (a) and (b) uniform in respect of all Government servants whether temporary or permanent in August, 1927, and be made applicable to those only who entered Government service after August 1927?

The Honourable Sir George Schuster: (a) Non-gazetted Government servants who were holding permanent posts substantively on the 24th of August, 1927, are given the benefit of basing their leave salary on the pay which they would draw in the permanent posts held substantively at the time of taking leave, if this pay be more than average pay, provided their pay at the time of taking leave is less than Rs. 300 or the leave taken does not exceed one month.

(b) Yes.

(c) There has always been a difference between the leave given to permanent Government servants and that given to temporary Government servants. The former are governed by the Fundamental Rules and the latter by Rule 285 *et seq* of the Supplementary Rules.

(d) So far as the applicability of the new scales of pay and new leave rules is concerned, temporary Government servants who were in service on the 15th of July, 1931, are treated in the same way as permanent Government servants provided their service has been continuous. I would mention, however, that even under the new leave rules temporary Government servants are not given the same leave as permanent Government servants.

(e) and (f). The concession referred to in (a) above was reserved only for those who already enjoyed it when Fundamental Rule 87 was

amended on the 24th August, 1927. As that rule did not apply to temporary Government servants, who, as stated above, were governed by a different set of rules, no question arose of making the concession applicable to them. No temporary Government servant acquires any right under Fundamental Rule 87 until he is confirmed, and therefore in the case of those temporary Government servants confirmed subsequent to the alteration in the rule on the 24th August, 1927, there was no case for preserving to them a concession which had never been applicable to them. In these circumstances Government regret they are not prepared to accept the suggestion in part (f) of the question.

Lieut.-Colonel Sir Henry Gidney: Will the Honourable Member inform the House whether or not it is a fact that the Government of India in the Department of the Railway Board issued a communiqué on the 22nd December in which they ordered that all their servants,—permanent, temporary or employed on duties of a continuous nature and who were recruited on or after the 31st July, 1931, and in receipt of old rates of pay (in other words, their vested interests and accruing rights)—would continue to draw old rates of pay even on promotion to higher posts? If so, will the Honourable the Finance Member please state whether those orders will be equally applied to other Government Departments where recruitment has been made on a temporary basis as all Government appointments are done today?

Mr. P. B. Rau: Sir, I think I must ask for notice of that question as for the life of me I cannot see how it is relevant to the question which has just been answered.

Lieut.-Colonel Sir Henry Gidney: I am sorry, the Honourable Member has not the life in him as he says, but I have that life in me—I am sorry, but I did not ask my Honourable friend, Mr. Rau, I asked the Honourable the Finance Member, as to whether Government intended applying those orders, that had been applied to the Railway Department, to the other Government of India Departments also?

The Honourable Sir George Schuster: Sir, I must have notice of my Honourable friend's question.

UNSTARRED QUESTIONS AND ANSWERS.

SIGNALLERS AND INFERIOR SERVANTS IN THE COMBINED POSTS AND TELEGRAPHS OFFICES.

14. **Mr. S. O. Mitra:** (a) Will Government be pleased to state the number of signallers who worked in the combined offices and the number and the value of telegrams booked by them during the year 1932-33?

(b) Will Government please state how many inferior servants were engaged in the combined offices?

(c) What was the pay, pensionary charges and cost of leave provision of the staff engaged for telegraph duties in combined offices as mentioned in parts (a) and (b)?

(d) What was the proportionate rent charged to the telegraph side for the accommodation of the telegraph branch, and what was the cost of supervision?

The Honourable Sir Frank Noyce: (a) and (b) The numbers of signallers and telegraph messengers employed during 1932-33, exclusively on telegraph duties in certain combined offices were 976 and 2,106, respectively. In other combined offices both signallers and inferior servants are employed partly on postal and partly on telegraph duties. The number of such joint staff is not known separately but it is calculated that the amount of telegraph work done by them is equivalent to that of 654 whole-time signallers and 1,152 whole-time messengers.

The number and value of telegrams booked by combined offices during the year, were 95.57 lakhs and Rs. 108.3 lakhs respectively.

(c) The calculated figures are:

Pay Rs. 25,40,300, pensionary charges Rs. 2,18,700 and leave provision Rs. 1,71,800.

(d) Proportionate rent Rs. 1,20,300 and cost of supervision Rs. 3,85,200.

CLERKS AND SUPERVISORS IN CERTAIN DEPARTMENTS OF THE BOMBAY GENERAL POST OFFICE.

15. **Mr. S. C. Mitra:** Will Government be pleased to state the number of (i) clerks, (ii) supervisors in the grade of Rs. 250—350, 160—250 and time-scale employed in the Money Order and Savings Bank Departments of the Bombay General Post Office separately?

The Honourable Sir Frank Noyce: The information required by the Honourable Member is given in the sub-joined table:

Name of department.	Number of clerks.	Number of Supervisors.		
		250/350.	160/250.	Time-scale.
Money Order	39	Nil	5	Nil.
Savings Bank	21	1	3	Nil.

VISIT TO SEVERAL POST OFFICES BY TWO OFFICIALS OF THE POSTAL DEPARTMENT.

16. **Mr. S. C. Mitra:** (a) Will Government be pleased to state if it is a fact that Messrs. J. R. T. Booth, C.I.E., Senior Deputy Director General, Posts and Telegraphs, and S. P. Verma, Special Officer, Posts and Telegraphs Department, visited several post offices in January, 1934?

(b) If the reply to part (a) be in the affirmative, will Government be pleased to state what was the object of their tour and what amount has been expended for the purpose?

The Honourable Sir Frank Noyce: (a) No.

(b) Does not arise.

CLERKS AND POSTMEN IN CERTAIN HEAD POST OFFICES.

17. **Mr. S. C. Mitra:** (a) Will Government be pleased to furnish a statement showing the number of (i) clerks, and (ii) Sorting and Overseer Postmen of the following Head Offices:

Chittagong, Dacca, Mymensingh, Howrah, Patna, Agra, Allahabad, Lucknow, Bangalore, Peshawar, Meerut, Kalbadevi, Barabazar, Madura?

(b) What is the pay of the Deputy Postmasters of the above Post Offices?

(c) How many Assistant Postmasters are there in each of the above Post Offices and what is their pay?

The Honourable Sir Frank Noyce: The information required by the Honourable Member is given in the sub-joined table:

Name of Head Post Office or town sub-post office.	Number of clerks.	Number of sorting and overseer postmen.	Pay of Deputy Post-masters.	Number of Assistant Post-masters.	Pay of Assistant Post-masters.
Chittagong .	37	<i>Nil</i>	160—250	<i>Nil</i>	<i>Nil</i>
Dacca .	55	6	250—350	1	160—250
Mymensingh .	44	1	160—250	<i>Nil</i>	<i>Nil</i>
Howrah .	39	5	160—250	<i>Nil</i>	<i>Nil</i>
Bara Bazar .	56	13	160—250	2	160—250
Patna .	38	2	160—250	1	160—250
Agra . . .	35	6	160—250	2	160—250
Allahabad . . .	48	7	160—250	2	160—250
Lucknow .	59	6	250—350	3	160—250
Meerut	30	5	160—250	1	160—250
Peshawar . . .	37	2	160—250	2	160—250
Kalbadevi . . .	57	15	160—250	2	160—250
Bangalore . . .	44	5	250—350	2	160—250
Madura	30	1	250—350	1	160—250

REVERSION OF CERTAIN OFFICIALS IN THE UNITED PROVINCES POSTAL CIRCLE.

18. **Lala Rameshwar Prasad Bagla:** (a) Will Government please state whether it is a fact that about a dozen officials of Post Offices in the United Provinces Circle who were holding permanent vacant appointments in the

Rs. 160—250 grade of Sub-Divisional Inspectors and Divisional Head Clerks have been reverted by the Postmaster-General, United Provinces, to posts of ordinary clerks?

(b) How many of these officials had been provided in the grade of Rs. 160—250 as a permanent measure and without even retaining their lien on any clerical post prior to June, 1933?

(c) Is it a fact that in June 1933, Government orders were issued to Postmasters-General in India to convert the Rs. 160—250 grade posts of Town Inspectors into those of ordinary clerks in the existing and future vacancies?

(d) Is it a fact that the Postmaster-General, United Provinces, counted as existing vacancies all the posts mentioned in part (b) above and utilized them for conversion of the posts mentioned in part (c) above? Is it a fact that the above-mentioned officials had been holding their posts as a permanent measure and as permanent posts for all practical purposes? If so, why were formal orders not issued to that effect?

(e) Is it a fact that the officials mentioned in part (b) above held no clerical post or lien when they were holding the said posts in the Rs. 160—250 grade and that posts in the clerical cadre had to be found on their reversion to the cadre?

(f) Is it a fact that in all other or many other Circles in India there are still Town Inspectors in the Rs. 160—250 grade for want of vacancies while in the United Provinces all the posts in question were converted into those of clerks by dispossessing the officials mentioned in part (a) above of the vacant posts held by them in the Rs. 160—250 grade?

(g) Is it a fact that the posts in the Rs. 160—250 grade held by the officials without lien on clerical posts were not "existing vacancies" and if so, do Government propose to restore them to the posts in Rs. 160—250 grade held in June, 1933?

The Honourable Sir Frank Noyce: The matter is under enquiry and a reply will be placed on the table in due course.

DISABILITY PENSIONS GRANTED TO NON-COMBATANTS.

19. **Mr. B. V. Jadhav:** (a) With reference to the answers to parts (a) to (d) of my starred question No. 1112 given in this House on the 21st November, 1933, will Government be pleased to state whether relative rank and disability pension of non-combatants drawing Rs. 50 to Rs. 70 per mensem, when contracting disease on field service in 1914-16 and finally retiring from service in India in the years 1928 to 1930 on pay between Rs. 200 to Rs. 249 per mensem, will be assessed on their pay on field service in 1914-16 or when they finally retired from service in India in the years 1928 to 1930?

(b) Do Government propose to forward a copy of these questions and answers, together with a copy of those referred to herein, for information and necessary action, to the Controller of Military Pensions, Lahore? Are Government aware that he refuses to act according to Government interpretations unless he receives a copy officially direct from Government?

Mr. G. B. F. Tottenham: (a) The attention of the Honourable Member is invited to the answer I gave on the 4th September, 1933, to part (e) of starred question No. 591 asked by Rai Bahadur Kunwar Raghubir Singh.

(b) If the Honourable Member will let me have the particulars of the cases he has in mind the attention of the Controller of Military Accounts and Pensions, Lahore, will be invited to them.

TERRORIST CRIMES IN BENGAL.

20. **Mr. M. Maswood Ahmad:** (a) Are Government aware that the Moral and Material Report gave terrorist crimes in Bengal in 1932 as 97, whereas Sir Samuel Hoare on November 13 gave the figure as 75?

(b) Will Government be pleased to state the correct number of terrorist crimes in Bengal in 1932?

The Honourable Sir Harry Haig: (a) Yes.

(b) 96.

STUDENTS ADMITTED TO THE MILITARY ACADEMY, DEHRA DUN.

21. **Mr. Lalchand Navalrai:** (a) Will Government be pleased to state the number of students admitted to the Military Academy, Dehra Dun, since the start of the Academy?

(b) What is the number of such students now?

(c) (i) How many students left the Academy after having finished their final course; (ii) how many of them were sent to England for further training, and (iii) how many of them have been in the military service in India?

(d) How much money is being spent annually on the Academy, and what is the income thereof?

Mr. G. R. F. Tottenham: (a) 155.

(b) 145.

(c) (i) None. The first batch of cadets will complete their course in December 1934.

(ii) Does not arise. I may add that there is no intention of sending Indian Military Academy graduates to England for further training.

(iii) 62 cadets have come from the Indian Army.

(d) The annual expenditure is estimated at Rs. 7½ lakhs and the annual income at Rs. 1½ lakhs.

DEPRECIATION FUND OF THE POSTS AND TELEGRAPHS DEPARTMENT AND CAPITAL ADVANCED TO THAT DEPARTMENT FOR CAPITAL OUTLAY.

22. **Mr. S. C. Mitra:** Will Government be pleased to furnish the following information:

- (i) Total amount of Depreciation Fund of the Indian Posts and Telegraphs Department up to the close of the year 1932-33 and amount added in the year 1933-34;
- (ii) Income from the accumulation of the Depreciation Fund in the year 1932-33 and in the year 1933-34;
- (iii) Total amount of Capital advanced by the Government of India to the Posts and Telegraphs Department for the Capital outlay of the Department up to the year 1932-33 and in the year 1933-34; and

- (iv) Interest paid by the Department to the Government of India for the Capital outlay in the year 1932-33 and in the year 1933-34 ?

The Honourable Sir Frank Noyce: (i) Rs. 2,69,42,351 at the close of the year 1932-33. The estimate for the addition during the year 1933-34 is Rs. 36,34,000.

(ii) The interest on the balance of the Depreciation Fund amounted to Rs. 13,65,892. For 1933-34 the estimated amount is Rs. 15,89,000.

(iii) On the assumption that the Honourable Member refers to capital outlay on fixed assets of the Department the amount advanced up to 1932-33, and inclusive of an increase of Rs. 84,50,236 adjusted on the recommendation of the Posts and Telegraphs Accounts Enquiry Committee, was Rs. 16,22,16,679 while that during 1933-34 is estimated to be Rs. 26,48,500.

(iv) The interest paid on outlay on fixed assets in 1932-33 was Rs. 73,96,431 and that likely to be paid during 1933-34 is Rs. 76,48,392.

STAFF IN THE KALBADEVI AND MANDVI POST OFFICES IN BOMBAY.

23. **Mr. S. C. Mitra:** Will Government please furnish a statement showing (i) the number of selection grade officials excluding Postmaster; (ii) the number of clerks; and (iii) the number of time-scale supervisors in the Kalbadevi and Mandvi Post Offices in Bombay ?

The Honourable Sir Frank Noyce: A statement containing the required information is subjoined:

Name of post office.	No. of Selection grade officials excluding Post-master.	No. of clerks.	No. of time-scale Supervisors.
Kalbadevi Post Office . . .	4	57	Nil.
Mandvi Post Office . . .	2	43	1

RETRENCHMENT OF TELEGRAPHISTS AND TELEGRAPH MASTERS.

24. **Mr. S. C. Mitra:** (a) Will Government please state (i) the number of Telegraphists, and (ii) the number of Telegraph Masters who worked during the year 1932-33 and up to the 31st December, 1933 ?

(b) Will Government please state how many posts of Telegraph Masters and Telegraphists have been retrenched according to the recommendation of the Telegraphs Establishment Enquiry Committee ?

(c) How many posts of officers were retrenched up to the 31st December, 1933 ?

The Honourable Sir Frank Noyce: (a) (i) The number of telegraphists (including those who officiated as telegraph masters) on the 31st March, 1933, and the 31st December, 1933, was 2,501 and 2,470, respectively.

(ii) Corresponding figures for permanent telegraph masters were 224 and 192.

(b) Government have not yet come to any decision on the recommendations of the Committee.

(c) 91.

**CLERKS AND SUPERVISORS IN THE SAVINGS BANK DEPARTMENT, CALCUTTA
GENERAL POST OFFICES.**

25. Mr. S. C. Mitra: Will Government please submit a statement showing the number of clerks and selection grade supervisors of the Savings Bank Department, Calcutta General Post Office?

The Honourable Sir Frank Noyce: There are 30 clerks and three selection grade supervisors.

HOSIERY FACTORIES IN INDIA.

26. Mr. A. H. Ghuznavi: Will Government be pleased to lay on the table:

- (i) a complete list of hosiery factories in India, to be shown province by province;
- (ii) the dates on which these hosiery factories were started;
- (iii) the respective capitals of these factories;
- (iv) if they are all in running condition;
- (v) the average output of each factory; and
- (vi) the average number of persons (men, women and children) employed daily in 1930, 1931, 1932 and 1933?

The Honourable Sir Frank Noyce: I lay on the table a statement showing the number of hosiery factories in each province and the average number of operatives employed in these factories in each province in each of the three years specified. The statement relates only to factories coming under the Indian Factories Act. My Department has also a list of hosiery factories known to the All-India Hosiery Manufacturers Association, Cawnpore. This apparently includes a number which are not registered as factories and it gives the approximate "capacity of labourers" against each. While I cannot vouch for the accuracy of this list, any Honourable Member who desires is at liberty to inspect it. I regret that the further particulars desired by the Honourable Member are not available and that their collection would involve an amount of investigation entirely incommensurate with the value of the results.

Statement showing the number of Hosiery Factories in India and the average daily number of persons employed in them.

Province.	1930.		1931.		1932.		1933.
	No. of Fac- tories.	Average daily No. of persons employed.	No. of Fac- tories.	Average daily No. of persons employed.	No. of Fac- tories.	Average daily No. of persons employed.	
Madras . . .	13	562	12	579	10	764	(Figures not available.)
Bombay . . .	8	770	7	847	8	802	
Bengal . . .	16	826	15	567	15	664	
United Provinces . . .	..	..	..	..	..	..
Punjab . . .	2	177	6	297	10	374	
Burma . . .	1	47	2	283	2	366	
Bihar and Orissa . . .	1	60	..	..	..	90
Delhi . . .	..	..	..	..	1	..
Total . . .	41	2,442	42	2,573	46	3,060	

STATUS OF TEACHERS OF THE INDIAN RAILWAY INDIAN SCHOOLS.

27. **Mr. A. Das:** With reference to my starred question No. 597, to which Government replied on the 4th September, 1933 that they were making enquiries into the matter and to my question No. 599 to which they replied on the same date that they were obtaining information from the Agent, East Indian Railway, will Government please state if they are now in a position to supply the information required?

Mr. P. R. Rau: The information was laid on the table on the 29th January.

STATUS OF TEACHERS OF THE EAST INDIAN RAILWAY INDIAN SCHOOLS.

28. **Mr. A. Das:** With reference to the answer to my question No. 600, part (b) dated the 4th September, 1933 that they were sending a copy of the question to the Agent, East Indian Railway, for any action that may be considered necessary, are Government prepared to enquire what action has been taken by the Agent?

Mr. P. R. Rau: The information was laid on the table on the 31st January.

STATUS OF TEACHERS OF THE EAST INDIAN RAILWAY INDIAN SCHOOLS.

29. **Mr. A. Das:** With reference to the answer to my starred question No. 602, dated the 4th September, 1933 regarding status of teachers of the East Indian Railway Schools, that certain information was being obtained to enable them to give a complete reply to that question, will Government be pleased to state if the information has been obtained? And when will the reply be laid on the table of this House?

Mr. P. R. Rau: The information was laid on the table on the 29th January.

MESSAGES FROM HIS EXCELLENCY THE VICEROY AND GOVERNOR GENERAL.

Mr. President (The Honourable Sir Shanmukham Chetty): I have received three communications from His Excellency the Viceroy and Governor General, regarding the Railway and the General Budgets and I will read them to Honourable Members.

(The Assembly then received the Messages standing.)

"ORDER."

For the purposes of sub-section (1) of section 67A of the Government of India Act and in pursuance of rules 43, 46 and 47 of the Indian Legislative Rules, I, Freeman, Earl of Willingdon, hereby appoint the following days for the presentation to the Legislative Assembly of the statement of the estimated annual expenditure and revenue

of the Governor General in Council in respect of Railways and for the subsequent stages in respect thereof in the Legislative Assembly, namely :

Saturday, the 17th February at 11 A.M.	. . . . .	Presentation in the Legislative Assembly.
Monday, the 19th February	. . . . .	General discussion in the Legislative Assembly.
Wednesday, the 21st February	. . . . .	} Voting on Demands for Grants in the Legislative Assembly.
Thursday, the 22nd February	
Friday, the 23rd February	
Saturday, the 24th February	

(Sd.) WILLINGDON,

Viceroy and Governor General."

NEW DELHI;

The 2nd February, 1934.

The second Order runs as follows :

"ORDER.

For the purposes of sub-section (1) of section 67A of the Government of India Act and in pursuance of rules 43, 46 and 47 of the Indian Legislative Rules, I, Freeman, Earl of Willingdon, hereby appoint the following days for the presentation to the Legislative Assembly of the statement of the estimated annual expenditure and revenue of the Governor General in Council in respect of subjects other than Railways and for the subsequent stages in respect thereof in the Legislative Assembly, namely :

Tuesday, the 27th February at 5 P.M.	Presentation in the Legislative Assembly.
Friday, the 2nd March	} General discussion in the Legislative Assembly.
Saturday, the 3rd March	
Tuesday, the 6th March	} Voting on Demands for Grants in the Legislative Assembly.
Wednesday, 7th March	
Thursday, the 8th March	
Friday, the 9th March	
Saturday, the 10th March.	

(Sd.) WILLINGDON,

Viceroy and Governor General."

NEW DELHI;

The 2nd February, 1934.

The third Order is as follows :

"ORDER.

In pursuance of the provisions of sub-section (3) of section 67A of the Government of India Act, I hereby direct that the heads of expenditure specified in that sub-section shall be open to discussion by the Legislative Assembly when the Budget is under consideration.

(Sd.) WILLINGDON,

Viceroy and Governor General."

NEW DELHI;

The 2nd February, 1934.

As a result of the fixing of the dates for the Railway and the General Budgets, I have made a slight alteration in the programme of work during February and March and a communication will be sent to Honourable Members in due course.

LETTER FROM THE PRIVATE SECRETARY TO HIS EXCELLENCY
THE GOVERNOR OF BIHAR AND ORISSA CONVEYING HIS
EXCELLENCY'S THANKS FOR ASSEMBLY'S EXPRESSIONS
OF SYMPATHY WITH THE EARTHQUAKE SUFFERERS.

Mr. President (The Honourable Sir Shanmukham Chetty): I have received the following letter from the Private Secretary to His Excellency the Governor of Bihar and Orissa:

"Sir, His Excellency desires me to ask you to convey his thanks to the Honourable the President and to the Members of the Legislative Assembly for their expressions of sympathy with the people of Bihar and Orissa who have suffered in the recent earthquake and to assure them that his Government is doing all they can to alleviate their distress."

ELECTION OF MEMBERS TO THE FUEL OIL COMMITTEE.

Mr. President (The Honourable Sir Shanmukham Chetty): I have to inform the Assembly that up to 12 noon on Friday, the 2nd February, 1934, the time fixed for receiving nominations for the Fuel Oil Committee six nominations were received. As the number of candidates is equal to the number of vacancies I declare the following to be duly elected:

Mr. R. S. Sarma,

Khan Bahadur Haji Wajihuddin,

Mr. E. S. Millar,

Haji Chaudhury Muhammad Ismail Khan,

Mr. Amar Nath Dutt, and

Mr. Rahimtoola M. Chinoy.

STATEMENTS LAID ON THE TABLE. 6

The Honourable Sir Joseph Bhore (Member for Commerce and Railways): Sir, I lay on the table the information promised in reply to part (a) of starred question No. 1288, asked by Mr. B. R. Puri, on the 7th December, 1933, regarding iron and steel purchased in India and imported into India.

IRON AND STEEL PURCHASED IN INDIA AND IMPORTED INTO INDIA.

Statement showing the tonnage of Iron and Steel Products purchased by the Army Department during the period 1st April 1928 to 15th December 1933.

Period.	Imported.	Indigenous.		Total.	Remarks.
		Purchases from Tatas.	Purchases from other Indian Sources.		
(1)	(2)	(3)	(4)	(5)	(6)
	Tons.	Tons.	Tons.	Tons.	
1st April 1928 to 15th December 1933.	1,622	336	1,242	3,200	Figures for the previous years are not available. The figures given in this statement exclude petty casual purchases.

Statement showing the value of important purchases of iron and steel made by Indian Stores Department during the years 1924-25 to 1932-33.

	Total important purchases (Indigenous and Imported) Items totalling Rs. 50,000 and above.	Important Indigenous Purchases. Items totalling Rs. 10,000 and above.	Remarks.
	Rs.	Rs.	
1924-25 .	12,16,000	Information not available.	The figures in this statement do not include unimportant items or items which form part of finished engineering equipment or projects, such as generating stations, water supply installations, etc. Particulars of purchases made from Tatas and other Indian sources are not available separately.
1925-26 .	7,39,000		
1926-27 .	36,14,000		
1927-28 .	40,77,000		
1928-29 .	37,55,000	6,91,000	
1929-30 .	86,70,000	11,33,000	
1930-31 .	55,30,000	21,00,000	
1931-32 .	32,58,000	13,11,000	
1932-33 .	40,13,000	12,84,000	
Total	3,48,72,000	65,19,000	

Statement showing the tonnage of Iron and Steel Products purchased by Indian Telegraphs Department during the period 1st June 1924 to 30th November 1933.

	Imported.	Indigenous.		
		Purchases from Tatas.	Purchases from other sources in India.	Total.
		Tons.	Tons.	Tons.
1st June 1924 to 31st March 1925	361	980	142	1,483
1925-26	361	2,394	319	2,713
1926-27	361	2,366	1,391	3,757
1927-28		4,110	2,098	6,208
1928-29		4,389	3,937	8,326
1929-30		1,862	2,621	4,483
1930-31		3,546	2,415	5,961
1931-32		856	1,329	2,185
1932-33		223	1,096	1,319
1st April 1933 to 30th November 1933			125	125
Total	361	20,726	15,373	36,460

Statement showing tonnage of rails and fishplates purchased by Class I railways (except His Exalted Highness the Nizam's State Railway) from Tatas and from abroad during the years 1926-27 to 1932-33.

Year.	Rails and fishplates purchased from Tatas.	Rails of foreign manufacture.	Total.
	Tons.	Tons.	
1926-27	1,44,119	Information not available.	Information not available.
1927-28	1,89,027	89,931	2,78,958
1928-29	61,752	34,098	95,850
1929-30	1,20,854	2,478	1,23,332
1930-31	95,659	260	95,919
1931-32	82,240	} Information is not available. Quantities are negligible.	
1932-33	37,725		
Total	7,31,376		

Statement showing the numbers of steel sleepers of foreign and indigenous manufacture paid for by Class I Railway (excluding Jodhpur and His Exalted Highness the Nizam's State Railways) during the years 1925-26 to 1932-33.

Year.	Wholly imported.	Wholly of Indian Manufacture.	Supplied partly in India and partly from abroad.	Total.
	No.	No.	No.	No.
<i>Broad Gauge.</i>				
1925-26	3,99,278	57,060	Nil	4,56,338
1926-27	4,37,394	87,250	8,750	5,33,394
1927-28	17,88,260	73,200	1,87,800	20,49,260
1928-29	4,69,399	Nil	8,26,233	12,95,632
1929-30	1,04,026	1,08,178	7,45,036	9,57,240
1930-31	Nil	2,11,854	10,792	2,22,646
1931-32	Nil	1,23,200	1,41,302	2,64,502
1932-33	Nil	195	96,144	96,339
Total	31,98,357	6,60,937	20,16,057	58,75,351
<i>Metre Gauge.</i>				
1925-26	3,21,911	..	..	3,21,911
1926-27	4,26,146	85,500	..	5,11,646
1927-28	6,79,592	..	..	6,79,592
1928-29	5,36,897	..	..	5,36,897
1929-30	1,46,716	..	..	1,46,716
1930-31	13,603	..	..	13,603
1931-32	..	Nil	..	..
1932-33	..	Nil	..	..
Total	21,24,865	85,500	..	22,10,365

Statement showing numbers of Cast Iron Sleepers of foreign and indigenous manufacture paid for by Class I Railways (except Jodhpur and His Exalted Highness the Nizam's State Railways) during the years 1925-26 to 1932-33.

Year.	Wholly Imported.	Wholly of Indian Manufacture.	Supplied partly in India and partly from abroad.	Total.
	No.	No.	No.	No.
<i>Broad Gauge.</i>				
1925-26	..	75,900	67,776	1,43,676
1926-27	..	4,51,334	1,50,000	6,01,334
1927-28	..	2,01,200	10,31,931	12,33,131
1928-29	..	3,09,450	3,30,500	6,39,950
1929-30	10,007	4,01,011	3,24,000	7,35,018
1930-31	..	45,100	1,93,800	2,38,900
1931-32	..	4,04,200	2,61,815	6,66,015
1932-33	..	32	..	32
Total	10,007	18,88,227	23,59,822	42,58,056

Year.	Wholly imported.	Wholly of Indian Manufacture.	Supplied partly in India and partly from abroad.	Total.
	No.	No.	No.	No.
<i>Metre Gauge.</i>				
1925-26	..	..	18,520	18,520
1926-27	..	..	..	..
1927-28	47,000	..	..	47,000
1928-29	..	..	..	..
1929-30	..	..	..	..
1930-31	..	..	..	..
1931-32	..	..	..	..
1932-33	..	..	..	..
Total	47,000	..	18,520	65,520

Statement showing numbers of wagons and carriage underframes purchased by Railways for their requirements for the years 1928-29 to 1932-33.

Year.	Foreign Manufacture.			Indian Manufacture.		
	Carriage underframes.	Wagons.	Total.	Carriage underframes.	Wagons.	Total.
	No.	No.	No.	No.	No.	No.
<i>Broad Gauge.</i>						
1928-29	..	7	7	546	426	972
1929-30	..	54*	54	450*	2,593*	3,043
1930-31	275	1,141	1,416
1931-32	266	2,853	3,119
1932-33	28	696	724
Total	..	61	61	1,565	7,709	9,274
<i>Metre Gauge.</i>						
1928-29	87	2	89	352	1,069	1,421
1929-30	..†	256†	256†	134†	515†	649†
1930-31	246	1,314	1,560
1931-32	..	15	15	24	1,082	1,106
1932-33	11	145	156
Total	87	273	360	767	4,125	4,892
<i>Narrow Gauge.</i>						
1928-29	..	N	I	L	..	..
1929-30	45	46	91
1930-31	..	N	I	L	..	..
1931-32	..	N	I	L	..	..
1932-33	6	..	6
Total	51	46	97

* In addition orders were placed for 120 wagons but their country of manufacture is not known.

† In addition orders were placed for 39 carriage underframes and 235 wagons but their country of manufacture is not known.

Mr. G. R. F. Tottenham (Army Secretary): Sir, I lay on the table the information promised in reply to unstarred question No. 326 asked by Mr. S. G. Jog on the 14th December, 1933.

RECOMMENDATION No. V OF THE WAR PENSIONS COMMITTEE.

326. (a) The attention of Government had not previously been drawn to this letter which has since been cancelled. Government accepted recommendation No. V of the War Pensions Committee in the words in which it was expressed.

(b) Does not arise.

Mr. P. R. Rau (Financial Commissioner, Railways): Sir, I lay on the table:

- (i) the information promised in reply to starred questions Nos. 302, 304, 305 and 306 asked by Mr. M. Maswood Ahmad on the 31st August, 1933;
- (ii) the information promised in reply to starred question No. 552 asked by Mr. A. Das on the 4th September, 1933;
- (iii) the information promised in reply to starred questions Nos. 1009 and 1010 asked by Mr. Muhammad Azhar Ali on the 18th September, 1933; and
- (iv) the information promised in reply to parts (b) to (g) of starred question No. 1332 asked by Mr. S. G. Jog on the 11th December, 1933.

RACIAL DISCRIMINATION IN THE JAMALPUR WORKSHOPS, EAST INDIAN RAILWAY.

*302. (a) The Agent of the East Indian Railway has assured Government that there is no such discrimination.

(b) (i) Yes.

(ii) It was necessary to have a higher scale for Scheduling Supervisors when the Production Department was started, but this rate was too high as a permanency and it has therefore been subsequently reduced.

(c) I am informed that there has been no change in the hours of attendance since the creation of the post.

COMMUNAL COMPOSITION OF APPRENTICES NOMINATED TO THE WELDING DEPARTMENT, JAMALPUR RAILWAY WORKSHOPS.

*304. (a) The Agent of the East Indian Railway reports as follows:

Welding was first introduced at Jamalpur Workshops some years ago and as it was difficult at that time to obtain trained Welders, the arrangement was to have one of the Jamalpur men to be trained by a Calcutta firm and then, after he had received his training and fully qualified himself as a Welder, for him to train others engaged as Probationary Welders.

Welding was introduced at Lilloah and Lucknow Workshops at a later date, their requirements were met either from Jamalpur or from recruitment outside. Staff who showed an aptitude for this particular work have from time to time been selected for training in welding work.

The period of probationary training for Welders at Jamalpur is 2 years. These Probationary Welders should not be confused with Apprentice Mechanics or Trade Apprentices, who on completion of their requisite period of training (i.e., 5 years) are

appointed respectively in grades Rs. 110/150—20—250 and 18—2—38. Two classes of Probationary Welders are trained at Jamalpur—Class I—1st year Rs. 30 per mensem, and second year Rs. 60. On satisfactory completion of their training, they are eligible for appointment in grade Rs. 90—15—250. The lower class is selected from Trade Apprentices who normally are recruited in grade Rs. 8—1—12. On satisfactory completion of training, they are engaged as second class Welder Mistries grade Rs. 18/22—2—38 and employed on welding work of lesser importance.

	Hindus.	Muham- medans.	Indian Christians.
1929	3	..	..
1930	4	2	..
1931	6		1
1932	1	..	..
1933	2	..	1
	16	2	2
	20		

Five Probationer Welders have been appointed during the last five years in the Welding Department as under :

	Europeans and Anglo- Indians.	Hindus.	Muham- medans.
1929 . . . . .	..		..
1930	2		..
1931	1	..	..
1932	*1	*1 (since discharged).	..
1933 . . . . .	..	..	..

RACIAL DISCRIMINATION IN THE JAMALPUR WORKSHOPS, EAST INDIAN RAILWAY.

*305. (a) The Agent reports that this is not so.

(b) There is no Non-Indian Chargeman in the Blacksmith Shop in charge of smithy work who has not had the requisite blacksmith training. Chargemen are not classified as senior and Junior. There are different grades of chargemen and promotion from one grade to another is made according to seniority and merit. At present there is one Indian in the grade of Rs. 110 to 250.

OVERLOOKING OF CLAIMS OF TRAINED INDIANS IN THE JAMALPUR WORKSHOPS, EAST INDIAN RAILWAY.

*306. The Agent reports that both these statements are incorrect.

ADVERTISEMENT FOR PROBATIONERS FOR CERTAIN POSTS AT THE RAILWAY SCHOOL, CHANDAUSI.

*552. (a), (d) and (e). The Agent, East Indian Railway reports that at the time when the advertisement was inserted, it was possible for the administration to obtain the required number of non-Muslim candidates from the register of candidates which was maintained but the required number of qualified Muslim candidates was not available from the register, which necessitated the calling of applications from Muslim candidates by advertisement. The registers have since been abolished and applications from all candidates for such posts in future will be called for by advertisement.

(b) No.

(c) The present policy of the Railway Board in the matter of fresh recruitment is to reserve 35 per cent. of vacancies for the redress of marked communal inequalities.

DEMOTION OF CERTAIN INSPECTORS OF CREWS, EAST INDIAN RAILWAY.

*1009. (a) Yes. They were temporary employees and subject to 24 hours notice. This notice was given.

(b) Yes, except to those whose services were not required.

(c) No definite time can be laid down after which a temporary system may be considered permanent. The opinion expressed by the Railway Board at one of their meetings with the All-India Railwaymen's Federation referred to by the Hon'ble Member was in respect of the staff employed in permanent posts. So far as temporary posts are concerned, no age limit was imposed and the crew staff were absorbed in the Moody-Ward system irrespective of their age.

(d) No. The Hon'ble member does not apparently appreciate the technical distinction between declaring a man as a substantive holder of a temporary post and confirming him in a permanent post.

(e) No.

DEMOTION OF CERTAIN INSPECTORS OF CREWS, EAST INDIAN RAILWAY.

*1010. (a) Government are informed that there is a difference between the duties and responsibilities of Inspectors of Crews under the Crew System and Inspectors of Tickets under the Moody-Ward System. The latter part of the question does not arise.

(b) Yes.

(c) Yes. The Inspectors of the Crew System were absorbed under the Moody-Ward Scheme in grades suited to their seniority and efficiency taking into consideration their past service. There is nothing in the rules for the recruitment and training of subordinate staff to prevent the absorption of existing staff in vacancies in any group for which they may be suited.

(d) The Inspectors of Crews referred to were absorbed in the Moody-Ward system on the following rates of pay as they were considered suitable to fill those posts.

	Appointed on	Pay previously drawn.
M. Latif	320	320
A. G. Khan	200	200
C. Dunwell	220	260

EAST INDIAN RAILWAY TRAINING SCHOOL, CHANDAUSI.

*1332. (b) The Honourable Member refers presumably to the Superintendent of the Chandausi Training School, an institution which is under the administrative control of the Agent, East Indian Railway. The Superintendent of the school has to visit

Calcutta periodically, and also to visit Moradabad frequently to see the Divisional Superintendent in connection with routine matters concerning the school.

(c) He holds a nickel pass.

(d) The following four card passes have been issued :—

(i) A third class provision pass between Chandausi and Moradabad in favour of one servant of the Superintendent.

(ii) A second class pass between Moradabad and Bareilly *via* Chandausi, for one Instructor with 5 family members. (This has since been withdrawn).

(iii) An inter class pass between Bareilly and Moradabad *via* Chandausi for one Instructor with 5 family members. (This has since been withdrawn).

(iv) A third class duty pass for one peon from any station to any station.

(e) Yes. The provision pass enables the staff to obtain such fresh and selected provisions as are not available at Chandausi.

(f) The Station master can issue passes only to the staff working directly under him. The Superintendent, Chandausi Training School, is fully authorised to issue passes to all staff under him. When journeys have to be undertaken frequently it is the usual practice to issue card passes.

(g) The Railway Administration report that there was no averted collision, hence no enquiry was necessary, and the question of punishment to the Superintendent does not arise.

THE INDIAN TARIFF (AMENDMENT) BILL.

PRESENTATION OF THE REPORT OF THE SELECT COMMITTEE.

The Honourable Sir Joseph Bhore (Member for Commerce and Railways): Sir, I beg to present the Report of the Select Committee on the Bill further to amend the Indian Tariff Act, 1894, for certain purposes.

DEATH OF MR. A. RANGASWAMI IYENGAR.

The Honourable Sir Brojendra Mitter (Leader of the House): Sir, before we take up the business of the day, permit me to mention a very sad event. The news of the death of Mr. A. Rangaswami Iyengar has come as a great shock to us. Mr. Rangaswami Iyengar was a publicist of a fine type: extraordinarily well-informed, acute in intellect, and balanced in judgment. Sir, we on the Government Benches always welcomed his criticisms, for they were made with knowledge, without malice and expressed with moderation, without bitterness. Sir, he was a prominent Member of the Opposition for some years and he earned the esteem and affection of every section in this House. (Hear, hear.) I had the good fortune of a close acquaintance with Mr. Rangaswami Iyengar, and I know that he was not a dilettante politician. He took his profession seriously and followed it with dignity. Sir, he was an ardent patriot and there was not a trace of self in his patriotism. As we all know, for many years he edited that great newspaper. The *Hindu* of Madras—the most responsible and the best conducted Indian-managed paper in India. Sir, Mr. Rangaswami Iyengar was a man of innate modesty and a singular charm of manner. He was a loyal friend, an honourable opponent and always a most agreeable companion. His death is a great loss to the country. Sir, I request you to convey to the bereaved family the sorrow of all sections of this House, and not the least of the Members who sit on these Benches.

Sir Abdur Rahim (Calcutta and Suburbs: Muhammadan Urban): Sir I associate myself wholeheartedly with all that has fallen from the Honourable the Leader of the House. I knew Mr. Rangaswami Iyengar for many years before he became the editor of the *Hindu* and I can personally testify in what great esteem he was held by everybody that knew him. He edited the *Hindu* with singular ability and fairness and it is no exaggeration to say, as has been said by Sir Brojendra Mitter, that it is one of the best conducted papers throughout India. The personal qualities of the deceased were well known to every one who came into contact with him. He was a man, not only of considerable knowledge of public affairs, but one who expressed himself without any bitterness, but with absolute sincerity and the force that arises from conviction. Sir, the death of such a man is a great loss to the public life of India, and I agree that a message of condolence be sent by this Assembly to his bereaved family.

Mr. K. O. Neogy (Dacca Division: Non-Muhammadan Rural): Sir, I desire to associate my friends and myself with all that has fallen from the previous speakers. I had the privilege of enjoying the personal friendship of the late Mr. Rangaswami Iyengar and I feel his death as a personal loss today. Sir, Mr. Rangaswami Iyengar will be remembered by this Legislature as the Secretary of the Swaraj Party, and those who know anything about the inner workings of that Party will testify that he was really the power behind the throne in that Party, but although he was so prominently connected with the Swaraj Party, he had essentially a cross-bench mentality and he was always able to take an impartial view of things. We mourn his death all the more today, because, at this particular moment, we need men of his type who would be able to transcend party limitations and party shibboleths. Sir, if the loss to the ranks of Indian nationalists is great, the loss to Indian journalism is absolutely irreparable. Sir, I desire to support, on behalf of my Party, the suggestion that has fallen from the Honourable the Leader of the House that a message of condolence should be sent to the relatives of the deceased on behalf of this House.

Raja Bahadur G. Krishnamachariar (Tanjore cum Trichinopoly: Non-Muhammadan Rural): Sir, I had known Mr. Rangaswami Iyengar for a very very long time now. Certainly from the time when he was the Editor of the Tamil newspaper, *Swadeshmitran*, he had raised the level of vernacular newspapers in Madras to a very great extent, so much so that they do not today lag behind any of the best Indian edited English newspaper, and that in Madras being the *Hindu* itself. Sir, after the late Mr. Kasturiranga Iyengar bought the *Hindu*, he raised the level of that paper even higher than what my friend, the late Subramanya Aiyer did. After him the versatile Rangaswami, son of the late Diwan Bahadur Srinivasa Iyengar, kept up the tradition of the *Hindu* which the late Mr. Rangaswami Iyengar had still further raised. Everybody in Southern India know Mr. Rangaswami Iyengar very well, and, to us, the landholders of the Madras Presidency, his loss is irreparable, because he had studied that subject in a way that very few persons had and his help both in his newspapers and as a chairman of meetings occasionally held was always valuable. It is a great pity that at this juncture, when we are spending all our energies to induce the Government to give us some sort of relief, his invaluable aid has been lost to us. But, Sir, that is God's will and His will be done. I entirely associate myself with what my Honourable

[Raja Bahadur G. Krishnamachariar.]

Friend, the Leader of the House, said both as to his capacity, character and attainments and also with the request that he made that you would kindly send a message of condolence from this House to his relatives.

Sir Hari Singh Gour (Central Provinces Hindi Divisions: Non-Muhammadan): Sir, the untimely death of Mr. Rangaswami Iyengar will create a void in the ranks of journalism as it will create a void in the small rank of politicians who have been urging for a long time past for constitutional progress in this country. Not many months ago, I had the privilege of sitting by his side in another place fashioning the future Constitution of this country, and those who were his colleagues will bear testimony to the fact that amongst the members of the Indian Delegation there was none who excelled him in his indefatigable industry and in the mastery of facts which he brought to bear upon the deliberations of the Joint Select Committee. When at last he decided to retire from his work on that Committee, the members of the Delegation felt that they had suffered a loss of one who had made the cause of India his own personal cause and who had struggled both within and outside the Joint Committee for the future reforms of this country which, I am certain, will be very largely influenced by his skilful and adroit advocacy on that body. Sir, I knew Mr. Rangaswami Iyengar occupying the Opposition Benches in the second Assembly and I remember the skill and care and, indeed, the moderation with which he used to present the case of his Party to the Government. Mr. Rangaswami Iyengar was popular with the occupants of the Treasury Benches by possessing the qualities to which the Honourable the Leader of the House has so aptly alluded. As a friend, his loss will be mourned by a wide circle of his compatriots throughout the length and breadth of this country. As a Member of the Assembly, we mourn his loss today, as a journalist, his loss is irreparable as he had been occupying the Editorial Chair of that great newspaper, the *Hindu* of Madras. Sir, I associate myself with all that has fallen from the lips of the Honourable the Leader of the House and other previous speakers.

Mr. F. E. James (Madras: European): Sir, my Leader, Sir Leslie Hudson, has generously permitted me to speak on this occasion on behalf of the European Group as I enjoyed for many years the personal friendship of Mr. Rangaswami Iyengar. In fact his friendship was one of the first privileges which I received when I first came to this country and that friendship has continued undiminished through all the stormy years of the past decade until his death. Reference has been made to his work as the General Secretary of the Indian National Congress, to his work as Secretary of the Swaraj Party in this House and to his work in London at the Round Table Conference and at the Joint Select Committee. He was frail in body, and anyone who met him could not but realise that there was within him a consuming and burning fire which kept him striving ceaselessly in spite of increasing ill-health. He was a nationalist in the best sense of the word. He believed tremendously in his country's destiny, not for itself, but in the destiny of India on a world stage. Reference has also been made to his work as a journalist. I believe it is largely due to his work that the *Hindu* has been raised to the position of one of the most outstanding journals in India. His own articles, which one reads with avidity, reveal a wide culture, a polished style and an eloquent advocacy which gave them a tremendous influence over public

opinion in this country. I doubt whether there is any journalist in India who, through his own leading articles, has exercised such a wide and far-reaching influence upon public opinion. Sir, men come and men go. Some leave the world a richer place and some leave the world a poorer place. Mr. Rangaswami Iyengar left India immeasurably richer by his life and work although we feel his loss today. I desire to pay this tribute on behalf of my European colleagues and to join in the wish that our sympathies should be sent to his relatives.

Mr. Vidya Sagar Pandya (Madras: Indian Commerce): Sir, before I left Madras last, I went to see Mr. Rangaswami Iyengar. He was lying on his sick bed not doing well. He had some trouble in the stomach and his condition appeared rather serious. The doctors would not allow people to see the patient, but as he insisted on seeing me, I was allowed to see him. I cheered him up, but still he felt that his end was near. I never thought that his end was so near and we, his friends, expected that he would recover and he would still be of service to his country. But God willed otherwise. In this House, probably with the exception of the Honourable Raja Bahadur Krishnamachariar, I can claim the longest period of friendship with him. I met him first in 1907 when I went to Madras in connection with the first banking institution with which I was connected. At that time the *Hindu* was being conducted by his uncle, the late Mr. Kasturiranga Iyengar and, as the Raja Bahadur has said, the *Hindu* had a chequered career till it was taken up by the late Mr. Kasturiranga Iyengar, and, after the said demise of Mr. Kasturiranga Iyengar, we felt whether it would be possible to maintain the standard of that journal to that high level and foremost position to which the late Mr. Kasturiranga Iyengar had brought it to. But I might say that he maintained the high standard of the newspaper and conducted it with that ability and with that zeal and with that patriotism, and it still holds the first and foremost place among the daily newspapers in India. You know, Sir, in these days of Press Laws and repression, it is a very difficult task for a newspaper editor to do his duty and place the public point of view freely and properly, but the late Mr. Rangaswami Iyengar fought the battle of his country most fearlessly and he never missed an opportunity of criticising the Government whenever an occasion arose. He was a gentleman who was quite prepared to help the Government when they were in the right and, at the same time, when he felt, that Government were not doing their duty properly to the country, he came forward and fearlessly opposed the Government and laid the case of the country in such a forcible manner that the Government had to admit that the way in which he had put the case could not be improved upon. To me, it is a great personal loss, a loss of a good and devoted friend and one who was always very kind to me. His death is a loss to the Madras Presidency at a time when his services were needed most. Amongst the present day Madrasis, I think he had put the largest service to the country in our Presidency and, as a strong nationalist, as a strong Swarajist, and, as a Member of this Assembly, he did yeoman and valuable service to the country, and it will be a long time before we could find another person to replace him. We know he was a great authority on constitutional matters and he had made a special study of financial subjects. He was one of the finest writers on financial topics and he took a good deal of interest in the industrial and commercial development of the country. The *Hindu* is one of the few newspapers which takes interest not only in the political side of the country, but also from the economic side and, I

[Mr. Vidya Sagar Pandya.]

am sure, the Honourable the Finance Member will agree with me when I say that the late Mr. Rangaswami Iyengar was one of the few sound financial writers who understood his subject well and laid the Indian point of view in such a clear and lucid manner that we could not find many others to do the same. Already the previous speakers have spoken about his quality of head and heart and I do not want to take up any more time of the House, but I must say this much that, so far as Indian journalism is concerned, the late Mr. Rangaswami Iyengar had done a great deal for it both as Editor of the English newspaper, the *Hindu*, the leading newspaper of India, as well as to the vernacular journalism. He was the proprietor of the *Swadeshamitran*, the oldest and leading Tamil vernacular journal in the Madras Presidency. After Mr. G. Subramanya Aiyar died, it was felt that vernacular journalism in our Presidency would not flourish; but it was the indomitable energy and capacity of Mr. Rangaswami Iyengar and his colleagues that they brought the *Swadeshamitran* to its present leading position. And under his lead, a number of other vernacular newspapers have sprung up, with the result that the general public, who do not know English, are now being educated in matters which vitally affect them. Sir, I am very sorry for his loss, both as a personal loss and as a loss to the Madras Presidency and India generally, and I associate myself with what has been already said about him by others who have spoken before me.

Mr. N. M. Dumasia (Bombay City: Non-Muhammadan Urban): Sir, by the death of Mr. Rangaswami Iyengar, not only journalism, but the whole country has suffered a great loss. He was not only a great journalist, but a great patriot. He raised the tone of the vernacular press and he set a noble example of the best traditions of journalism throughout the country. It may be truly said of him that he would have made his mark as a journalist in any country in the world. He made the *Hindu* a great paper and a great institution. He regarded journalism not as a profession, but as a public duty and as an institution for service to the country and humanity. He set an example of sacrifice and service throughout the country. His loss is irreparable not only to journalism, but to the country which needed very sorely level-headed men like Mr. Rangaswami Iyengar at this critical juncture in the country's history. He was full of common sense and what struck us most in his writings was the moderation and sobriety of his views. The secret of his success was his simplicity and sincerity. He stood for constructive policy, peace and unity in the country. I had the privilege of being associated with him in the second Assembly and what struck us about this man was his self-effacement. He worked for the cause and his devotion to the cause which he espoused was intense and the success of the Swaraj Party was in a great measure due to him. He was the right hand man of Pandit Motilal Nehru. As Mr. Neogy has said, he was the power behind the throne. He was a conscientious worker. Today the country is poorer by the loss of a brilliant journalist and a patriot devoted to the cause of his country. Sir, I beg to associate myself with this motion.

Mr. R. S. Sarma (Nominated Non-Official): Sir, as a Member of the Assembly belonging to the profession of which the late Mr. Rangaswami Iyengar was such a distinguished and brilliant ornament, I take this opportunity of associating myself with the sentiments of sorrow and regret expressed on the floor of the House this morning. My regret is all

the greater, because of the fact that he came from my own district, was a close personal friend of mine and a colleague and comrade in arms in my profession. Sir, it is a sad and melancholy coincidence that these references to a great journalist on his demise are made on the same day when we are discussing a measure to forge some new fetters for the press. And may I not say this that, if the members of my profession had only followed the illustrious example he has set of decent journalism, there would never have been any justification or need for such a measure. Therefore, it is all the more important, Sir, that the members of my profession should take a leaf out of his book and follow the illustrious example he has set. The *Hindu* is a nationalist paper and, for all intents and purposes, it is an extremist paper. But, even in spite of that politics, it has earned the goodwill and confidence of even officials; and I may say that even Viceroys like Lord Reading and Lord Chelmsford and others have spoken to me very often in what high regard they had held the *Hindu*. It was not because it was lacking in patriotism or in extremist politics, but because the editor displayed in his articles those qualities of concord, sobriety, moderation and lack of malice to which the Leader of the House made so pointed a reference this morning. And, Sir, what better tribute can we journalists pay to his memory today than take a firm resolve that, in the conduct of the papers under our charge, we shall place before ourselves his high and inspiring ideal and conform to those high standards of morality, decency and integrity in journalism which he himself set as an example for journalists in this country?

Mr. President (The Honourable Sir Shanmukham Chetty): I wish to associate the Chair with all that has been said about our late colleague, Rangaswami Iyengar. My association with the tribute that has been paid to his memory from various sections of the House cannot either be conventional or formal; for with just a few Members of this House I can claim the most intimate acquaintance both in public and private with our late colleague, Rangaswami Iyengar. As a journalist and as a politician, Rangaswami was a real national asset, and today the nation is poorer for his death. He was, like most public men in this country, a fearless and relentless critic of the administration; but the remarkable thing about his criticism was that it was not merely of the negative and destructive kind which led one nowhere. His mind always worked in constructive channels of thought and, both on the floor of this House and outside, his contributions to the study of various public questions have resulted in something really constructive and useful. He combined in a remarkable degree sobriety of judgment with a grasp of the details of public administration and public questions. Many Honourable Members may still remember the quiet unassuming work that he did on the floor of this House as an honoured Member for over four years. During that period I had the privilege of the closest association and co-operation with him, for during that period he was the Secretary of the primary Opposition Party, the Swaraj Party, and I happened to be the Chief Whip of that Party. In that capacity, we came into the most intimate contact. When, in after years, the history of political development in this country comes to be written, it will be realised that in those stormy days if, in spite of the programme which that great political Party set before itself, it directed its actions towards constructive channels, it was in no small degree due to the great and sober influence which Rangaswami Iyengar exerted on the affairs of the Swaraj Party. What made him such a

lovable personality was the fact that, though he was the author of many brilliant ideas and plans, he always kept his personality in the background and worked for the cause which he had near his heart. His death has left us poorer, has left the nation poorer. In the world of journalism, he has set a very high standard of morality and integrity; and to the public men he set in his life an example of how sober judgment and mature study of public questions will enable a public man to contribute something useful in the solution of the problems with which we are faced. It will be my duty to convey to Mrs. Rangaswami the heart-felt condolences of his colleagues and friends at the serious loss that this House and the country have suffered in his untimely death.

THE INDIAN MEDICAL COUNCIL (AMENDMENT) BILL.

Mr. G. S. Bajpai (Secretary, Department of Education, Health and Lands): Sir, I move for leave to introduce a Bill to amend the Indian Medical Council Act, 1933, for a certain purpose.

Mr. President (The Honourable Sir Shanmukham Chetty): The question is:

"That leave be granted to introduce a Bill to amend the Indian Medical Council Act, 1933, for a certain purpose."

The motion was adopted.

Mr. G. S. Bajpai: Sir, I introduce the Bill.

THE INDIAN TARIFF (TEXTILE PROTECTION) AMENDMENT BILL.

The Honourable Joseph Bore (Member for Commerce and Railways): Sir, I move for leave to introduce a Bill further to amend the Indian Tariff Act, 1894, for certain purposes.

Mr. President (The Honourable Sir Shanmukham Chetty): Motion moved:

"That leave be granted to introduce a Bill further to amend the Indian Tariff Act, 1894, for certain purposes."

Dr. Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, I do not want to raise any discussion on this Bill, but I want, with your permission, to ask two questions if the Honourable Member will be pleased to answer them. The first is that I notice that there are certain items which are common in this and in the old Tariff Bill which is under discussion and the incidence of taxation is different; what will be the position tomorrow? Will the taxation be according to the old tariff or according to the new tariff? The second question is, what is the reason why this Bill is not presented to us along with the Finance Bill and why is it separated from the Finance Bill?

The Honourable Sir Joseph Bhore: Sir, I should have thought that my Honourable friend would have been able to furnish a reply to both these questions himself. As regards the first point which he has raised, I think he will remember that a clause in the Bill which was introduced last December made the duties specified in that Bill leviable immediately. Those duties will continue for the present to be levied until they are actually repealed or substituted by anything that may be passed in the present Bill. That is the first point. Secondly, my Honourable friend wants to know why this measure is not being introduced as part of the general Finance Bill. The reply to that is quite simple: it is because this is primarily a measure of protection, and as a measure of protection, it must be brought up separately before this House for discussion.

Mr. President (The Honourable Sir Shanmukham Chetty): The question is:

"That leave be granted to introduce a Bill further to amend the Indian Tariff Act, 1894, for certain purposes."

The motion was adopted.

The Honourable Sir Joseph Bhore: Sir, I introduce the Bill.

THE INDIAN STATES (PROTECTION) BILL.

Mr. President (The Honourable Sir Shanmukham Chetty): The House will now resume consideration of the Indian States (Protection) Bill.

Raja Bahadur G. Krishnamachariar (Tanjore *cum* Trichinopoly: Non-Muhammadian Rural): Sir, on the last occasion, when we were discussing this Bill, I drew the attention of this House to the drastic provisions of clause 6 by which a person or body of persons in British India might be restricted by an order of the District Magistrate upon summons served under the provisions of the Criminal Procedure Code, if in his opinion, such direction was likely to prevent or tended to prevent interference with the Administration of a State in India or danger to human life or safety or a disturbance of the public tranquillity or a riot or an affray within the said State. These provisions are quite drastic, as has been pointed out by a number of officials to whom the Bill was referred. What I really cannot understand is how a man remaining in British India can interfere with the administration of an Indian State and how an order like this could prevent him from doing so. This order may be passed even *ex parte*, and the person who is aggrieved by it may move that the District Magistrate or the Presidency Magistrate may reconsider the order. We know the way in which the security sections are being administered under the Criminal Procedure Code; and although such a provision is provided, it very rarely happens that an order once passed is disturbed. So far as I can see, there is no provision in this Bill for an appeal either in this clause or in the clause which allows security to be demanded from newspapers. Very nearly it comes to the old slogan that was repeated when the Rowlat Act was passed, *na vakeel, na daleel, na appeal*. I submit, that is a matter which requires close consideration in Select Committee. In fact, if you read the opinions, most of the

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objections are directed to the provisions of clauses 4 and 6; and I do hope that Honourable Members who will go to the Select Committee will bring their minds to bear upon these two clauses very carefully and very closely and not give powers which are more than what would be absolutely necessary for the protection of the princes.

Sir, I should be very sorry to consider, especially because it would be a great misfortune if it was a fact, that a large body of princes should be protected by means of these drastic provisions. If there was no trouble, if a prince has been administering his State in a fairly good manner—because you can never satisfy the whole of his subjects—then all these directions are unnecessary; and I cannot believe that there has been a general or even a large demand that such provisions should be enacted by the Legislature.

I have now finished what I had to say with reference to the principles of the Bill so far as they ought to be considered by the Select Committee. There is only another point which, I am sorry that, in the numerous volley of points of order that was raised the other day, I entirely lost sight of, and that is the constitutional position of the subjects of an Indian State. It has been seen from the time that the question of reforms came to the fore and to a certain extent even before, that there is a tendency to treat the subjects of Indian States as if they were a separate entity apart from the princes. That constitutionally is not the correct position. So far as the outside public is concerned, so far as the outside Governments are concerned, the State and its subjects form one entity, and that is proved by the fact that, for instance, where they appoint delegates to these various international institutions, it is only the Government that is asked to make the nomination; and, in view of the fact that most of these Governments are of self-governing countries, the delegates and representatives chosen really represent the nation of which the Government forms a part. It may be that under the peculiar circumstances of the Indian Government and of the Indian States, the persons who are sent as representatives are not liked and are not said to be fully representative of the people of those countries; but that in no way detracts from the constitutional position that the princes and the people are one entity and they could not be separated.

Now, Sir, my highest authority is the Report of the All-Parties Conference which was drafted by distinguished lawyers like Sir Tej Bahadur Sapru and others and it is this position that they have confirmed there. Consequently, there can be no doubt about it. If that position is correct, it is a pity that conferences of Indian State subjects are being held all over the country,—if those gentlemen will pardon me—guided by persons who do not know anything about the inner working of the States, who have simply heard stories of these princes with the one object of levelling criticisms against the princes and their administration which, I am afraid, would only result in alienating the subjects from the princes themselves. Sir, it is absolutely dangerous both to the interests of the subjects as well as the princes, because, after all, it is a domestic quarrel. Some time such quarrels may be made up, and then what is the position of these gentlemen who interfere with these domestic quarrels? I am very glad that my friend, Mr. Natarajan, in the concluding address that he delivered yesterday to the conference asked these gentlemen to be very moderate, because, Sir, the mentality which these

gentlemen carry and which has been pointedly brought to our notice by the sentiments contained in a certain pamphlet which has been placed in my hands are somewhat extraordinary. This is what is stated here:

"It is necessary for the people of the Indian States to concentrate their energies in the first place to obtain an unambiguous and well defined declaration of equality from the British Government clearly stating that there can be no treaty, proclamation or any other engagement which would pledge the British Government to help the chiefs in the maintenance of any form of rule contrary to the declared wishes of their people, and the people are free to assert and enforce their right to arrange their Government in any manner they please, and in doing so will resort to any means not excluding violence which they can organize and use effectively."

This will certainly include the right to rebel and depose a chief and proclaim a republic or to put anybody on the *Gaddi* whom they consider fit. Madness cannot go any further. You do not want a declaration from the British Government to rebel. If you are to murder a chief, if you are to depose him, you do not want the permission of the British Government to do that. Surely it is absurd to place ideas of this sort before unsophisticated people, and you can very easily imagine the result so aptly put by Shakespeare in the mouth of Mark Antony:

"Now mischief thou art set on foot,
Take what course thou will."

I would, therefore, advise these State subjects to be patient, to be moderate and try to make up with their chiefs, and, lastly, I would appeal to the Honourable the Home Member, in the discussions in the Select Committee, to place the fullest materials he has in his possession before the members, because, Sir, after all, trust begets trust, and we are here not to obstruct and delay the proposals of the Government at every stage, but we are quite prepared to offer our sincere and reasoned co-operation upon materials which they may have in their possession, but which when they want our vote, I respectfully submit, they ought to place before us relying upon us in full.

Mr. N. M. Dumasia (Bombay City: Non-Muhammadan Urban): Sir, a few days ago, I happened to read an interesting volume on "Indian India" by Colonel Waddington, a former principal of the Rajkumar College at Rajkot, and afterwards for a number of years Principal of the Mayo College at Ajmere. It is prefaced by Sir Claude Hill,—at one time a Member of the Executive Council of H. E. the Viceroy—who had gained unique experience of the condition of Indian States as a political officer in Kathiawar and Rajputana. No one can read that interesting volume without being thrilled by the glorious deeds of rulers of Aryan India, or moved by the glories of Rajasthan immortalised by Colonel Tod in his classic work. Both Colonel Waddington and Sir Claude Hill write with an intimate knowledge of the subject and the author of "Indian India" pays a just tribute to the spirit of progress and patriotism of his former pupils now ruling princes in some of the most enlightened States—who are engaged in shaping the future political destiny of India in cordial co-operation with statesmen in British India. That book contains a powerful plea for the protection and preservation of Rajasthan for which Colonel Tod in his dedication to King William IV most fervently prayed. The heroic deeds of Ramchandraj and Krishna and chivalrous sacrifices of their illustrious descendants as recited in the great Indian epic, the Mahabharata, have not only appealed to Indians, but to Europeans and especially to Englishmen. But when we find attempts made by our own countrymen to pull down and destroy Rajasthan, the pride of the

[Mr. N. M. Dumasia.]

proud Aryans, we cannot but feel humiliated. The preservation and protection of that great Order which has been venerated in this country for innumerable centuries should be an article of faith with every Indian.

I feel considerable sympathy with those Members, who, actuated by the ideals of liberty-loving British, offer honest opposition to this Bill. But I am sure that if, instead of relying on the reports of so-called subjects of Indian States, they visited some of the Indian States against which venomous attacks are levelled, and studied for themselves the conditions, they would find remarkable progress and contentment in these States. I have no hesitation in asserting that, after a dispassionate study of the prevailing conditions, they would come to the conclusion that a pernicious propaganda of lies, and a campaign of calumny are carried on, not for the introduction of reforms, but for the destruction of the States and implanting of the critics of the States in place of their rulers. Perfection is not to be found in this world, and nobody claims that there is perfection in all these States. The rulers are after all human beings and liable to err, but the monopoly of wisdom is not centered in the critics of the States. These rulers are described as monsters in human garments, and fanatic appeals are made to ignorant people to make short shrift of them.

Mr. B. Das (Orissa Division: Non-Muhammadan): The rulers will blush to hear these complaints.

Mr. N. M. Dumasia: Thank you very much, Mr. Das. A vast quantity of venomous and revolutionary literature imported into the States emanates from British India, of which my friend, Mr. B. Das, is entirely ignorant. For a long time past, a campaign of calumny has been waged against the princes of Kathiawar and Rajputana, the hymn of hatred is poured into the ears of the people who are incited to dethrone the rulers, and insinuating suggestions are made even to behead them by hinting darkly that the English once executed their King. This persistent vilification of the rulers, and the campaign of lies that is relentlessly pursued by the enemies of the States are bound to produce a crop of anarchy and unrest unless it is effectively checked. The danger does not spring from within; it comes from without, and is waged by so-called subjects of Indian States. Most of them have as much to do with Indian States as the man in the moon. They have no connection with the States except that they or their forefathers were born there, or that they owed their existence to the generosity of the States. They pay no taxes. They have no stake in the States. They have practically become subjects of British India, their activities against the States are directed from British India, and they are encouraged in their relentless war upon the States by the fact that there is no effective law to check their activities. The Government of India have so far failed to protect the princes whose critics have the audacity to insinuate that they would make short shrift of all the princes, whom they describe as "parasites", "black sheep", etc., if the Government of India did not protect them. The failure of the Princes' Protection Act now on the Statute-book to protect the princes has encouraged outsiders to carry on a subversive movement in the States. Its procedure has been found cumbersome and its remedies ineffective. In fact, instead of affording protection, it has only helped the enemies of the States, who now know that they can be brought to

book only by a lengthy and difficult and costly litigation. The princes have tolerated with patience the abuse and insults showered upon them; they have treated them with the contempt they deserved. Emboldened by that dignified forbearance, these professional agitators, who have no legitimate concern with the States, are doing their best to introduce the worst features of the Civil Disobedience Movement and to rouse passion and prejudice in the loyal subjects of the States against all constituted authority. Even Mr. Gandhi recognised this danger, for, in July, 1931, he wrote an article deprecating Satyagraha in Indian States and suggesting the reform of administration in the Indian States by respectful, constitutional methods and "constructive work" regarding khadi and charkha, the removal of untouchability and communal unity. Mr. Gandhi in the course of a speech at Morvi urged the need for co-operation between the princes and the people and constructive work in the States. He said that the self-imposed restriction laid down in the Porbander session last year against the criticism of individual States was not an impediment in the way of their progress, but, on the contrary, gave the people enough opportunities for real work. But these self-styled representatives of the States' peoples do not want reforms, for they have suggested none. They want to wipe out these Indian States. They create trouble in the States, not with a view to introducing reforms, but to uproot the whole order of princes. The effects of their teachings are bound to stir up trouble which it will be difficult to control, once it has instilled poison in the minds of the people. When a lie is repeated several times, and it is not countered, it passes as truth.

In an article, I wrote in the *Times of India*, in August, 1931, I raised a warning against plots hatched in British India, and pointed out that the States were in great danger of destruction. In that article I emphasised the point that there was a real danger of the spread of Bolshevism or Communism through the inactivity of the Government to protect the princes and pointed out that, even if Mr. Gandhi returned from England with a Constitution, it would be difficult to prevent the onrush of Communism once it got a fair start. From my long experience as a journalist, I can confidently say that even the most stringent law will not affect an honest critic of Indian States from criticising autocratic methods of the rulers. One can point out abuses in the States, suggest reforms and advocate the introduction of representative institutions in place of personal rule, without in any way being affected by law which is directed against interested and unscrupulous agitators who take shelter in British India at a safe distance from the States against whom their sinister attacks and destructive energies are directed. In a dispassionate article upholding the best traditions of liberty of the Press, even *The National Call* of Delhi does not deny that a certain type of news sheets exist which resort to a most despicable form of extortion, not only perhaps from Indian princes, but even from private individuals. It is the duty of journalists in India to speak out now dissociating themselves from the gang of designing agitators who live by mud-slinging against the princes. By supporting the "black-sheep" of the profession, nationalist newspapers are giving a handle to the enemies of India to say that we cannot differentiate between liberty and license. This measure, if it were intended to stifle expression of public opinion and strong but fair criticism of States, some of which at times stand in need of correction, I would have opposed it tooth and nail, but as the Honourable the Home Member

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has pointed out, the Bill is not intended to restrict the legitimate powers of the Press. It is not against criticism, mild or violent, that the princes desire protection. They want protection against subversive movements directed against the States from British India by propaganda, through leaflets and extremist newspapers, whose business is to create mischief and trouble as they live and thrive on their mischievous activities. These agitators are neither leaders nor responsible persons, but professional propagandists on the look out for personal gain through disturbances in the States. His Highness the Maharaja of Bikaner, who has thrown the weight of his influence for the advancement of British India, has pleaded for "Federation with honour, safety and integrity", but a handful of agitators, claiming to speak on behalf of 80 millions of States' subjects, are determined that there should be no honour, no safety and no integrity so far as Indian States are concerned. These agitators have made no contribution to the welfare of the States people, and all the troubles are created by these agitators who have created nothing else.

I have great respect for those gentlemen, who have presided at the meetings of what are called All-India States' People's Conferences. The Conference held in Bombay, in May, 1927, was presided by that able and conscientious publicist, Mr. C. Y. Chintamani. He frankly admitted that he did not possess much experience of the Indian States and that his brief study of their problems was comparatively recent. Lack of knowledge of the States did not prevent even Mr. Chintamani from making some sweeping statements. He examined the problems not from the point of view of the States, but from the standpoint of British Indian subjects. How could he represent the feelings of the subjects of the States when he argued the whole case as an outsider with strong Congress leanings? Then, there was another esteemable gentleman, Mr. Ramchandra Rao, who even went in deputation to England. When asked by Sir Harcourt Butler about his credentials to speak on behalf of the States' people, he blurted out the truth that he was not the subject of any Indian State, but he represented them, because he was asked to do so. This is rather unfortunate from the point of view of the States' peoples, because what we want to know is the feeling of the States' people, instead of the opinions of British Indian politicians. Mr. Chintamani complained bitterly of the way in which the British Government had in the past infringed the treaty rights of the States, yet he did not hesitate to recommend the scrapping of the treaties if certain conditions which he laid down were not fulfilled, and he surprised his audience by laying down that if these treaties meant the perpetual partitioning of the country,—I do not understand what he meant by the perpetual partitioning of the country—then "India first, treaty rights afterwards". I am sure all Indians will say "honour of the country first" and sanctity of treaty above everything. Did not India offer sacrifices to defend the sanctity of treaty with Belgium, which precipitated the last world war?

I attended a meeting in Bombay convened some time back in the name of the people of Jodhpur to protest against the administration of the Jodhpur State. When I went there, I found the doors of the hall closed by the conveners of the meeting against the real subjects of the State residing in Bombay who mustered strong to expose the hollowness of the agitation against the State. The promoters of the agitation declined to admit some representatives, who had come from Jodhpur. These people,

however, forced open the gate and intimated their intention to hold a meeting condemning the conveners of the meeting who had nothing to do with Jodhpur. The conveners were, therefore, forced to elect their President and commence proceedings. Neither the President nor the speakers belonged to Jodhpur, nor had they ever paid a visit to the State. They did not belong even to Rajputana. The real subjects of the Jodhpur State broke up the meeting, passed a resolution of confidence in the ruler of the Jodhpur State and condemned the conduct of the conveners of the meeting.

On another melancholy occasion, when people of Bombay had met to appeal for funds for relieving the distress caused by floods in Gujerat and Kathiawar, scurrilous leaflets were distributed at the meeting containing vituperative and venomous attacks on a gallant and patriotic prince. Those who published and distributed the leaflets had no more to do with the State than a Bedouin in Timbuctoo. A Kathiawar State was raided by a band of illiterate persons, men and women. They called themselves Satyagrahis. Among them were five women, three of whom were not out of their teens. Among the male Satyagrahis, there were half a dozen youths varying in age from 12 to 17 years. They were all illiterate and void of any knowledge or understanding of politics. They had absolutely no interest in the well-being of the subjects of the State. In the propagandist extreme papers and leaflets circulated broadcast they were described as "representatives of different States", "heroic leaders", and so on, and such misrepresentations create a wrong impression on people not in touch with realities. The mischief these self-styled pseudo leaders do is out of all proportion to their number or influence. These agitators expected *lathi* charges which would have enabled them to feed their extremist papers with sensational materials for instigating the public against the States, but they were disappointed, for, contrary to their expectation, there were no *lathi* charges, but arrest and detention in a well-kept house. They were arrested and detained, and when asked, they admitted they had nothing to do with the State. A similar gang of persons invaded another State with a view to creating trouble. They were sent back, but they returned again and again until they were arrested and detained when a great agitation was created in Bombay for the detention of these innocent hirelings. This sort of agitation has been going on in Kathiawar and Rajputana for a long time. It is time these troubles were ended.

I will not call these agitators names, but the purity of motives of some of the leaders of the movement is open to question. There is a State in Kathiawar which has long been regarded as a model State. Its ruler regards himself as a servant of his people. There is not a single tax in the State. The ruler abolished several vexatious taxes. The income of his State is 20 lakhs of rupees a year and the income from interests on investments is 30 lakhs of rupees, and it is from the interests of these investments that the State is run, most of the other revenue being spent upon public works and means of communication. A proprietor of a newspaper visited the State and asked for assistance of a high State official to get the ruler to subscribe to the shares of his paper for one lakh of rupees. It was a laudable ambition on his part but the officer replied that the business of the ruler was to run the State and not a newspaper and showed the door to the representative of the Press. This so annoyed him that, ever since that day, most unfair attacks of a virulent nature are made against the enlightened ruler and all sorts of abuses are showered on the head of this "tyrannical" ruler, who has now

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headed the list of the earthquake fund by giving the largest individual contribution of one lakh of rupees. The prince, along with several other rulers, was forced to ban the paper in his State and thus incur the wrath of the mighty publicist.

The States desire unity with India. They desire to make India respected as a nation among the civilised people of the world. They want to make India a dominant partner in the Empire. They have declared for Federation with safeguards. In spite of warnings, they have declared that they will not allow the cause of British India to suffer. They have made a beginning of responsible rule in their States suited to the times, environments and capacity of their peoples. They can make a beginning; they cannot force the pace. (Mr. N. M. Joshi laughed.) My friend, Mr. Joshi, who is a regular reader of the *Servant of India*, that excellent journal in which all these things are contained, now shows ignorance of the subject. The princes have shown their sympathy with the growing aspirations of India. In fact, the people in British India regard rulers like Maharajas of Baroda, Bhopal and others as nationalist patriotic princes. What then ails the critics of the States? They want to make a clean sweep of the princes, to assume the reins of Government in their own hands, to get the control of power and purse in their own charge, and to do what they like with their dupes, the innocent people of India in the ordering of whose lives they have no legitimate interest.

Sir, this morning I got a very expensive card printed with gold borders. It says:

"Princes Protection Bill means Death Warrant for States subjects. Oppose this Bill and serve humanity. The *Riyasat*, Delhi."

The *Riyasat* of Delhi is an admirable paper. In November, 1928, it published an article entitled "Purity of Descent of the Ruling Princes". I will read an extract from it, which will show the admirable qualities of the conductors of this paper. It reads:

"It is a general complaint of the subjects of Indian States that the ruling princes of States of today are not so pious, generous, just, good hearted, brave and dutious as was the case in the past. But these people do not know that a majority of the ruling princes of the present generation are by blood descendants of low and mean persons such as washermen, water-carriers, barbers, etc., and they have either been purchased from their real parents on account of childlessness or have been brought forth by the Maharannies and Begums by means of Neog (adultery) owing to the impotency of the ruling princes. The result is, that among the existing princes there are some who have the mentality of washermen, water-carriers and barbers."

Sir, I am ashamed to read any further. This is the paper which today asks you to kill the Indian Princes (Protection) Bill.

Mr. Gaya Prasad Singh (Muzaffarpur cum Champaran: Non-Muhamadan): I do not want to interrupt the Honourable Member, but can he say whether, under the provisions of the Bill, as it stands at present, writing like this can be prohibited?

Mr. N. M. Dumasia: It will be for the Honourable the Law Member to reply to that question. I will not read further. It is shocking that one of our own countrymen, especially a journalist who tries to instruct us in the ethics of journalism, should dare to write such abominable things. What I have related today is from my personal experience. I have visited

every State in Kathiawar and Rajputana. I have attended many meetings, and I have found out that those people who call themselves Indian State subjects are only professional propagandists in British India who thrive on this propaganda. As I have said, the Indian princes are not free from faults. But in this twentieth century they have become alive to their responsibilities, education is abroad, and today the greatest patriots in India are some of the Indian princes. With these remarks, Sir, I support the motion for the committal of the Bill to the Select Committee.

Mr. Gaya Prasad Singh: Sir, I do not want to make any lengthy observations at this stage of the Bill, but I should like to subject it to a short criticism, so far as the provisions of the Bill as they stand on paper go. Before I do so, I should like to associate myself with the very laudable desire of the Honourable the Home Member to see that legitimate protection is afforded to the princes against malicious attacks and that no subversive movements in British India should be allowed to interfere with the internal administration of the Indian States. But I should like to ask the question as to how the provisions of the Bill, as they stand, would conduce to that result.

There are, I take it, three main points of principle involved in this Bill. The first is clause 3 of the Bill which relates to conspiracies against Indian States. Now, clause 3 seeks to introduce the words "Or the Administration of any State in India" in section 121A of the Indian Penal Code. That section relates to a conspiracy to commit offences punishable under section 121. Section 121 relates to "waging war or attempting to wage war or abetting the waging of war against the Queen". Now, section 121 has reference to the constitutional position of a British subject *vis-a-vis* the Queen of England, who is the Sovereign of British India. I should like to know whether it is intended that British Indian subjects who owe no allegiance to any Indian State or to any prince of an Indian State should be placed on the same footing as their relationship with the Crown of England involves.

The Honourable Sir Harry Haig (Home Member): I do not want to interrupt the Honourable Member, but this was a point taken in the debate in September and I then pointed out that what is provided by this clause is in respect of conspiracies to overawe by means of criminal force or the show of criminal force the Government of India or any Local Government, and then we propose to add the words "or the Administration of any State in India". That is the offence. "Conspiracy to overawe by means of criminal force or the show of criminal force the Administration of any State in India". It has nothing to do with allegiance.

Mr. Gaya Prasad Singh: What I was asking is, is the Honourable Member so sure that he will be able to accomplish the object which he has in view merely by the insertion of these few words, "or the Administration of any State in India"? Now, "Government established by law" has been defined in the Indian Penal Code. "The Administration of any State in India" has not been defined, so far as I know in any enactment, not even in the Bill before us. Then the question arises: "What is the Administration of any Indian State"? Is it a sort of autocratic Administration which prevails in many of the States, or is it any other form of Government which may be established in the near future? I would submit that the proper course for the Honourable the Home Member is to bring forward a self-contained Bill, if he thinks it necessary to do so, and

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not to insert these expressions in the section of the existing Penal Code which is meant for a different purpose. Now, what is the exact relationship of a British Indian subject to the Sovereign? It is a relationship based on loyalty and allegiance. The same sort of relationship does not exist between any inhabitant of British India and the prince of any Indian State. Therefore, the mere insertion of these expressions in the existing Penal Code will not serve the purpose that the Honourable the Home Member has in view. The second point of principle contained in this Bill is clause 4 which relates to the press. The contention of my Honourable friend, the Home Member, in this connection, if I remember aright, was that a fair comment on the Administration of an Indian State is protected under the provisions of the existing enactment,—I mean the Press Act of 1932 and the Press Act of 1931,—but, as was pointed out, a mere enumeration of some of the acts done in or of the incidents of an Indian State would be tantamount to exciting disaffection against the State. Now, how is such a statement to be protected? My Honourable friend, Mr. Dumasia, has just read out a quotation from a local newspaper. I may at once say that I thoroughly disapprove of the taste of the writer in indulging in that sort of scurrilous writing, but may I ask whether a writing like that can be prohibited under the provisions of the Bill as it stands? Clause 4 of the Bill, as it is, related to the "Administration established in any State in India": it does not relate to any comment which is directed against the person of the prince himself. It incorporates a clause (j) after clause (i) in sub-section (1) of section 4 of the Indian Press (Emergency Powers) Act, 1932, thus:

"(j) to bring into hatred or contempt or to excite disaffection towards the Administration established in any State in India."

But, as I was submitting, "Administration" has not been defined yet. Moreover, the hatred or contempt or the exciting of disaffection must be towards the Administration, and does not relate to the personality of the prince himself. What has been read out by my friend, Mr. Dumasia, relates to the personality of the prince or the generality of princes. In this connection I would refer the House to the Indian States (Protection against Disaffection) Act, 1922. This Act was passed not by the Legislative Assembly at that time: this House rejected that Bill, but it was certified by the Governor General. The writing to which my friend, Mr. Dumasia, referred might have come, if at all, under section 3 of that Act of 1922, which runs as follows:

"Whoever edits, prints or publishes or is the author of any book, newspaper or other document which brings or is intended to bring into hatred or contempt or excites or is intended to excite disaffection towards any prince or chief of a State in India or the Government or Administration established in any such State shall be punishable".

and so on.

Here section 3 refers both to the personality of the prince as well as to his Administration, and the sort of writing that has been read out may come under this section. May I ask the Government or my Honourable friend, the Political Secretary, as to why no action was taken under that Act? It is stated that the present Act is insufficient to accomplish the purpose. May I ask, if the Government disapproved of a writing like that, and, if so, what steps they took under the provisions of that Act in protecting the personality of the prince? Under section 5 of the Act of 1921, the Court shall proceed to the trial

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of the offence on the complaint made by or under authority from the Governor General in Council. Now, why did not the Governor General-in-Council accord his sanction to the prosecution of any offending newspaper? I am not referring to this particular writing, I would submit that the Government of India have themselves failed to give the much needed protection to the princes which they now seek to give under the provisions of this Bill which is before us. As I understand, since the passage of this Act of 1922, only three prosecutions have taken place. I myself pointed out some times back certain writings which at that time I described as scurrilous writings relating to the Maharaja of Kashmir. They were published in an Anglo-Indian paper, I mean the *Statesman*; but the Government of India ignored them altogether. With what face, I ask, can they now come before the House asking for fresh powers when the powers which were granted to them have not been properly utilised in the past?

Sir, the third point of principle which is involved in this Bill is that contained in clause 5. I should like to read out the important points in that clause and show how and to what extent it is likely to achieve the object which it has in view. Clause 5 says:

"When a District Magistrate or Presidency Magistrate is of opinion that there is in his jurisdiction a movement for the promotion of assemblies of persons for the purpose of proceeding from British India into the territory of a State in India and that the entry of such persons into the said territory or their presence therein is likely or will tend to cause interference with the Administration of the said State or danger to human life or safety or a disturbance of the public tranquillity or a riot or an affray within the said territory, he may, by order in writing stating the material facts of the case, prohibit within the area specified in the order the assembly of five or more persons in furtherance of the said movement."

Now, I may at the outset say that I am opposed to organised bodies of men going from any part of British India within the territory of an Indian State with the hostile intentions. But will this clause, which I have read out, accomplish this purpose? This clause pre-supposes that the Magistrate of a particular place must be conversant with the state of affairs of the State into which it is intended to take the *jatha*. Now, I ask, are appropriate materials to be placed before the District Magistrate or is he to be placed in the position in which he was likely to know all the relevant facts concerning the State into which it is intended to take the *jathas*? The ruler of a State in which it is intended to take the *jatha* will probably be the first to resent any interference by the British Indian authorities in getting acquainted with the facts obtaining in that State. How is the District Magistrate, I ask, likely to know whether the entry of five or more persons from any part of British India would be likely to result in interference with the administration of the said State, or will constitute a danger to human life or safety or a disturbance to the public tranquillity in that State or a riot or even an affray within the said territory? Is it to be assumed that under these circumstances, if the Magistrate of British India has to exercise his discretion wisely and in a proper manner, he should go into the territory of the State concerned in order to get acquainted with the facts of the case before he proceeds to issue an order under this clause? Has the Political Department of the Government of India ascertained from the Indian princes, at whose instance, this piece of legislation is being piloted, whether they will allow our officials to go into the territories of the Indian States to get acquainted

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with the facts of the case before issuing such orders? What are the materials, and who will place the materials before the Magistrate? Indian States and their rulers will be the first to resent any interference on the part of our officials in the form of entry into, or calling for evidence from, the State, and getting acquainted with the facts of the case before the Magistrate is called upon to issue an order under this clause.

Mr. N. M. Joshi (Nominated Non-Official): You oppose this section.

Mr. Gaya Prasad Singh: What I mean to say is that this section is too wide; it is unworkable. It pre-supposes the acquaintance on the part of a Magistrate with the state of affairs obtaining in an Indian State. So, what I submit is that if this Bill goes to a Select Committee, the wide, the vague and the unworkable nature of the powers which are intended to be given should be properly looked into before this clause is allowed to stand on the Statute-book.

Mr. C. S. Ranga Iyer (Rohilkund and Kumaon Divisions: Non-Muhammadian Rural): You want it to be clear and comprehensive.

Mr. Gaya Prasad Singh: Now, interference with the affairs of an Indian State is also a vague term. How is the Magistrate in British India to come to the conclusion, if, say, five of us want to go into the territory of some State, that we are going to interfere with the affairs of the State? It may be a pleasure trip; it may be for the purpose of collecting subscriptions for a particular purpose. Under the clause, as it stands, it might amount to an interference in the affairs of an Indian State, in any case the Magistrate of the district is not in a position to say whether our going into the State is for any unlawful purpose, for the purpose of creating an affray or interfering with the Administration of a State. That is my objection to this clause as it stands. As I have said, I am quite at one with the Government in their desire to enact some measure which might put a stop to the hostile and unlawful eruptions of bodies of men from British India into State territories to interfere by force of arms with the Administration of that State. But this clause, as it stands, goes much beyond that, and it places on our Magistrate a duty which he is not in a position properly to discharge.

There is one thing which I might have said with regard to clause 4 of this Bill, but which I forgot to mention at that time; I might mention it now. As I stated, I am not reconciled to clause 4 of the Bill as it stands, as in my opinion, it is not calculated to serve the purpose which the Government have in view, and I am strengthened in my argument by what the Commissioner of the Tirhut Division has said on the point. This is what he says:

"Regarding para. 4, and the proposed amendment of the Press Act, I am opposed to the amendment. The arguments used by Sir Cowasji Jehangir are cogent and well founded. It is perfectly true that a mere dispassionate narration of some things still done in Native States would raise very profound feeling, and it would be very difficult to say whether this did, or did not, amount to hatred, contempt, and disaffection. I do not consider the Native States can or should be put on a par with British India. Their administration in the majority of cases lags far behind ours."

Nor can they be put on a par with Asiatic Allies of the King-Emperor, for the well-being of whose subjects we have in no way made ourselves responsible, and for the protection of whose rulers, from the results of mal-administration we are in no way bound to interfere."

This has been written by the Commissioner of the Tirhut Division whom I know personally. He is a British Official belonging to the Indian Civil Service.

Mr. B. Das: Was he not an *ex*-Political Agent in Orissa?

Mr. Gaya Prasad Singh: This opinion is also supported by some other official and non-official opinions which are in the papers supplied to us. I should like to refer to some of the observations which have been made by British Administrators in the past with reference to the relationship which exists between the Paramount Power and the Indian States as also the relationship which ought to subsist between the Indian States and their subjects. This is what Lord Lytton, in his despatch to the Secretary of State for India, prior to the rendition of Mysore in 1882, wrote.

"The British Government now undertakes the duty of protecting all Native States in India from external enemies and of preserving internal order by measures necessary for securing the people from misgovernment and for supporting the lawful authority of the Ruler. So also the powers of the British Government to prescribe the forms of administration and to insist that its advice be adopted are the necessary correlatives of the admitted responsibilities of the British Government for the internal peace of the whole Empire and general welfare of the people."

My reference to this quotation will be appreciated when I state that the word "administration", as it finds a place in the Bill before us, has not at all been defined anywhere. It is within the power of the British Government, according to the authority which I have just quoted, to prescribe the forms of administration.

Raja Bahadur G. Krishnamachariar: No, it has not.

Mr. Gaya Prasad Singh: I am reading the quotation from Lord Lytton. My Honourable friend, the Raja Bahadur, disputes the authority of Lord Lytton. May I remind him what Lord Reading wrote only a few years back to H. E. H. the Nizam?

Raja Bahadur G. Krishnamachariar: But two wrongs do not make one right.

Mr. Gaya Prasad Singh: I find a friend behind me saying that the rights are given in the treaties. I wish the rights had been given in the treaties, and the British Government would scrupulously confine themselves to the rights which are contained in the treaties. But that is not so. The relationship of the Paramount Power with the Indian States does not rest only on the treaties, enactments, and *sanads* which have been enacted between the two parties concerned, but they have for the most part been supplemented by usages and suffrages and things of that sort which have been varying from time to time.

Raja Bahadur G. Krishnamachariar: But Lord Watson of the Privy Council said that those usages were absolutely no good.

Mr. President (The Honourable Sir Shanmukham Chetty): If the Honourable Member would take some time, he can resume his speech after Lunch.

Mr. Gaya Prasad Singh: Yes, Sir. I will take some little time.

Mr. President (The Honourable Sir Shanmukham Chetty): Then the House stands adjourned till Half Past Two.

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. President (The Honourable Sir Shanmukham Chetty) in the Chair.

Mr. Gaya Prasad Singh: Sir, when we rose for Lunch, I was referring to the question of paramountcy. This word has not been very clearly defined. Paramountcy has been said to be paramount. The question has been no doubt discussed somewhat minutely in the Butler Committee's Report, and one of the points therein discussed was, whether the Government of India have the power to interfere in the internal administration of an Indian State or whether their interference is limited only so far as the external relationship of the States is concerned. Sir, the independent sovereignty of an Indian State has also not been very clearly defined. This is what we find in the Butler Committee's Report, para. 89:

"It is not in accordance with historical fact that when the Indian States came into contact with the British Power they were independent; each possessed a full sovereignty and status which a modern international lawyer would hold to be governed by rules of international law. In fact none of the States ever held international status. Nearly all of them were subordinate or tributary to the Moghul Empire, the Mahratta supremacy or the Sikh kingdom and dependent on them. Some were rescued, others were created by the British."

Now, Sir, our Indian States wanted their rights *vis-a-vis* the Crown and the Government of India to be clearly recognised and defined, and that is why they wanted a States Committee to be appointed. The States Committee was appointed, but the conclusions which this Committee arrived at do not carry them or us very far. I referred in an earlier part of my speech to the letter which Lord Reading as Viceroy of India wrote to His Exalted Highness the Nizam of Hyderabad. I will quote only one short sentence from that letter which has got a bearing on the point which we are discussing. This is what Lord Reading said:

"The sovereignty of the British Crown is supreme in India and therefore no ruler of an Indian State can justifiably claim to negotiate with the British Government on an equal footing. Its supremacy is not based only upon treaties and engagements but exists independently of them."

And I want the Indian States to notice this very carefully:

"And, quite apart from its prerogatives in matters relating to foreign powers and policies, it is the right and duty of the British Government, while scrupulously respecting all treaties and engagements with the Indian States, to preserve peace and good order throughout India."

Then he says as follows:

"The right of the British Government to intervene in the internal affairs of Indian States is another instance of the consequences necessarily involved in the supremacy of the British Crown."

This sentence, if it means anything at all, means that the British Government claims and has the right of interference even in the internal affairs of an Indian State. This is also the conclusion at which the Butler Committee has arrived. It says:

"Treaties, engagements and sanads, where they exist, are of continuing valid force but have necessarily been supplemented and illumined by political practice to meet changing conditions in a moving world. We have traced and analysed the growth of paramountcy. Though it has already lost and should continue to lose any arbitrary character in full and open discussion between the Princes and the Political Department, it must continue to be paramount and therefore it must be left free to meet unforeseen circumstances as they arise."

Now, Sir, the question ought to be settled once for all whether the Government of India have the right of interference in the internal affairs of an Indian State or not. If they have got that right, it must be exercised on proper occasions. If, on the other hand, as the Indian States claim, the Government of India have not got that right, then we shall have nothing more to do with the matter, and leave the subjects of the Indian States and their rulers to settle accounts in the best way they can. Sir, we are preventing the eruption of organised bodies of armed men in the territories of Indian States, and I repeat that I am in favour of that object. Whether that is to be secured by the provisions of the Bill which we are discussing now, or a more appropriate method could be devised for achieving the same purpose, is to be found out. But if the subjects of an Indian State are dissatisfied with the form of administration which obtains in that particular State, I should like to know whether the subjects of that State have got the right to change the form of Government without interference by the Paramount authority. Sir, the Government of India claim and have exercised the right of sending armed battalions and troops into the territories of Indian States in the preservation of what they call law and order. Now, if organised *jathas* from the British territory are to be prohibited, I should also like to know why British troops, which I may call legalised *jathas* from British territory, should be sent to the rescue of a prince who may be guilty of maladministration. Let us be clear on this point. If Government prevent *jathas*, let them also desist from sending troops on behalf of an Indian State. Sometimes these troops have been sent in spite of the wishes of the ruler concerned. I am divulging no secret; but may I refer to the latest instance when British Indian troops were sent to Alwar, and, may I ask, whether that was done with the consent of the Maharaja of Alwar? I asked a question of the Government of India, and the reply was that the Government did not consult the wishes of the ruler and, in fact, they sent the troops in spite of his protest. If my information is correct, the Maharaja was telegraphically asked not to fire a shot in suppression of rebellion lest he might light a conflagration in the whole of the Punjab. What is the situation created under those circumstances?

Mr. F. E. James (Madras: European): Who sent the telegram?

The Honourable Sir Brojendra Mitter (Law Member): I rise to a point of order, Sir: is it permissible to discuss the internal affairs of an Indian State or the action which the Indian Government might have taken in any particular State?

Mr. N. M. Joshi: Withdraw the Bill, then.

Mr. President (The Honourable Sir Shanmukham Chetty): The Honourable Member is not discussing the internal administration of Alwar. He is discussing the circumstances under which the Government of India sent Indian troops. (Opposition Cheers.)

The Honourable Sir Brojendra Mitter: I am not questioning your ruling. It was just now mentioned that the Government of India had sent some telegram to Alwar, and so on. Do not these affairs involve the relations between the Government of India and an Indian State and are we entitled to discuss these matters here?

Mr. President (The Honourable Sir Shanmukham Chetty): The Chair will wait and see how the Honourable Member develops his point.

Mr. Gays Prasad Singh: My Honourable friend, the Law Member, was a little bit premature in standing on his legs to raise this point. I was merely referring to one incident to show that the Indian Government had sent troops to an Indian State in spite of the protests of the head of the State concerned; and I think I may ask the Political Department to give a contradiction to this statement which I am making. Has it not a bearing upon the Bill which we are discussing? My only point is this: let us discuss and settle once for all this question of our relationship with the Indian States on the one side and the relationship of the Indian States subjects with the heads of their States. If the Government of India have got the right of interference in the internal affairs of Indian States, let them exercise their discretion properly; let it be quite open to the subjects of an Indian State to petition His Excellency the Viceroy or the Governor General or the Political Secretary for the redress of their legitimate grievances. If the grievances are not legitimate, if they are faked and fictitious, and so on, by all means reject those petitions. But on the ground that the Government of India have no right of interference in the internal affairs of an Indian State, they refuse to recognise those petitions at all. That is my point. Therefore, as I was submitting, if the Government of India say that in ordinary cases they have no right of interference in the internal affairs of an Indian State, let the princes be told so, and let all of us recognise this fact and leave the whole situation in the hands of the States subjects as well as their rulers. Let them settle accounts with each other without interference on the part of the Government of India. As I have said, this interference has been exercised on more than one occasion by the sending of armed troops in favour of one party. Let them desist from that. But the position of the Government of India is very obscure in this respect. They have no settled principles of action. Treaties, engagements and sanads have been entered into, no doubt, with different States; but these treaties, engagements and sanads have been supplemented by what they call usage, sufferance and political practice. This opens the door wide for interference in certain cases and non-interference in certain other cases according to individual choice. The subjects of the Indian States, therefore, do not understand their own position; and I would just like to have from my Honourable friend, the Political Secretary, a clear enunciation of their policy with regard to interference in the internal affairs of an Indian State. I was going to submit that there are many practices in Indian

States which are opposed to public policy; but they have not only been sometimes tolerated by the Government of India, but sometimes approved by their officials. I will refer to the case of what is called forced labour of *begar*. There is one state in Rajputana, called Kotah: at a Durbar held in that State

Mr. President (The Honourable Sir Shanmukham Chetty): The Honourable Member need not make particular reference to individual States.

Mr. Gaya Prasad Singh: I am referring to the speech of the Political Agent which is an official document on record. Can I not refer to this, that in 1923, the Kotah Durbar announced its intention of abolishing forced labour completely, but the Agent to the Governor General, in course of his speech

Mr. President (The Honourable Sir Shanmukham Chetty): That is clearly a matter relating to the internal administration of an Indian State: if Honourable Members want to exercise their power, they must do so with some discretion. It is not necessary to refer to any individual State by name when an Honourable Member wants to illustrate a point like that.

Mr. Gaya Prasad Singh: Am I entitled to quote from the speech of the Agent to the Governor General which I brought forward before this House by means of a question some years back, and which is on record? The Agent to the Governor General on that occasion, in open Durbar, with reference to the question of forced labour, made the following statement:

"It is not an institution that reduces people to the level of serfs. It is on the contrary only evidence that the right kind of relations exist between the Princes and his nobles and the raiyats. It is a service of affection rendered with spontaneity and willingness and received with kindness and benevolence"—(*most probably he was speaking with his tongue in his cheek*)—"Even in British India *begar* is not evidence of the weakness of the system of administration. In olden days supplies of fodder, fuel and so forth were freely given to touring officers as a sign of affection and gratitude (Laughter), for protection and help in time of trouble. Abuses have no doubt crept in and the system of administration has become less dependent on the personal factor, and the institution has had to be curtailed. But I for one should be very sorry if it were completely abolished even in British India, and I hope that it will long survive in the State."

Sir, this is a clear incitement for the continuance of serfdom in Indian States

Raja Bahadur G. Krishnamachariar: Does *begar* not obtain in British India?

Mr. Gaya Prasad Singh: That is just what I am saying. If the system of forced labour, except in very exceptional circumstances, exists in British India, it is a system which ought to be condemned, and this House has not hesitated in condemning that system. The point of my complaint is that actually a British official should go out of his way in inciting a particular State or States in general to continue this system of serfdom; and that is more than what passes my comprehension.

Sir, I will now bring my remarks to a close, and, in doing so, I will only briefly refer to the speech of the President of the States Peoples Conference which was held in Delhi only the other day, in which he has

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pleaded for the retention of Indian States as separate entities. Sir, I will say this that the princes of the Indian States, as has been said the other day, are the flesh of our flesh and the bone of our bones. We are really very keen on preserving their dignity and legitimate position in the body politic of this country. But they must move with the changing needs of the times. The days of autocracy are numbered. My Honourable friend, Sir Harry Haig, the other day said that the Government of India were bound to support even the autocratic ruler of an Indian State, but that, I submit, is an overstatement of the case. If we in British India possess the right of changing our form of Government, I wonder why the same measure of right should be denied to the subjects of Indian States

Raja Bahadur G. Krishnamachariar: Can you change the Government?

Mr. Gaya Prasad Singh: We are trying to change the form of the Government, some by peaceful methods, some by other methods.

Major Nawab Ahmad Nawaz Khan (Nominated Non-Official): May I know one thing from the Honourable Member? Does he wish to change the form of Government by subversive means or by adopting subversive activities? Does my friend want to change the Government by unlawful means?

Mr. Gaya Prasad Singh: My friend, the Nominated Member from the North-West Frontier Province, has asked me a question which is entirely irrelevant to the present discussion. He must understand that we are at present engaged in changing the form of Government. Some of us who believe in the policy of peaceful methods are engaged on that, but others may not necessarily be of that opinion. But I will be more explicit if my friend wants it.

[At this stage, Major Nawab Ahmad Nawaz Khan stood up to interrupt the Honourable Member.]

Mr. Gaya Prasad Singh: Please sit down. I am going to answer your question. The Government of India "established by law", that is how our Government is defined in our criminal law. Who established the Government of India by law in this country? It was by force and fraud that the Government came to establish themselves in this country. Is it not a fact of history?

Mr. F. E. James: No, no.

Mr. H. M. Joshi: By what law?

Mr. Gaya Prasad Singh: Is it by observance of the ten Biblical commandments or by observance of the sermon on the Mount that India was acquired by the British Government? Now, Sir, if the Government has been established in this country by force and fraud, some agency might, if necessary, be required to uproot it and change its form. However, that is a point which is of rather academic and theoretic interest at the present moment. I am only concerned now with inviting my friend, the Political Secretary, or my friend, the Honourable the Home Member, to

enlighten this House with the points that have been discussed in connection with this Bill. I should also like to know at whose instance this Bill is being sponsored? I asked a question in this House the other day, but the necessary information was withheld from me and from this House

Mr. N. M. Joshi: Was there any Resolution passed by the Princes Chamber?

Mr. Gaya Prasad Singh: As my friend, Mr. Joshi, says, was there any Resolution passed by the Princes Chamber asking for a measure of this kind to be enacted for their protection

Mr. K. P. Thampan (West Coast and Nilgiris: Non-Muhammadian Rural): They do not know what is good for themselves.

Mr. Gaya Prasad Singh: Why should the Government of India go out of their way in trying to give protection to the princes if they don't need it? That is one point. The next point, as I have submitted in the earlier part of my speech, is, whether the provisions in this Bill are appropriate to give legitimate protection to the princes who claim such protection?

Then, Sir, with regard to the prevention of *jathas* as I have stated, there is much to be said in favour of the prevention of such unlawful activities in the Indian States, but I should like to know whether the present law is insufficient for the purpose, whether section 144, for instance, of the Criminal Procedure Code, which has been utilised in the past in suppressing sometimes even the legitimate activities of our national movement has not been found sufficient in suppressing *jathas* in Indian States. If at all such a provision is necessary, why should not the Government of India bring forward a self-contained Bill and place it before the House for consideration? Why should they tamper with individual sections of the Indian Penal Code, or of the Press Law in order to secure the object which the Government have in view? That is all I have to say, Sir.

Hony. Captain Rao Bahadur Chaudhri Lal Chand (Nominated Non-Official): Sir, I support this motion. But, before I speak on merits, I wish to point out, that I have great respect both for the press and the platform, and I fully appreciate the necessity of healthy criticism and *bonâ fide* comments. The share of the press of a country in the uplift of the people and the service it renders by keeping a watch on the officers of Government cannot be denied. A powerful and honest press is a real strength to a country, and the educative effect of such a press is tremendous; but if the press degenerates and comes down from the high pedestal which is its rightful place, and thus falls into the hands of men, who have come into the field with ulterior motives, then, not only the press ceases to be a source of strength, but it becomes a real menace to the healthy growth of a people. Similarly, Sir, just as honest criticism keeps the body politic conscious and healthy and makes it grow stronger from day to day, the effect of unhealthy criticism is to make it unconscious and diseased, and, as a result, poison spreads into the whole system. Such criticism retards the progress of the country, and it is in the interests of the society at large, that such press should be suppressed. I hope, therefore, I shall not be misunderstood by the press or the honest section of the press when I bring to the notice of this House that there exists in our country a section of the press, which is a disgrace not only to the

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noble profession itself, but to the country as a whole. I hope the honest section of the press will welcome my remarks and will try to co-operate with Government in their attempt to eradicate this evil, as, by that method, the rest of the body politic will be freed from poison and infection.

Sir, there are two strong grounds which have prompted me to speak on this subject. Firstly, I was a party to the passing of the 1922 Bill as I was then a Member of the Council of State

Mr. B. Das: It was certified.

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ments were expressed by the Opposition then as are being expressed by them today. It was said that the Bill would prove a dangerous weapon in the hands of the princes and that the chances of the Indian States improving their administration will be at an end. That the Bill was passed into law in the teeth of opposition in this House is known to all Honourable Members. I have, therefore, watched with some interest the working of that measure to see if there has been any counter effect on the States. I naturally expected that either criticism of the States would come to an end, or the number of cases under that Act would be very large. But a survey of the cases under the Act will show, that there have been only three prosecutions under this Act and, barring these cases, it has remained a dead letter,—(An Honourable Member: "It proves that there is no necessity for it.") (Another Honourable Member: "Whose fault?")—I am coming to that—in spite of the fact that the period for the last 12 years has been marked by strong criticism of the Indian rulers and their administrations. I am giving you the reason. The only conclusion is that the Act falls far short of the object in view and has proved to be a failure and an unwieldy weapon. Perhaps I am not stating anything new when I say that one of the features of the gutter press which has taken a prominent part in the criticism against the ruling princes is that most of these papers have got dummy editors and the real persons always keep behind the *purdah*. This is one of the reasons why this cumbersome and costly machinery of prosecution under the Act of 1922 has not been set in motion in more than a few cases. The other day I saw a cartoon in one of the vernacular papers of Delhi wherein a steam roller was depicted as having been used to kill an ant on a road. The ant might be killed unless protected by the side of a hard stone, but it would not be wise to resort to this costly method of taking the chance of killing the ants. I, therefore, hold that the Act of 1922 serves only one purpose, if at all. It gives false notoriety to hitherto unknown persons, and, therefore, cannot be regarded as a substitute for this Bill. Judging from the small number of cases under that Act, I feel tempted to compare it with the Anti-Juvenile Smoking Bill of the Punjab. I am glad that the Government have realised this weakness, and have taken courage to explore the present methods.

I have got another strong ground for venturing to record an opinion on this Bill. I am here in the fortunate position of being able to speak with some authority and personal knowledge on the subject, as I have had an opportunity of seeing things with my own eyes. I was for three years President of the State Council of an important State, and during that period I was not only in charge of the State administration, but was daily coming into contact with a particular section of the press which was a real terror to the Indian States. The position was made worse when it was

generally known that some of our topmost leaders in politics in those days had also received large sums from an Indian prince in order to render him some service outside India. I mention this simply to show the utter helplessness of the princes who are surrounded by such like-vultures, as there is no public opinion to control and condemn these exploiters. As a matter of fact, one journalist told me once, quoting this instance, that the princes had to be fleeced by some one or other agency, and so, why not by the press. I claim to have some knowledge of the methods that are employed by these people in order to squeeze money out of the princes in the name of defending the poor subjects of those States, and I assure the House that I am not at all guilty of exaggerating the facts. I am, as a matter of fact, avoiding details in order to safeguard the honour of the noble profession of the press, and Honourable Members can safely assume that things are worse in practice than I or any other Member of this House could attempt to depict.

Another reason for my intervening in this debate so early is that, during the last two days, Honourable Members have been listening to speeches of the other side and have been flooded with literature containing grounds for opposing this Bill. They will probably welcome this change as a variety. A perusal of the opinions and criticisms on this Bill would show that the opposition is chiefly based on the fact that it is alleged that there is misrule in Indian States and that the Bill will take away the only means of ventilating the grievances, and that all hopes of improvement will be at an end. The object is very laudable. But my contention is that this unbridled criticism will not help in the achievement of the object in view.

Sir, I hold no brief for the princes and I have no hesitation in confessing that there is in some States gross misrule, and instances of maladministration are also not wanting. Extravagance is also patent. Corruption in staff is probably not so great, as those people are generally satisfied with comparatively low sums. But are instances of maladministration and misrule not to be found in British India? The complicated and costly system of securing justice in our Law Courts is worse than any mischief that results from personal rule. I will, during the Budget discussion, try to quote a few cases where clear mandates of this House are being openly disregarded by our Courts. But supposing that there is maladministration in some States and people are being oppressed, the question is, will the so-called liberty of this section of the press against which we are legislating help in improving things, and will it relieve the subjects from the burden of taxation to any degree? My reply is an emphatic "No". The President of the States Peoples' Conference himself admitted this. While condemning the attacks on individual princes, he says: "To tell a man that he is a hopeless imbecile is not the way to encourage him to do better." What will happen is this. Money will flow freely to shut the mouth of this press and, instead of condemning the administrations, we will see these papers eulogising those very princes and their Ministers, and coloured photographs will be inserted to deify them and to depict them as idols of the nation; and all this at the cost of the very poor and oppressed subjects which we wish to defend. The administration needs improvement no doubt in some of our Indian States, and personal expenditure has to be cut down by princes if they wish to exist at all. But for that we should not look to this section of the press, which is prepared to certify the worst as best, and *vice versa*. The question is

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not, therefore, whether we will allow the Indian States administration to be improved or not; the question is, are we going to connive at this exploitation of the princes and their administrations by an army of blackmailers?

Sir, my experience is that they cause unnecessary harassment at first, but after their wishes have been met, they give undue praise also. What demoralising effect it must have I leave it to Honourable Members to guess. Nearly every State has to maintain a special department to deal with the subject. As the papers are all in British India, naturally this department is under a Secretary who is called the Foreign and Political Secretary. It is the duty of this officer to keep the gutter press in good humour. Regular invitations have to be issued to these blackmailers on all festive occasions, and, in spite of maladministration, we find the guests showering special praise to hide the sins of those princes. I say that this class of people, instead of offering healthy criticism, give support to the so-called misrule. I need hardly say that in most cases money spent under this head is directly in proportion to the amount of maladministration, and thus the want of this weapon to suppress them would defeat the very object Honourable Members have in view.

Such papers do exist in all parts of the country, but I would refer only to what is going on under our very nose in Delhi. May I enquire how many of us know that Delhi is the headquarters of this gang of blackmailers? The Deputy Commissioner of Delhi has mentioned this in his letter, which has been circulated to the Honourable Members. He says:

"The agitation which this legislation penalises is of the irresponsible kind, which has arisen from the desire of the producers of small newspapers to blackmail the rulers of various States. We have had in Delhi recently much experience of newspapers run on these lines which subsist merely out of the money which has been extorted from Indian States."

Their method of work is very organised. They meet regularly in one of their dens, as if they were members of an association. They exchange notes, and when any one succeeds in extorting money from a victim, he passes the information to others and the process goes on. The blackmailers belong to all communities,—Hindus, Muslims, Sikhs and Indian Christians. Although in some cases the circulation of these papers is limited, yet, they do enough mischief by publishing lies. No prince is safe and I would regard that prince as very fortunate who escapes without paying some money to them. Instead of doing good, they prove a real burden to the taxpayers in Indian States, and, as they are safe from those victims, it is up to the Government of India to deal with them in order to save the honour of the States. The other day I was given the story, by a friend, of an Indian prince, having narrowly escaped the clutches of these people, because he threatened to cancel the offer of a big donation to a University, if the paper persisted. He managed to put indirect pressure to save himself, but how many of them have these chances? I do not wish to dilate upon similar other instances and it is up to this House to face the situation squarely and assure to the princes safety from criticism in the press before they come into the Federation. The question may be asked what is there to check maladministration and improve things in Indian States? My reply is, that I know how tight the Political Secretary sits upon these States, and how, under his able stewardship and strict watch, things are improving. The General Secretary, Mr. Trivedi, of the All-India States Peoples' Conference, has very kindly sent his views to the Honourable

Members and I would refer to one charge he has brought against the Government of India. On page 8 of his memorandum, he says:

"Napoleon has not shaken them yet and the mighty arm of Great Britain protects them, preserves them and perpetuates conditions of servitude which are a disgrace to our democracy."

The fact is, however, otherwise. Although we have no Napoleon to shake them, we have a Glancy to guide them, help them to mend their ways and when he finds that the disease is beyond cure, he performs an operation on his patients and in that way gives real protection to the subjects of these States. This has been admitted by Mr. Trivedi on the very next page when he says:

"Not a year passes without one prince or another being deposed or deprived temporarily of his powers."

The statement adds:

"Within the last ten years about 15 princes have been either deposed or deprived of their powers on account of misrule or misconduct."

Now, I need hardly say that the charge of protecting, preserving and perpetuating conditions of servitude is not only not justified, but is falsified by the evidence supplied by Mr. Trivedi himself.

Sir, whatever might have been the conditions before, I can bear testimony to the fact that during the last 12 years that I have had anything to do with the States, I have found the Government of India sitting tight over the heads of those princes, who are either extravagant or inefficient, with the result that the administrations have shown marked improvement during the last ten years and the ideal which the Honourable Members have in view is being steadily achieved. I will, with your permission, quote one instance. In the early days of my practice, I was engaged by the accused in an Indian State in order to defend them on charge of sedition. They were seven in number. They were all in lock up and I was under the impression that the case would take long. I went to the headquarters of the State and saw the ruling prince in order to fix up a convenient time. I saw the prince and stated the object of my visit. I was surprised to learn that the case had already been disposed of, and my clients were safely in jail undergoing rigorous imprisonment for a period of three years or so. I enquired if it was not a fact that they were arrested only a week ago and had since never been brought before any Court. "Oh, it was a sensational case and I tried it myself in order to avoid fuss in Court. Here is the judgment which I have ordered to be conveyed to the accused in jail" was the reply. But what about prosecution evidence, I asked. I was told that the same was recorded by his Private Secretary who was sent to the spot for that purpose and made enquiries there, and that was enough. I need hardly say how baffled I felt at this method of doing justice. I was given a sumptuous tea afterwards, which I must confess I did not enjoy. But there was another surprise in store for me. Before I left in despair, at this perversity of trial, I was told that all but two of my clients were going to be released the next morning, as a result, of course, of the trouble I was supposed to have taken in the case. This was about 20 years ago. Last year I happened to conduct a murder case in that very State and was pleasingly surprised to find that the trial was as fair and as regular as in any Sessions Court in British India. This is how the mighty arm of Government has been improving things. I could quote several instances, but I think we should not lengthen our

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debate and I assure Honourable Members that awakening is coming among the princes themselves and the wave of Reform has affected them as well.

Sir, the Honourable the Home Member has pointed out that he would welcome any amendments to soften the sharp corners where they are found to exist in the Bill, and that is a sufficient guarantee of the *bond fides* of Government. Honest criticism will not be barred. The weapon will be used against the gutter press and the blackmailers only. I hope none of us here wishes them to thrive. We have given protection not only to the Government of India and the Provincial Administrations, but have lately extended the protection to our neighbours also. Why, then, should this be denied to the order of the ruling princes? Sir, in the words of the poet:

*"Her ke ba-khud na pasandi,
Ba-digran ma-pasand."*

"Whatever you do not like for yourself, pray do not allow that for others also."

I hope Honourable Members will present this Bill to the ruling princes as an earnest of the warm-hearted welcome which we should accord to them when their representatives come to occupy these Benches and work for the good of the country along with us, shoulder to shoulder, as they, no doubt, did during the Great War and other campaigns, and thus demonstrate India's readiness and determination to unite in order to meet the common foe. With these words, Sir, I support the motion.

Mr. B. Das: Sir, if I intervene at this early stage of the debate, I do so if thereby I can tantalize my Honourable friend, Mr. Glancy, to open his lips and to reveal to us by lifting the veil of the Political Department those dark secrets which the two defenders of the princes—my Honourable friend, Mr. Dumasia, and my Honourable friend, Captain Lal Chand,—said were known to Mr. Glancy. My Honourable friend, Mr. Glancy, can reveal the secrets of the princes and the sufferings of the States peoples which nobody else can do so thoroughly and exhaustively as he alone can do. Well, when, these two defenders of the princes, on the floor of this House, have spoken lots about the gutter press, none of them had the courage to mention or give us a list of that gutter press. My Honourable friend, Mr. Dumasia, who adorns the *Times of India*, as a sub-editor or so, defended so much the cause of the princes that I felt as if the *Times of India* and my friend, Mr. Dumasia, were writing the whole constitution backwards, upside down (*An Honourable Member*: "Inside out"). Sir, I do not know whether the letter which my friend, Mr. Dumasia, quoted from the *Times of India* had the entire support of the then Editor of the *Times of India*, but I cannot think that the *Times of India* entirely approves of the whole-hearted support which my Honourable friend gave to the princes, and when I interrupted him, he said so much in praise of the princes that I thought the very princes would blush and that their faces would be blackened by the praises showered on them. Then my Honourable friend, Captain Lal Chand, as an ex-Diwan of a State, gave us his experiences—how he was bribing the editors of the gutter press and how then the gutter press would give out long columns about the doings of the Diwan Captain Lal Chand and the prince he served.

An Honourable Member: But has he said so?

Mr. B. Das: Well, that is what I understood him to say.

Sir, coming to the motion before the House, I oppose the motion. My Honourable friend, the Home Member, pointed out that the opinions which had been received by the Secretary of the Legislative Assembly and circulated to us were divided. Somehow, although my Honourable friend, Mr. Jog, and I myself laid stress on the point that the Bill, opinions expressed, and the speeches delivered should be circulated not only to the princes, but also to the States peoples (Mr. S. G. Jog: "Nothing has been done of that sort"), nothing has been done of that sort. I will come to that again, but my Honourable friend, the Home Member, said that the opinions were divided. Of course, his reading of the opinions is that he has got the biggest support. As my Honourable friend, Mr. Sitaramaraju, pointed out the other day, somebody else might say that most of the opinions were on our side and were opposed to the Bill. My friend, Mr. Raju, quoted some of these. Most of them are Government officials, and some of them are also District Magistrates. I thought the district officers were rather callous fellows, but I find from their opinions that they are quite human beings and have been saying things which must have given anxious hours of thought to my Honourable friend, Mr. Glancy, because he would have to meet those points and they will be constantly referred to on the floor of this House. So I cannot understand why our suggestion was not accepted. Sir, I believe it is left to the Legislative Assembly Department to circulate the Bill and it is left to the Local Governments and to the Government of India to circularize these copies to the different Associations. Now, I know, the Indian States Peoples Association have got their head offices in Bombay. There are some branch offices in British civil stations, such as Ajmer, Rajkot, Wadhwan and other places. I do hope that when my Honourable friend, Mr. Glancy, rises to speak, he will tell us why the Political Department did not take these steps for circularization and why this Bill was not circulated to those public Associations that were situated in those stations that were under the direct administration of the Political Department; and I do hope that later on when my Honourable friend, Sir Harry Haig, rises, he will also tell us why the Bombay Government did not ask for the opinions of the Indian States Peoples Association whose head office is situated in Bombay.

Sir, I said, I am opposed to this Bill. I have nothing to take back from what I said at the introduction stage of this Bill, and I shall follow the same practice as the Honourable the Home Member followed and will not repeat any of my arguments that I used on a previous occasion. I will only use arguments that have come out afresh, particularly after reading the various opinions of the Government officials. Sir, I also suggested that the Government should take steps to ascertain the views of the ex-Political Agents,—those who have retired. Fortunately for us, my Honourable friend, Mr. Gaya Prasad Singh, quoted one of the ex-Political Agents who happens to be the Commissioner of his Division. Is not that so? You quoted Mr. Scott. Now, it would have been very interesting reading if the Political Department through the India Office had had the courage to consult those ex-Political Agents who are now drawing fat pensions which we the taxpayers of India are paying them now. Sir, I would like now to read to the House some of the opinions, very honest and good opinions, which some of the Government officials have had the courage to express. I hope the Government of India will not see their way to stop these gentlemen securing their accruing rights by stopping their promotion for expressing such honest views in an honest cause which rightly they have expressed for the cause of humanity. I should like to take my own pro-

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vince first which has already been referred to by my friend, Mr. Gaya Prasad Singh. I will refer to my own town, the District Judge of Cuttack. He says:

"My own view is that the wording 'hatred, contempt, or disaffection' is too wide. The scope of the Bill should be limited, etc."

I congratulate the Government of Bihar and Orissa for wanting to become a little bit wise and not so autocratic in the expression of their views:

"His Excellency in Council considers that the drafting of clause 5 is altogether too wide. In particular, the word 'interference' appears to be open to very wide interpretation and, therefore, to be objectionable."

Later on, they say:

"He considers that clause 6 also is open to the same criticism and goes beyond the principle enunciated by the Honourable the Home Member in the speech in which he moved that the Bill be referred to a Select Committee."

I congratulate the Bihar and Orissa Muslim Association of Patna who say that the Bill, if passed, will be injurious to the subjects and the interests of those States and will give too much protection to the States. But I do not congratulate the Bengalee Settlers' Association of Patna and the Orissa Domiciled Bengalee Association, who, like the Imperialists, when they go outside their own Province, have repeatedly supported this measure. That is natural, because the Bengalee Settlers, when they are in Bihar or in Orissa, have to live under the patronage of the Government for leaves and fishes and they must support whatever measures Government may bring forward, as was evident a few minutes ago by the speech of my Honourable friend, Captain Lal Chand. Sir, I would like to draw the attention of my Honourable friend, Mr. Glancy, to the observations of the District Judge of Ajmer-Merwara.

[At this stage, Mr. President (The Honourable Sir Shanmukham Chetty) vacated the Chair which was then occupied by Mr. N. M. Joshi, one of the Panel of Chairmen.] (Applause.)

This is what he says:

"But I also strongly feel that the States, as they are constituted at present with—in some cases—very crude and weak administrations, and with no means internally for a free expression of opinion—require the healthy check of fair and fearless criticism from the press and platform of British India to keep them going right."

I do hope that this gentleman is still the Additional District and Sessions Judge at Ajmer-Merwara and that no ukase has been issued from the Political Department saying that the gentleman has contravened the purpose of the Political Secretary. Sir, I am happy to see you in the Chair this moment, because, in all these opinions that we have received, the Bombay Presidency has come out gloriously. There the district officers have got an amount of freedom and spirit which I find lacking in the Government of India and elsewhere. Sir, I would quote the opinion of one or two District Magistrates, because it gladdens the heart of one to read such independent views of the District Administrators. The District Magistrate of Ahmednagar says:

"I am of opinion that if the Federation is to be a reality, there should not be any necessity of further protection for the Indian States, in fact the necessity on account of the forthcoming Federation should be less."

I would also quote the District Magistrate of Poona. He says:

"I should also suggest that the foundation of our support to the Bill should be clearly based on the fact that the administration of the Native State is an internal part of our Government machinery in India rather than on the very doubtful issue of reciprocity which has received a portion of criticism it deserved."

This challenges the very fundamental principle on which my Honourable friend, Sir Harry Haig, has introduced this Bill. Then, Sir, this is what the District Magistrate of Ratnagiri says:

"In these circumstances, it will now have to be passed somehow or other with a saving clause to the effect that States, which do not deserve its protection on account of their notorious foulness, will not benefit by it."

Sir, I do not wish to quote other District Magistrates. But there are Government officials, including my Honourable friend, Mr. Glancy, who, when they are freed from the cares and the turmoils of their offices, would tell me a different tale when I meet them in the salon of a London hotel. But I want the Government of India to face squarely and fairly the proposition which they have brought forward. Sir, which of the princes want this measure? My Honourable friend, Mr. Gaya Prasad Singh, referred to the speech of Mr. Natarajan, which he delivered at the Delhi Conference of Indian States People. Mr. Natarajan pointed out that one of the big princes told him that he never wanted it. We want my Honourable friend, Mr. Glancy, to convince this House that the Indian princes, big or small, wanted this protection. We want to know from any Resolution of the Chamber of Princes that this was the case. At the same time, we want him to prove, if he does not care to repudiate a former Viceroy, Lord Irwin, as to what has happened to Lord Irwin's circular letter to these princes? Did they improve their administration? Did they carry out the instructions contained therein? Did the Political Department exercise any pressure on these princes to raise their standard of administration and to come up to their proper level? No, no. All that my Honourable friend said was that everything was good and everything was the best in the princes and it was only the notorious Indian agitators that were causing all the trouble. I submit that this measure affects as much the British Indian subjects as the subjects of the Indian States. This measure takes away the indirect sympathy and protection that the Indian States people get in the shape of criticism and agitation in the Indian press and on the Indian platform by the British Indian subjects. But today my Honourable friend, Sir Harry Haig, may congratulate himself on having forced more repressive and more oppressive weapons on India than any other Home Member that preceded him did. After having so many old weapons in his armoury, the Honourable the Home Member has come forward with this new weapon in the guise of suppressing a few blackmailing papers whose names are unknown to us and must be unknown even to the Honourable the Home Member until he gets a slip of paper from my Honourable friend, Mr. Glancy. We are surprised to be asked to agree to the proposition that the whole of the Indian press should be suppressed. I suppose my Honourable friend, Captain Lal Chand, was a nominated Member of the Council of State in 1922 and not an elected Member.

Hony. Captain Rao Bahadur Chaudhri Lal Chand: Yes, I was a nominated Member then, as I am here, now.

Mr. B. Das: So when my Honourable friend was the Honourable Captain Lal Chand in the other House in 1922, the Princes Protection Bill was passed in the Council of State and, in spite of this House throwing out that measure in 1922, my Honourable friend, Captain Lal Chand, said that this House passed it. It does not redound to the credit of the elderly statesmen in the other House that they always say ditto to whatever proceeds from the Government, or, whenever a certified measure is sent to them, they always accept it with gratitude and gratefulness. So far as the two speeches made by the spokesmen of the Government are concerned, they have never pointed out that the 1922 Bill has failed. So far, the princes have only brought out three prosecutions, but this gallant advocate of the princes, my Honourable friend, Captain Lal Chand, pointed out that the existing measure was insufficient and, therefore, the present measure was necessary to give protection to these princes. Will my Honourable friend, Mr. Glancy, read out those letters which he received from the princes to show that this measure is necessary? Will he also tell us whether there is an unanimous wish? What is the plea of the Honourable the Home Member? It is that the Federation is coming. Has not the Federation been denounced by these big princes if the newspaper story is true? As was published in the newspapers a fortnight ago, many of the princes met at Delhi and they are fighting shy to come into the Federation. Why then either the Political Secretary or the Honourable the Home Member is so anxious to give a new inducement to these princes to come into the Federation? Who wants them to come into the Federation? I do not want the Federation.

The Honourable Sir Harry Haig: I made it perfectly clear in my speech that this measure was put forward on its merits and to meet the existing conditions.

Mr. B. Das: Thank you. Now, we are hearing a new explanation!

The Honourable Sir Harry Haig: Nothing new. If the Honourable Member had listened to my speech, I said it very plainly.

Mr. B. Das: In the Statement of Objects and Reasons, my Honourable friend, the Home Member drew attention to the impending Federation. Those Honourable Members who attended the Round Table Conference and the Joint Parliamentary Committee are not present here, but I do not think even those elderly statesmen were enamoured of the Federation in which the Indian princes will have a full voice and the Indian people will have no say. My Honourable friend, the Raja Bahadur, the other day, was very eloquent when he was talking about paramountcy, suzerainty and the rights of these exalted princes and their Exalted Highnesses. I must pay a compliment to the Raja Bahadur. He is an eminent constitutionalist and a great jurist, and being a lawyer and an advocate, he can play upon words and he can make black into white and white into black as is the practice of every advocate in this country. But I, as a layman, occasionally read the sanads which are now spoken of as treaties conferred by Captains and ordinary officers of the East India Company and these have become now treaties with His Majesty the King Emperor! I was particularly looking into some of the sanads granted to the Orissa States which are 26 in number on the borderland of Orissa, and this morning, when my Honourable friend, Mr. Dumasia, was speaking, he let fall an observation that I was ignorant of the administration of the Indian States.

Mr. N. M. Dumasia: No, you are an expert.

Mr. B. Das: I do not pose to be an expert. I am and I pose to be a humble spokesman of the nation, I never speak for any section of the people, I speak out what is vibrating in the very soul of the nation. (Hear, hear.)

Raja Bahadur G. Krishnamachariar: As if I do not represent the nation.

Mr. B. Das: My Honourable friend, the Raja Bahadur, being pre-occupied in his professional career elsewhere and in an exalted Indian State, may have no time to feel the pulse of the nation, but we, that are giving our life-blood for the nation, we feel the anguish of the whole nation. I am a fellow-sufferer in British India and I feel for my fellow sufferers in the Indian States and that is my humble submission to my Honourable friend, Mr. Raju, when the other day he referred to me that I was the tail-end of the Congress. Having suffered from the numerous and the numberless Ordinances and measures that the Honourable the Home Member had brought forward, I, Sir, though the Indian National Congress is not present here, I am only the tail-end of the Congress and I feel the more for the sufferings of those countless millions, the dumb millions of people of the Indian States. I had the pleasure and the privilege to attend the Delhi Indian States People Conference. I heard several speakers, each one of them styling himself as a serf of the serf. Sir, here we say that we are ruled by a bureaucracy, but we never say that we are the slaves of my Honourable friends, Mr. Glancy or Sir Harry Haig. But it is very humiliating to hear speaker after speaker at the Conference saying "we are serfs of the serfs, we have no right of speech, we have no right of redress of grievances". Now, I will come to my Honourable friend, the Raja Bahadur, and I will quote for his information one or two passages from these treaties or sanads with regard to the Orissa States. They were merely glorified zamindars until the end of the last century. The policy with regard to these Indian States is decided in the secret archives of the Honourable the Political Secretary in that red-coated house in Simla, I do not know what is the Department like here in Delhi, because I never visited the office of my Honourable friend I maintain that the whole policy is hatched in his Department. I cannot understand why these glorified zamindars, who are tributary chiefs, should be raised to the paramount status and why there should be no interference with them. What do these sanads say? This is a sanad with the feudatory chief of Serai Khela State, it was formerly in Orissa, and now it is in Chota Nagpur, and this sanad says:

"You shall conform in all matters concerning the preservation of law and order and the administration of justice generally within the limit of your State subject to the instructions issued from time to time for your guidance by His Honour the Lieutenant Governor of Bengal."

Mark that the instructions are to be issued from time to time "for your guidance" by British administrators. Then:

"You will appoint such officers and pay them such emoluments as, on full consideration of the circumstances and such representations as you may wish to make, may from time to time appear necessary to His Honour the Lieutenant Governor of Bengal for the proper hearing of cases and administration of justice in your State."

It will be also competent to you to nominate for appointment by His Honour as Honorary Magistrates or Munsifs such other persons as you may wish to be so appointed from time to time."

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Then the fifth is this:

"You shall administer justice fairly and impartially to all alike."

The sixth says:

"You shall recognise and maintain the rights of all your people and you shall on no account oppress them or suffer them to be in any way oppressed."

I hope my Honourable friend, the Raja Bahadur, has listened carefully to all this.

Raja Bahadur G. Krishnamachariar: That is only a sanad which contains instructions; it is not a treaty at all.

Mr. B. Das: I am not concerned with the plutocrats, the five big princes; I am concerned with six hundred small States and their people who receive such sanads and such treaties. I have not read the treaties with Hyderabad, Mysore or Baroda, and I do not know whether they were asked to administer justice. My Honourable friend, Mr. Glancy, when he rises to speak, may say whether they were so asked and whether the small States were not asked to administer justice and whether the Lieutenant Governor of Bengal, as he then was, did not compel through his Divisional Commissioners and District Magistrates these Indian Rajas to administer justice? And now these portfolios and offices of Political Agents have been created. Do the Political Agents look into the clauses of these sanads and treaties; and do they see that in every case the Raja or Maharaja or Exalted Highness or Holiness strictly adheres to the terms of these sanads and treaties? And today we hear spokesmen like Mr. Dumasia, half of whose constituency consists of Indian States people, people who settle in Bombay and make their millions there and take them back to the States. Today my Honourable friend, Mr. Dumasia, spoke in a tone as if all these people in Bombay were conspirators.

Mr. N. M. Dumasia: Where did I say that? I challenge that statement.

Mr. B. Das: My friend conveyed that idea.

Mr. N. M. Dumasia: It is unfortunate if my friend did not understand me.

Mr. B. Das: My friend's speech conveyed this idea that the Indian States people, who gathered at a Conference in Bombay, were all outsiders and not States people. Thereby, my friend laid a charge not only against Indian States people that are naturalised in British India, but he laid a serious charge on myself that I, a British Indian, was conspiring against the petty princelings. I am not concerned here with what happens to the States, but I, who partly pay the salary of my friend, the Political Secretary, I, who have maintained for 150 years this spectacular Political Department and this system of autocratic political administration, I have a right to ask my Honourable friend, Mr. Glancy, whether he and his Department are administering to the letter these treaties and sanads. As my Honourable friend, Mr. Raju, said, the people of the Indian States are the flesh of my flesh and the blood of my blood, my own

relations, who live partly in the States and partly in British India, and do they get British justice? Sir, these Members of the Treasury Bench at present, *minus* the Honourable the Law Member, represent a democratic nation, and even I who have lost all faith in them have some faith in the administration of British justice. I challenge my Honourable friend, the Political Secretary, to say that there is administration of justice in the States. I do not know where to draw the line. We have received a series of representations and petitions which were all presented to my Honourable friend, the Political Secretary, from time to time, but my friend, Mr. Glancy, simply glances at them and throws them away. (Laughter.) Today my Honourable friend may be in an exalted position, but some day my Honourable friend and the whole crowd of Political Agents and Political Secretaries will have to answer on the Day of Judgment elsewhere, and then they cannot take shelter behind the Civil Service Regulations and the laws that the Secretary of State has made. They will have to reply to the divine laws. "When you are the overlord of these princes, when all these princes are waiting in your ante-room dancing attendance on you, do you administer justice to the 80 millions of people in the Indian States?" Sir, the Honourable the President has ruled that we are not to refer to particular States. I do not wish to refer to particular States, but I have got many books here. I have got here "The Indictment of Patiala" and I have got a big book by Mr. Chudgar narrating the distress of the Indian States people. We have received a series of complaints and petitions and my Honourable friend, Mr. Glancy, has also received them, and has probably thrown them into his waste-paper basket. A certain Maharaja forcibly took away the wife of a subject, and when the Political Agent was asked to intervene, that Political Agent wrote:

"For your wife you will have to accept Rs. 20,000 from the Maharaja, and you will have no claim on your wife."

Where is British justice now? These British people have got one marked characteristic, and that is that they respect womanhood. Wherever the Viceroy goes, the Vicereine gets equal status with the Viceroy; wherever the District Magistrate goes, his wife receives almost the same respect. Britishers respect womanhood and here we find a British Political Agent writing this to a poor subject of an Indian State offering him Rs. 20,000 for his wife.

Mr. B. V. Jadhav (Bombay Central Division: Non-Muhammadan Rural): The prince was liberal.

Mr. B. Das: My friend, Mr. Jadhav, says that the prince was liberal, so that there are princes who offer much less in these cases. I know, Sir, in many States wives and daughters are not safe. If we make reference to these things, we come under the provisions of this Bill. If a newspaper publishes it, that particular statement may be hauled up, but, Sir, we are human beings. I myself am the editor of a paper and I may comment on the contemptible latitude given to this particular prince. Then, what would happen? The District Magistrate will haul me up or ask me to pay Rs. 10,000 as security. That is the provision of this Bill. Sir, the Roman Empire was lost through Imperialism. I ask my Honourable friends, Mr. Glancy and the Home Member, to pause and see whether Imperialism is not running riot through this Bill, and whether the little respect that we have for British justice will not pass away for ever if this

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Bill is passed, and if my Honourable friend, the Home Member, wants a new weapon to suppress the liberties of the Indian Press, he could have come openly to us; but why come under the guise that you are protecting the princes? That very question has re-opened the whole issue which my Honourable friend, Mr. Glancy, for the last four months has been cogitating: I am waiting to hear his speech—I hope he will speak this evening or the day after tomorrow

The Honourable Sir Harry Haig: When the Honourable Member sits down.

Mr. B. Das: I shall then cut my speech short. It is such an honour to hear the Political Secretary who comes from a family, **A.P.M.** members of which have contributed their lives to the administration of Indian States, and who, if we are to judge by the Kashmir report, as published in the Press, gave us the hope that here we have a man who tried to assess things in their proper perspective. I do hope that my Honourable friend will not take shelter under rules and procedure when he speaks. Let him think that this House has met in Committee and that we are the Select Committee and let him take us into confidence and say whether the apprehensions and the serious charges we have levied against the maladministration of those States are not true or correct to a certain extent and whether this Bill—which I oppose and which my Party will, I believe, oppose and which I hope this House will throw out when it is put to vote—if it is passed into law, will not seriously affect the human liberties of British Indians in British India and whether it will not permanently enslave like Ethiopian slaves, these eighty millions of people who are the subjects of these princes.

Mr. B. J. Glancy (Political Secretary): Sir, in the course of the discussions that occurred in Simla, one Member felt called upon to draw attention to the amount of heat that had been generated during the debate. I should like to associate myself with those remarks. Different views may be held about the wisdom of this Bill, but this debate is bound to have its repercussions and it seems to me to be eminently desirable that the discussion should proceed on calm and moderate lines, so that no friction or distrust may be created and that the relations between British India and the States may not be prejudiced.

With your permission, Sir, I should like to indulge in a brief digression about the Indian States and their relations with the Government of India in so far as it appears to be relevant at all to the present Bill. But I hope I may be forgiven if I refrain from entering into statistical illustrations. There are various reasons for this: in the first place, it is difficult to give statistics without being ultimately prepared to mention individual States by name, and that, in accordance with the example set by the Honourable the Home Member and followed by many others, I propose to avoid. Secondly, the House will realise that when it comes to giving the proportion of Indian States which enjoy the benefits of such things as higher institutions, it is really impracticable to present a true picture, because there are very many states, so small and with such limited resources, that it is impossible to expect them to compete with British India in the matter of elaborate machinery. And, thirdly, statistics in themselves are absolutely misleading: it might be difficult, for instance, to attain unanimous agreement as

to those particular higher institutions which deserve to be classed as such and those which do not.

As the Honourable the Home Member has stated, there are various forms of government in Indian States. The Government of India do not dictate to Indian States what particular form of administration they should adopt. This will be plain, for instance, from the speech delivered by Lord Minto in 1909, an extract from which has been quoted by my Honourable friend, Mr. Jog. Broadly speaking, the Government of an Indian State is more elastic, more intimate and more paternal than that prevailing in British India. And there are many that prefer a paternal form of government to any other. (*An Honourable Member*: "Question".) It may be true that there are certain features about Indian States to which British Indian subjects might take exception; but it is also true that there are certain features about British Indian rule which might not be altogether acceptable to the subject of an Indian State. To take one example, only a small proportion of Indian States enjoy the benefits of an income-tax regulation, and, however astonishing it may be to us in British India who have learnt to welcome and look forward to the attentions of the income-tax collector, it is, I think, doubtful how far those who are unused to the blessings of that system would be gratified by its application to themselves

Mr. B. V. Jadhav: During recent years many Indian States are levying income-tax.

Mr. B. J. Glancy: Sometimes it has been suggested that the subject of an Indian State has no defined rights of any kind. This is very far from being the case. In practically every Indian State of any importance, there is a land revenue system modelled on British Indian lines. Regular settlements have been conducted and have been carried out in very many cases by experts borrowed from British India, and the rights of proprietors and tenants have been properly provided for.

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

It would not be difficult to point to various Indian States where the *malguzar* enjoys a revenue assessment more lenient and more favourable than he could normally hope for in British India

Mr. B. V. Jadhav: That is not a fact: land revenue assessment in Indian States is much higher than land revenue assessment in British villages in neighbouring districts.

An Honourable Member: You did not hear what he said.

Mr. B. J. Glancy: Similarly it would not be difficult to instance many Indian States which can hold their own and sometimes do more than hold their own with British India in the matter of public institutions, such as hospitals, colleges, schools, public roads and in such matters as free educational facilities. In every State in India of which I am aware, the laws are closely based on the laws prevailing in British India.

There has been a distinct response to the appeal made by Lord Irwin to the Chamber of Princes. And, taken as a whole, it may safely be said

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that the Indian States are definitely advancing as regards the efficiency of their administration. Several of them have established effective High Courts, several have separated the judicial from the executive, and though very many rulers may prefer to govern on traditional lines, there are several who have imitated British India in the matter of closely associating their subjects with the Government of the State. It is not correct that the subject of an Indian State, unless he resorts to outside propaganda, has no means of bringing his grievances to notice, but in Indian States, as in British India and elsewhere, the man who has a grievance must remember that in the first instance he should bring his complaint to the notice of the authorities directly concerned. I think it is only natural and certainly it is true that in a State governed on paternal lines the subject has the advantage of being able to bring his complaint personally to the notice of the highest authority more readily than he can hope to do in British India.

As regards the function of the Government of India various Honourable Members have expressed widely divergent views as to what the practice of the Government of India ought to be. I do not propose to argue about what the practice ought to be, but I shall merely content myself by saying in a few words what the accepted position actually is. The position is that where serious misgovernment prevails in an Indian State, the Government of India do regard themselves as under an obligation to intervene. That has been made plain in many pronouncements, and I hope I am betraying no secret when I say that ordinarily, where intervention becomes necessary, it takes the form in the first instance of advice and persuasion. If that advice is heeded, the public, unless somebody is indiscreet, hears nothing further of what has occurred. It is only when the advice passes unnoticed that recourse is had to more extreme measures. The Government of India are fully alive to their responsibilities and do their best to fulfil them.

It would be idle to deny that from time to time many Indian States have fallen sadly short of the ideal and have rendered intervention necessary, but, as several Honourable Members have pointed out, it would be grossly unfair to generalise from that and to condemn all States alike. I should like to take this opportunity of saying that, in a well conducted Indian State, where the ruler takes a close personal interest in the welfare of his subjects,—and there are very many such States, both great and small,—the people, so far as I have been able to observe, are every whit as happy as they are in British India, or, as far as my limited experience goes, anywhere in the world. A good Indian ruler excites in the minds of his subjects a degree of affection and devotion which it is difficult sometimes for a Westerner to realise, and it seems to me that in these times, when many changes are passing over the face of India and many re-adjustments have to be made, it is worth while thinking very seriously, before one proceeds to weaken or uproot any such nucleus around which the seeds of loyalty and patriotism will naturally collect.

The people in Indian States are by no means voiceless as regards newspapers published in State territories. According to the latest return that I have received, there are 442 private periodicals appearing in Indian States.

Now, Sir, as regards the Bill that is before the House, it may roughly be divided for practical purposes into two main portions . . .

Mr. B. V. Jadhav: Are the State Gazettes included in the number of those periodicals?

Mr. B. J. Glancy: No, I said private periodicals.

The Bill, that is now before the House, may for practical purposes roughly be divided into two main portions; firstly, that which relates to the Press, and, secondly, that which deals with organizations outside the Press, such for instance, as *jathas*.

As regards the first portion, I should like to make it clear once again that there is no cause whatsoever for alarm to the responsible Press, whether Indian or European, to which we all look up with admiration and respect. There is no intention of stifling legitimate criticism. I quite realise the force of the remarks made by my Honourable friend, Sir Cowasji Jehangir, and I hope his point will be met successfully when the Bill comes to Select Committee.

With the less responsible and more sensational section of the Press, the case is different. I have been studying the results of the circulation of this Bill, and as far as I can gather, there is one outstanding argument adduced against the passage of this Bill, and that is the contention that somehow or other newspapers of every description assist Government in fulfilling its function and so protect the subjects of Indian States. It appears to me to be very doubtful how far this contention can be justified.

I should like to take an instance, if I may, of a certain State which has attained a very undesirable degree of prominence during the last year or two, and in the case of which the Government of India actually did have to intervene. It is perfectly true that many newspapers did clamour for intervention, but it is also true that a considerable number bitterly opposed any action in this direction. Some of these newspapers ascribed fantastic motives to Government, but the general tendency was to suggest that any intervention would be the result of misrepresentations manufactured by one particular community on whose intentions doubts were thrown; that is to say, the arguments were based on communal grounds. Nor were those papers which did preach the gospel of intervention by any means free from this failing themselves. In the main they tended to lay all possible weight on communal grievances and to ascribe only a very subordinate position to those economic factors which were actually the outstanding source of trouble to the people of the State, irrespective of the community to which they belonged. So it is difficult to maintain in this case that the irresponsible Press rendered any very material service to Government or to the State or to the State people.

It would not be difficult to quote cases in which the irresponsible Press has rendered a positive disservice to the subjects of an Indian State. Cases have occurred in various States where the demand for a certain concession was proceeding on constitutional and legitimate lines and the concession was on the point of being granted by the Government of the State, but unfortunately outside agencies and various newspapers, for their own purposes, chose to enter the arena, and the demand, instead of continuing on constitutional lines, became accompanied by threats

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and abuse such as no Government can be expected to relish. The result has been that the State people were left waiting for the fulfilment of their aspirations.

Cases occur from time to time in Indian States when it is necessary to introduce some general reform in the interests of the people at large. It is quite possible that such reforms may cut across and conflict with the interests of former privilege holders. There is a saying that it is impossible to make an omelette without breaking eggs. What action does one of these privilege holders take? Very often he hurries along to the editor of an irresponsible newspaper and makes a complaint against the State. Does the editor take the trouble to inquire into the rights and wrongs of the case? One might as well expect a cat to examine the trade mark on a tin of cream! (Laughter.) The result is a series of very indignant articles in which the State is represented as a tyrant and the privilege holder as a martyr, but the ordinary poor subject of the State is left out of the picture altogether. The editors of irresponsible papers are not always interested in whether the State subject can afford to feed himself; what really matters is whether he can afford to feed the editor. (Laughter.)

I should like to give an illustration of rather a different kind. There are certain territories in Indian States reaching up into the mountains, places that have been compared and justly compared in many respects to Switzerland. As in the case of Switzerland, there are many different classes of State subjects in these places who depend for their livelihood on the flow of visitors for whose needs they cater. Certain newspapers have made a habit of magnifying out of all proportion to the truth any occurrences in the way of disorders or disturbances that may occur in these places. The result is naturally a decrease in the flow of visitors and an increasing difficulty in making one's livelihood. For every anna and for every rupee that the editors of irresponsible newspapers put into their pockets in the course of this campaign they make the subjects of the State pay and pay very dearly.

It appears to me to be very doubtful how far the irresponsible and sensational Press is really successful in championing the cause of State subjects. I do not know of any case in which the Government have intervened in the affairs of a State as the result of a campaign in the Press. There are, of course, many cases in which the Press have advocated intervention and the Government have actually intervened, but there is nothing surprising in that. It is no more astonishing than that a weather prophet, if he forecasts rain on every day of the year, will sometimes make his prophecy correctly. The irresponsible Press, of course, are not slow in claiming for themselves the full benefit and the full credit for any action that Government or a State may take. But this is largely a business proposition, and in this respect the editors of sensational papers are not unlike quack doctors. They have a universal specific to prescribe for all ailments and that specific takes the form of advertisement through their own columns.

What I have been saying will serve, I hope, to bring out one unfortunate feature of the irresponsible Press, and that is, that the editors and

proprietors of such newspapers tend to pay more regard to their own profits than to any benefits which they may confer on others. This is an aspect of the case which has been touched upon by my Honourable friend, Mr. Ranga Iyer, and others who have followed him, and I do not think that I need say very much more about it. Every one will have noticed, for instance, that a certain type of newspapers will make a point of running a violent campaign against a particular State. Day after day, week after week, these attacks go on and then suddenly for no very apparent reason they fade away into silence and calm prevails. Not very long ago, I asked the proprietor of a certain newspaper to explain a phenomenon of that nature. He thought for some time and then he said very wisely that he believed the material supplied to him must have changed. (Laughter.) By which he meant, I suppose, that the material derived from his correspondence had been replaced by a more valuable and more tangible form of material extracted from the party that he had been maligning. I saw a month or two ago, soon after this Bill had been introduced, an article in a certain newspaper which deprecated this proposed legislation on the ground, to use the words of the article, that if the Bill were passed, it would be "at the cost of the press". So far as the piratical section of the Press is concerned, that remark is a frank and ingenuous statement of the truth. (Laughter.) Some peoples' pockets will no doubt be touched, but in these days of almost universal depression, there are worse things to weep over than the disappearance of this unearned and undesirable form of increment. The truth is that India can no longer afford to support this particular form of piracy. The price to be paid is too high. The price involves the peace of India.

That brings me to what in my humble opinion is by far the most serious and distressing feature of the irresponsible Press in its relation to States, and that is that these papers always tend or nearly always tend to impart a communal tinge to all State controversies. I have already referred to this aspect before with reference to a particular State, but I hope I may be pardoned if I revert to it now, because I think it is hardly possible for me to exaggerate the evil that this sort of thing does to the country or the menace that it holds out to any hope of a united India. It is an all too common an occurrence that when trouble arises or is alleged to arise in an Indian State, the sensational Press at once gets busy on communal lines. The papers revile each other freely and unmercifully; they drag every hallowed name in the mire; and they blackguard the State and its administration. Every action that the State authorities adopt is condemned by one set of newspapers as an act of tyranny levelled at community A and by another set of newspapers as a pitiable exhibition of weakness designed to betray the interests of community B. No stone is left unturned in order to embarrass the State administration and fan the flame of communal hatred. Not very long ago, I had the somewhat doubtful privilege of serving in a State where communal feeling ran high. It was not a pleasant position and what sometimes drove one to despair was the attitude of these sensational papers, always sounding the communal battlecry and always distorting the facts for their own purposes. I remember getting a kind and polite letter from the editor of a certain newspaper in which he was good enough to congratulate me on the appointment that I held. What precise cause there was for congratulations was perhaps obscure, but anyhow I wrote back and thanked him for his letter and I expressed the

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hope that he would refrain from making communal feelings more bitter by reproducing in his newspaper inaccurate statements. I offered that if he would be good enough to consult me, I would do my best to try and verify any information that he might receive. That offer met with no response. The paper continued on its usual course and protests made through various channels had no effect. The fact is that papers of this description have very little use for accurate information. They conceive that they are catering for strong tastes and they supply strong meat in consequence. Whether the meat which they supply is poisoned or adulterated is no concern of theirs.

Another rather sinister manifestation of this particular feature is this that when one set of newspapers starts on its campaign against a particular State, another collection of newspapers immediately threaten counter-attacks on different States. These counter-attacks are not to be indulged in not for any very obviously justifiable reason, but merely because the rulers of the States threatened with counter-attack happen to belong to a community different from that of the ruler against whom the original campaign was launched. These counter-attacks are to be made with some ill-conceived idea of restoring the equilibrium and equating the communal balance.

One Honourable Member has expressed the opinion that this Bill might well be deferred, because, in his opinion, it will be many years before Federation is actually introduced. I hope that his estimate is wrong and that Federation will develop before he anticipates. But, even if we suppose that his prophecy is correct, is there any one here who can say that it is too early now—today—for India to try to close her ranks and put an end to this interminable clashing of communal warfare.

Now, the second part of the Bill relates, as I have said, to organisations outside the Press culminating in such extreme forms as *jathas*. I do not think that I need say much about this, but, not very long ago, I was stationed in a place where *jathas* developed on a fairly extensive scale and perhaps I might say a few words about what actually occurred. I do not propose to say anything about the motives which inspired the *jathadars*, because, I think, if I did so, communal feeling might possibly be aroused and it might give rise to bitterness. I will just say what actually did occur. There was a collection of people who decided that they would run a *jatha* campaign against a certain State. They collected an army of sorts and marched on their objective. They certainly professed that their intentions were peaceful, but as they marched through villages belonging to another community shouting out offensive slogans as they went, the result was inevitable. The same thing would have occurred, I think, in any country of the world where the people were not entirely devoid of spirit. The result was riot and bloodshed. So far from helping the people of the State, these misguided crusaders only got them into further trouble. They distracted the State authorities in their efforts to put the situation right, and, as the direct result of these *jathas*, several valuable lives were lost. Now, Sir, this trouble would never have occurred and those lives would not have been lost if the British Indian authorities had been empowered to deal, as they should be able to deal, with the situation, that is to say, if this Bill had been passed into law. It seems to me that it is high time that effective steps were taken to put an end to this form of insensate activity, for I can conceive of no occasion on which these demonstrations can be of assistance to any one whomsoever

except possibly to those who are personally interested in organising such disturbances.

All that the Governments of the States are desiring now is fair play. In some quarters it appears to be doubted whether the legislation now proposed would be welcome to the Governments of Indian States or whether they would find the provisions of this Bill consistent with their dignity. I do not think that these doubts need be taken seriously. Nor do I see that there is anything undignified in the Governments of Indian States expecting the British Indian authorities to control the situation in British India. The Governments of the States themselves have always been ready to reciprocate. They do not allow their newspapers to embarrass the British Indian Government or to make personal attacks on British Indian ministers, nor do they permit their people to band themselves into *jathas* and advance on Simla or Delhi in order to save their British Indian brethren from the onslaughts of the income-tax collector. The existing Princes (Protection) Act has been found to be of no avail. To all intents and purposes, that piece of legislation fell still born from the Statute-book. The number of prosecutions that have been instituted might be counted on the fingers of one hand. The reasons for this, as the Honourable the Home Member has explained, are not far to seek. In the first place, the effect of a prosecution is to broadcast and advertise the very offence with which it is sought to deal, and, in the second place, the time spent in a prosecution, to say nothing of the expense, is in itself a deterring factor. In the last case, of which I have heard, the proceedings have occupied just about four years before coming to a final conclusion. I submit that no Government in the world can afford to wait for so long a period before taking effective action to clear its good name.

I said just now that the States' Governments are only asking for fair play. And by giving them fair play, surely this House will be conferring a benefit on India as a whole. Under the new Constitution, the proposal is that British India and the States should go hand in hand as partners. But, if the virus, which this Bill is intended to eradicate, is not removed from the system of India, not only will there be increasing cleavage between the individual partners, but the rift between the great communities throughout the length and breadth of India will grow wider and wider every day. It seems to me that, unless the body politic of India is prepared to subject itself to the painless and minor operation which this Bill involves, it will have to face a long and serious illness in the very near future.

Sardar Harbans Singh Brar (East Punjab: Sikh): Mr. President, when this Bill was before the House on the last occasion, I had just begun my speech and begun to develop the argument of the responsibility of paramountcy when the Home Member announced the acceptance of the circulation motion and my speech was cut short. I was at that time just beginning to argue that this Bill was superfluous and that paramountcy had two sides in dealing with Indian States. In the one case, it has certain rights, privileges and prerogatives, and, in the other, it has certain obligations to discharge. The paramount power has, in pursuance of the treaties it made with certain princes and the *sanads* granted to others and by the so-called usage, custom, and so on, taken upon itself the responsibility of protecting the States from aggression from without as well as from internal

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commotion in return for the States agreeing to come under the suzerainty of His Majesty the King-Emperor of India. And agreeing also to forgo the right of dealing with foreign powers and princes and further to curtail their own rights even regarding some of their internal affairs like the maintenance of the armies whereby the paramountcy extended its sphere of suzerainty and power and prestige and in return thereof promised protection. These powers, privileges and prerogatives are exercised by the Paramount Power on its own motion. That is one side of it with which the Indian Legislature has nothing whatever to do. We are precluded, Mr. President, even from asking questions of the type of "how many princes are for the introduction of this measure", or how many people protested against the introduction of it. Even such questions, according to the rules framed by the representatives of the Paramount Power in British India, we are precluded from asking in this Legislature; and, if that be so, is it not only fair and just but proper that, as far as we are concerned, that branch of the Paramount Power which exercises the rights, the prerogatives and the privileges of paramountcy should alone take the responsibility of providing this protection to the administrations of the Indian States, and not ask us to share with them in such actions by way of discharging their obligations, when we have not the least share in the enjoyment and the exercise of those rights and privileges which are associated with such obligations? Sir, it is quite open to that branch of the Paramount Power which exercises these rights and prerogatives to provide, either by legislation on its own motion through the Imperial Parliament, or by resorting to the more expedient method of promulgating what we are by now quite well accustomed to welcoming, I mean the Ordinances, and thereby keep both the obligations and the rights and prerogatives to be dealt with by one and the same side of the administration and not leave the obligations alone to be performed by the representatives of the British Indian subjects. It is, Mr. President, quite open and plain to us that the paramountcy is for ever paramount, and that the suzerainty is unchallenged. It has been so stated more than once in plain language by more than one Viceroy of India, and it would have been quite proper and appropriate to meet an emergency of the kind, such as is before the Government, had they, on their own motion, either promulgated an Ordinance or provided the protection by some other method and not brought us into the picture, when we are so much debarred from officially either knowing or having information about the Administrations or their subjects, which Administrations we are asked here now to protect. Unless we are entitled and unless we have the resources of knowing officially the facts and the conditions prevalent in those areas which are in need of protection or are asking for it, we are incapable to do anything and we are without the material which would show the need for such protection

Mr. President (The Honourable Sir Shanmukham Chetty): The Honourable Member may resume his speech when the Bill comes up for consideration the next time. The House stands adjourned till tomorrow morning at 11 o'clock.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 6th February, 1934.