

26th January 1937

**THE
LEGISLATIVE ASSEMBLY DEBATES**

(Official Report)

Volume I, 1937

(25th January to 19th February, 1937)

FIFTH SESSION

OF THE

FIFTH LEGISLATIVE ASSEMBLY,

1937



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

M89LAD

Legislative Assembly.

President :

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

Deputy President :

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

Panel of Chairmen :

SIR MUHAMMAD YAKUB, KT., M.L.A.

MR. S. SATYAMURTI, M.L.A.

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

SIR COWASJI JEHANGIR, BART., K.C.I.E., O.B.E., 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 Petitions :

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

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

SARDAR SANT SINGH, M.L.A.

MR. M. GHILASUDDIN, M.L.A.

MR. MATHURADAS VISSANJI, M.L.A.

CONTENTS.

VOLUME I.—25th January to 19th February, 1937.

		PAGES.			PAGES.
MONDAY, 25TH JANUARY, 1937,—			MONDAY, 26TH JANUARY, 1937,—<i>contd.</i>		
Members Sworn	1		The Land Customs (Amendment) Bill—Introduced	184	
Questions and Answers	2—117		The Code of Civil Procedure (Second Amendment) Bill (Insertion of new section 44-A)—Recommitted to Select Committee	184—85	
Unstarred Questions and Answers	117—25		The Arbitration (Protocol and Convention) Bill—Referred to Select Committee	185	
Statements laid on the Table	125—57		The Indian Lac Cess (Second Amendment) Bill—Passed	185—86	
Deaths of Maulvi Badi-uz-Zaman and U Ba Si	157—58		The Hindu Women's Rights to Property Bill—Presentation of the Report of the Select Committee	186	
Motion for Adjournment <i>re</i> Official interference in elections at Moradabad—Ruled out of order	158—59				
Report of the Government Delegates at the twentieth session of the International Labour Conference, laid on the table	159—81		TUESDAY, 26TH JANUARY, 1937,—		
Panel of chairmen	182		Questions and Answers	187—226	
The Durgah Khawaja Saheb Bill	182		Unstarred Questions and Answers	226—31	
Loyal congratulations to His Majesty King George VI, Emperor of India, upon His accession and an assurance of devotion to His Royal Person	182		The Insurance Bill—Introduced	232	
Motion <i>re</i> Election of the Standing Committee for the Department of Commerce—Adopted	182—83		Resolution <i>re</i> —		
The Repealing and Amending Bill—Withdrawn	183		Draft Convention of the International Labour Conference <i>re</i> maintenance of rights under invalidity, old-age and widows' and orphans' Insurance—Adopted	232—33	
The Indian Boilers (Amendment) Bill—Introduced	183		Draft Convention of the International Labour Conference <i>re</i> annual holidays with pay—Adopted	233—49	
The Indian Electricity (Amendment) Bill—Introduced	183				

	PAGES.		PAGES.
WEDNESDAY, 27TH JANUARY, 1937,—		MONDAY, 1st FEBRUARY, 1937,—<i>contd.</i>	
Statements laid on the table	251—52	The Contempt of Courts (Amendment) Bill—Introduced	340
Demands for Supplementary Grants	252—64	The Indian Income-tax (Amendment) Bill—Introduced	340
THURSDAY, 28TH JANUARY, 1937,—		Amendment of Indian Legislative Rules—Referred to a Committee	341—87
Short Notice Question and Answer	265—68	The Land Customs (Amendment) Bill—Passed	387—92
The Arya Marriage Validation Bill—Postponed	268—70	The Indian Boilers (Amendment) Bill—Referred to Select Committee	392—94
The Hindu Marriage Validity Bill—Discussion on the motion to refer to Select Committee not concluded	270—320	The Indian Electricity (Amendment) Bill—Referred to Select Committee	394—96
FRIDAY, 29TH JANUARY, 1937,—		TUESDAY, 2ND FEBRUARY, 1937,—	
Short Notice Question and Answer	321	Members Sworn	397
Governor General's assent to Bills	321—22	Questions and Answers	397—402
The Code of Civil Procedure (Second Amendment) Bill—Presentation of the report of the Select Committee	322	The Insurance Bill—Referred to Select Committee	402—16
The Arbitration (Protocol and Convention) Bill—Presentation of the report of the Select Committee	322	The Indian Railways (Amendment) Bill—Referred to Select Committee	416—28
Resolution <i>re</i> interference from Public Servants in the ensuing Elections—Adopted, as amended	322—23	WEDNESDAY, 3RD FEBRUARY, 1937,—	
Statement of Business	323—25	Questions and Answers	429—39
MONDAY, 1ST FEBRUARY, 1937,—		Demands for Supplementary Grants in respect of Railways	437—66
Member Sworn	327	THURSDAY, 4TH FEBRUARY, 1937,—	
Message from H. E. The Governor General	327	Members Sworn	467
Questions and Answers	327—37	Amendment of Indian Legislative Rules—Presentation of the Report of the Assembly Committee	467
Statements laid on the Table	337—38	The Hindu Marriage Validity Bill—Motion to refer to Select Committee, negatived	467—85
Election of the Standing Committee for the Department of Education, Health and Lands	338—40		

	PAGES.
THURSDAY, 4TH FEBRUARY, 1937,—contd.	
The Hindu Women's Rights to Property Bill—Passed	485—515
The Code of Criminal Procedure (Amendment) Bill (Amendment of sections 30, 34, 34A and 35)—Discussion on the motion to refer to Select Committee not concluded	515—20
Appendix "A"	521—28
FRIDAY, 5TH FEBRUARY, 1937,—	
Questions and Answers	529—33
Statements laid on the table	533—46
Message from H. E. the Governor General	547
Statement of Business	547—48
MONDAY, 8TH FEBRUARY, 1937,—	
Member Sworn	549
Questions and Answers	549—50
The Indian Naval Armament (Amendment) Bill—Introduced	550
Amendment of the Indian Legislative rules	551—607
TUESDAY, 9TH FEBRUARY, 1937,—	
Members Sworn	609
Questions and Answers	609—12
The Indian Boilers (Amendment) Bill—Presentation of the Report of the Select Committee	612
The Indian Electricity (Amendment) Bill—Presentation of the Report of the Select Committee	612
Amendment of the Indian Legislative Rules	612—16
The Indian Income-tax (Amendment) Bill—Passed as Amended	617—38
The Contempt of Courts (Amendment) Bill—Passed	638—41

	PAGES.
TUESDAY, 9TH FEBRUARY, 1937,—contd.	
The Code of Civil Procedure (Second Amendment) Bill—Insertion of new section 44A—Passed as amended	641—47
The Arbitration (Protocol and Convention) Bill—Passed	647—60
The Code of Civil Procedure (Third Amendment) Bill—Amendment of section 60—Passed as amended	650—58
WEDNESDAY, 10TH FEBRUARY, 1937,—	
Member Sworn	659
Message from H. E. the Governor General	659
Election of Members to the Standing Committee on Emigration	659—60
The Repealing and Amending Bill—Introduced	660
The Workmen's Compensation (Amendment) Bill—Introduced	660
Resolution re creation of a separate Road Fund for the purposes of Road Development—Adopted as amended	660—714
The Manœuvres Field Firing and Artillery Practice Bill—Referred to Select Committee	714—15
THURSDAY, 11TH FEBRUARY, 1937,—	
The Code of Criminal Procedure (Amendment) Bill (Amendment of sections 30, 34, 34A and 35)—Motion to refer to Select Committee, negatived	717—56
The Indian Arms (Amendment) Bill—Discussion on the motion to refer to Select Committee not concluded	757—66

	PAGES.		PAGES.
FRIDAY, 12TH FEBRUARY, 1937,—		FRIDAY, 19TH FEBRUARY, 1937,—	
Questions and Answers	767—72	Questions and Answers	879—88
Statements laid on the Table	772—74	Unstarred Questions and Answers	886—91
Message from H. E. the Governor General	774	Notification referred to in the Resolution <i>re</i> Emigration to Burma	891
Statement of Business	774—75	Statement of Business	891
Resolution <i>re</i> Revision of Pension Rules for Inferior Services—Withdrawn	775—87	The Indian Limitation (Amendment) Bill—Introduced	891
TUESDAY, 16TH FEBRUARY, 1937,—		The Indian Tea Cess (Amendment) Bill—Introduced	891—92
Member Sworn	789	The Indian Army (Amendment) Bill—Introduced	892
Questions and Answers	789—801	The Agricultural Produce (Grading and Marking) Bill—Passed as amended	892—97
Unstarred Questions and Answers	801—03	The Indian Boilers (Amendment) Bill—Passed as amended	898—99
Message from H. E. the Governor General	803	The Indian Electricity (Amendment) Bill—Passed as amended	899—900
Presentation of the Railway Budget for 1937-38	804—12	The Indian Naval Armament (Amendment) Bill—Passed	900—02
Committee on Petitions	812—13	The Workmen's Compensation (Amendment) Bill—Passed	902—03
Election of the Standing Committee for the Department of Industries and Labour	813—14	Resolution <i>re</i> Emigration to Burma—Adopted	903—04
The Agricultural Produce (Grading and Marking) Bill—Introduced	814		
THURSDAY, 18TH FEBRUARY, 1937,—			
Statements laid on the Table	815—16		
The Railway Budget—General Discussion	816—78		

LEGISLATIVE ASSEMBLY.

Tuesday, 26th January, 1937.

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

QUESTIONS AND ANSWERS.

ELECTRICAL EQUIPMENTS PURCHASED FROM FOREIGN AND INDIAN FACTORIES.

237. ***Mr. Akhil Chandra Datta:** (a) What is the proportion of purchase of electrical equipments by the Government of India from foreign and Indian factories?

(b) What amount has been paid by the Government of India for the purchase of electrical equipments during the last five years from foreign factories on behalf of:

- (1) State Railways,
- (2) Army.
- (3) Public Works?

(c) Are Government considering the desirability and feasibility of stopping this drain of Indian money?

The Honourable Sir Frank Noyce: (a) and (b). Detailed figures for purchases of electrical stores by different departments are not readily available, but I lay on the table a statement showing the values of important purchases of electrical stores made by the Indian Stores Department during the five years, 1931-32 to 1935-36, showing the amounts spent on indigenous and imported stores separately.

(c) I would draw the attention of the Honourable Member to the answer I gave to Pandit Krishna Kant Malaviya's starred question No. 5 on the 4th February, 1936. The manufacture in India of electrical machinery and equipment is still in its infancy. Government render practical assistance to the indigenous industry by obtaining its requirements of such articles as are manufactured in India. It will be seen from the statement that the value of purchases during each of the last two years was approximately four times that of the previous year. These included such articles as electric wires and cables, copper conductors, electric fans and fittings, lamps and electric lighting fittings, primary and secondary cells and components, porcelain insulators and spare parts for telephone equipment and signalling apparatus. The industry has made considerable progress during

recent years but its capacity to satisfy fully the requirements of the country must remain a question of time.

Statement showing the values of important purchases of electrical stores made by the Indian Stores Department during the five years 1931-32 to 1935-36.

Year.	Indigenous.		Imported.		Total Value.
	Value.	Percentage.	Value.	Percentage.	
	Rs.		Rs.		Rs.
1931-32	7,09,000	14	41,94,000	86	49,03,000
1932-33	3,91,000	9	40,72,000	91	44,63,000
1933-34	5,00,000	9	48,59,000	91	53,59,000
1934-35	20,68,000	27	55,65,000	73	76,33,000
1935-36	19,86,000	22	69,93,000	78	89,79,000
Total	56,54,000	18	2,56,83,000	82	3,13,37,000

Mr. Lalchand Navalrai: May I know from the Honourable Member whether the imports from foreign countries are more than the articles purchasable in India? I want to know approximately.

The Honourable Sir Frank Noyce: Yes, they are.

Mr. Lalchand Navalrai: What have Government done for about two years to see that the imports are less? How have Government helped the manufacturers here to lessen the amount of imports?

The Honourable Sir Frank Noyce: As I have said, the industry is still in its infancy. Government are giving it all the encouragement they can by purchasing such of their requirements as are manufactured in this country. What more does my Honourable friend suggest that they should do?

Mr. Lalchand Navalrai: Have Government created Government factories for that purpose?

The Honourable Sir Frank Noyce: No. If Government did so, they would be at once accused of interfering with private enterprise.

Mr. Lalchand Navalrai: But until private enterprise is able to cope with this competition, why are not Government going to start their own factories?

Mr. President (The Honourable Sir Abdur Rahim): Government have already answered that. Next question.

AREA UNDER CULTIVATION IN INDIA FOR FOOD PURPOSES.

238. ***Mr. Akhil Chandra Datta:** (a) What is the total area under cultivation in India for food purposes?

(b) What is the area which is now uncultivated and which is available for cultivation for food purposes?

(c) What is the area which has been brought under cultivation during the last ten years in India for food purposes?

Sir Girja Shankar Bajpai: (a), (b) and (c). A statement giving the available information is laid on the table.

Statement.

(a) The area under food crops in 1933-34 was 217,665,000 acres.

(b) The area classed as culturable waste other than fallow was 153,449,000 acres, but no reliable estimate can be given of the area cultivable with food crops.

(c) During the ten years 1923-24 to 1933-34 the area under food crops increased by 9,666,000 acres.

PUBLIC SUBSCRIPTIONS RAISED FOR CERTAIN PURPOSES IN THE CENTRALLY ADMINISTERED AREAS.

239. *Mr. Sri Prakasa: (a) Will Government lay on the table a statement of subscriptions received from the various districts of the centrally administered areas for the King's Jubilee Fund and King's Memorial Fund and state the amount of interest, if any, taken by local officials in the same?

(b) Will Government also lay a statement on the table regarding any other public subscriptions raised under the auspices of local officials in the centrally administered areas?

(c) Will Government lay on the table a copy of any general or special orders issued under Rule 4(2)(c) of the Government Servants' Conduct Rules in the years 1935 and 1936 in the centrally administered areas?

The Honourable Sir Henry Craik: (a) As regards the Silver Jubilee Fund I understand that the information can be found in the published report on the administration of that Fund. As regards the King George V Memorial Fund I would invite the attention of the Honourable Member to the reply given by me on the 30th September last to part (d) of Mr. Ram Narayan Singh's starred question No. 717. I have no further information.

(b) I have not the information.

(c) In the centrally administered areas no general or special orders have been issued under rule 4(2) (c) of the Government Servants' Conduct Rules, 1935.

METHODS FOR INCREASING THE PRODUCTIVITY OF SOIL.

240. *Mr. M. Asaf Ali: (a) Will Government state whether the Government's Agricultural Research Department has tried Dr. Gericke's experiments relating to the method of increasing the productivity of soil?

(b) Is it a fact that Dr. Gericke's method can help to produce 217 tons of tomatoes, and 2,465 bushels of potatoes per acre?

(c) Which method according to Government's Agricultural Research Department has produced similar results? And what steps have Government taken to give wide publicity to the method by which they have obtained the best results?

Sir Girja Shankar Bajpai: (a) Experiments similar to Dr. Gericke's have been carried out by Government Agricultural Research Departments.

(b) Government are advised that this is not possible if the experiments are carried out on an acre basis.

(c) Proper soil management and judicious manuring will make it possible to increase the yields considerably, provided there is an assured and timely water supply. Information on those matters is supplied to the public by means of articles in scientific journals and newspapers and by lectures.

SAFEGUARDING OF THE INTERESTS OF INDIAN COMMERCE AND SHIPPING.

241. ***Mr. Amarendra Nath Chattopadhyaya:** (a) Has the attention of Government been drawn to the speech of Mr. Alexander Shaw of P. & O. Steam Navigation Co., pressing for bargaining with Japan while negotiating for Indo-Japanese Trade Agreement in favour of Empire shipping?

(b) Do Government propose to bargain for Indian shipping instead of pressing for Empire shipping?

(c) Do Government propose to give preference to the full tonnage to the Indian shipping and allow the surplus to the Imperial shipping interest?

(d) Do Government propose to take all possible steps to safeguard the interest of Indian commerce and shipping in relation to the Indo-British and Indo-Japanese Trade Agreement and do nothing in the matters without the approval of the Indian Legislative Assembly?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes.

(b), (c) and (d). Government are unable to give any information regarding the course of the present Indo-Japanese negotiations other than that contained in the official communiqués, copies of which will be found in the Library.

ALLEGATIONS AGAINST THE OFFICIALS OF THE CENTRAL PUBLIC WORKS DEPARTMENT.

242. ***Mr. Sham Lal:** Has the attention of Government been drawn to the way power was exercised by officials of the Central Public Works Department which resulted in wastage of lacs of public money in various construction projects, particularly the Irwin Hospital and the Imperial Agricultural Research Institute?

The Honourable Sir Frank Noyce: Government are not aware of any misuse of power by the officials of the Central Public Works Department which has resulted in wastage of lakhs of public money.

ALLEGATIONS AGAINST THE OFFICIALS OF THE CENTRAL PUBLIC WORKS DEPARTMENT.

243. ***Mr. Sham Lal:** (a) Are Government aware of the fact that the higher officials of the Central P. W. D. have been accepting tenders of certain contractors which were score of thousands higher than those of firms of better standing and reputation?

(b) Is it a fact that in 1935, a lower tender of the Hindustan Construction was rejected for a work of about six lacs value and given to a local contractor?

(c) Is it a fact that the above mentioned firm, whose tenders have been rejected, has been considered good enough to be entrusted with works to the value of ninety laes in Quetta Reconstruction?

(d) Is it a fact that the contractor who has been given this contract was the same as in the case of Irwin Hospital?

(e) If the answer to the above be in the affirmative, will Government state the reasons for giving the contract to a higher tenderer?

The Honourable Sir Frank Noyce: (a) No.

(b) Yes. But the difference between the amount of the tenders was trifling and there were adequate reasons for giving the work to other firms.

(c) I understand that the Hindustan Construction Company has been entrusted with 68 lakhs worth of work at Quetta.

(d) A part of the work was given to the contractor who constructed the Irwin Hospital, New Delhi.

(e) I have satisfied myself that the Chief Engineer had good and sufficient reasons for acting as he did, but I am not prepared to state them.

OCCUPATION OF CERTAIN PRIVATE BUILDINGS IN NEW DELHI WITHOUT OBTAINING COMPLETION CERTIFICATES.

244. ***Mr. Sham Lal:** (i) Is it a fact:

(a) that before any private building can be occupied in New Delhi, a completion certificate has to be obtained from the Chief Commissioner, Delhi;

(b) that this certificate is granted on the recommendation of the Secretary to the Chief Commissioner in the P. W. D.;

(c) that the same person holds both the offices, of the Secretary to the Chief Commissioner in the P. W. D. and that of the Superintending Engineer, Construction Circle P. W. D.;

(d) that in case of certain buildings, occupation was permitted without the usual procedure having been followed for grant of Completion Certificate; and

(e) that all the buildings mentioned in (d) above belonged to or were built by a contractor who built the Irwin Hospital?

(ii) If the answer to the above be in the affirmative, will Government state what action has been taken against the officer named above?

Sir Girja Shankar Bajpai: (i), (a) and (e). Yes.

(b) The certificate is granted on behalf of the Chief Commissioner on the recommendation of the Land and Development Officer, the Chief Architect, the Superintending Engineer, Health Services, the Health Officer and the Electrical Inspector.

(d) No.

(i), (e) and (ii). Do not arise.

PROTECTION OF DIFFERENT RELIGIONS.

245. *Mr. Sri Prakasa: (a) What steps have Government so far taken to protect the Christian and Jewish religions from being traduced?

(b) What books, if any, attacking these two faiths have so far been prohibited from entry into India, or confiscated if printed in India?

(c) What is the general attitude of Government towards such writings of Scott or Shakespeare that attack Jews and their religion; and of Gibbon and the various Gollanz publications that attack Christianity?

The Honourable Sir Henry Craik: (a) and (c). Government have taken no steps to protect any particular religion in the manner suggested. I would invite the attention of the Honourable Member to the provisions of section 99A of the Criminal Procedure Code and section 295A of the Indian Penal Code which enable action to be taken where necessary to deal with deliberate and malicious insults to the religion or religious beliefs of any class of His Majesty's subjects.

(b) I have no information.

CHECK ON THE USE OF SERVICE STAMPS AND STATIONERY.

246. *Mr. Sri Prakasa: (a) What check, if any, is kept on Government servants, authorized to use service stamps and stationery, in order to prevent them from using these for private correspondence?

(b) Are they required to keep an account of the use of the stamps and stationery placed at their disposal?

(c) Is there any maximum limit fixed for service stamps for use by the various officials of Government?

The Honourable Sir Frank Noyce: (a) No systematic examination that will completely prevent the misuse of Government stationery or stamps is possible, but there are checks of various kinds. Thus telegrams sent with service stamps are examined to ensure that they relate to official matters and letters bearing service stamps have to be franked by the despatching officer so that any extensive use of either service stamps or official stationery for other purposes is likely to be detected. There are rules governing the issue and consumption of stationery the operation of which would tend to disclose any systematic abuse. Practically all articles of stationery used by Government bear a distinctive mark which also helps to prevent their application to improper purposes.

(b) A proper account of the issue of stationery and use of service stamps is maintained by a responsible person in every office.

(c) There is no fixed limit for the use of service stamps by individual officials, but a budget of the requirements of each office is framed every year on the basis of the actual expenditure of stamps during the previous year.

WITHDRAWAL OF ONE MAIL TRAIN FROM THE GRAND CHORD LINE OF THE EAST INDIAN RAILWAY.

247. *Mr. Sri Prakasa: (a) With reference to the reply to starred question No. 398 on the 16th September, 1936, is it or is it not a fact that till some years back there used to be only one mail by the main line and

one by the grand chord line between Howrah and Moghal Sarai and that it was only after an accident to the main line mail at Mokamah that it was decided to run this also on the grand chord line?

(b) Is it a fact that on account of agitation in the province of Bihar against the taking off of the mail train from the main line that the Lahore Moghal Sarai mail was extended to Howrah along that line?

(c) What is the average annual income from and expenditure on three mails now running between Howrah and Moghal Sarai as compared with the income from and expenditure on the two mails that were running before?

(d) Are Government prepared to reconsider the desirability in the interest of economy, of withdrawing one mail train from the grand chord line?

The Honourable Sir Muhammad Zafrullah Khan: (a) and (b). Government have no information.

(c) It is not practicable to isolate from the total gross earnings and expenditure the figures for specified trains.

(d) I am sending the Agent, East Indian Railway, a copy of the Honourable Member's question and of my reply thereto for such action as he may consider necessary.

RULES PERTAINING TO THE NUMBER OF LETTERS TO BE SENT IN THE SAME ENVELOPE.

248. ***Mr. Sri Prakasa:** (a) With reference to the reply to starred question No. 443 on the 17th September, 1936, would it be admissible for a person to enclose a letter of introduction to a third party along with a reply to a correspondent requesting such a letter of introduction?

(b) If not, what procedure must a correspondent adopt when enclosing a letter meant for a third party which is enclosed for personal delivery by the addressee?

(c) Do Government propose to consider the desirability of simplifying the rules and making it legal for more than one letter being placed in one envelope, and being satisfied with only appraising the weight thereof for purposes of proper postage?

The Honourable Sir Frank Noyce: (a) Yes.

(b) Does not arise.

(c) No.

NEWSPAPERS IN THE UNITED PROVINCES AND BENGAL RECEIVING ADVERTISEMENTS FROM THE EAST INDIAN RAILWAY.

249. ***Mr. Sri Prakasa:** (a) What newspapers in the United Provinces and Bengal receive advertisements from the East Indian Railway?

(b) What is the average amount paid annually by the railways to each of these newspapers?

(c) What are the newspapers which used formerly to get advertisements but now do not do so? Will Government state the reasons for stopping these advertisements in each case?

The Honourable Sir Muhammad Zafrullah Khan: (a), (b) and (c). Government have no information.

ALTERNATIVE ROUTES BETWEEN BENARES AND DELHI.

250. ***Mr. Sri Prakasa:** (a) Is it a fact that for a long time past the usual route between Benares and Delhi used to be *via* Lucknow and Moradabad? If so, are Government prepared to recommend to the East Indian Railway the desirability of making this route also an alternative route between the two stations, with a right to break journey on the way?

(b) Is it a fact that the routes between Benares and Cawnpore *via* Janghai and Lucknow are alternative routes and also that the routes *via* Cawnpore and *via* Moradabad are alternative routes between Lucknow and Delhi? If so, what is the point in not regarding routes *via* Janghai-Cawnpore and Lucknow-Moradabad as alternative routes between Benares and Delhi?

The Honourable Sir Muhammad Zafrullah Khan: (a) As regards the first part, Government have no information. In regard to the second part, I shall ask the Agent, East Indian Railway, to consider the Honourable Member's suggestion.

(b) The reply to the first part is in the affirmative. As regards the second, I am drawing the Agent, East Indian Railway's attention to the point for consideration.

PROVISION OF SPECIAL COMPARTMENTS IN EACH RAILWAY TRAIN FOR SMOKERS.

251. ***Mr. Sri Prakasa:** (a) In view of the Honourable the Commerce Member's statement in the course of his replies to supplementary questions to starred question No. 314 on the 11th September, 1936, that he imagined the objection to smoking in railway compartments, was based on religious sentiment, will Government state what religions, if any, object to smoking as an article of faith?

(b) Are Government aware that many persons object to smoking on the material reason of physical discomfort? If so, what relief, if any, have such passengers from persons smoking in a railway compartment?

(c) Are Government prepared to consider the desirability of providing a few special compartments in each train for smokers, as is done in Europe?

(d) Are Government aware that European passengers object to the use of the hubble bubble by Indian fellow passengers, but persist in smoking cigars and cigarettes themselves? What relief, if any, has the hubble bubble smoker against the cigarette smoker?

The Honourable Sir Muhammad Zafrullah Khan: (a) There was nothing in my previous answer to suggest that the objection to smoking was an article of faith.

(b) Possibly: section 110 of the Indian Railways Act provides for this.

(c) An experiment on the lines suggested by the Honourable Member is being made on the North Western Railway.

(d) As regards the first part, Government have no information; and the latter part does not, therefore, arise.

KEEPING OF THROUGH BOGIES AT CONVENIENT PLACES AT MOGHAL SARAI AND BENARES RAILWAY STATIONS.

252. ***Mr. Sri Prakasa:** (a) With reference to the reply to starred question No. 315 on the 11th September, 1936, is it or is it not a fact that at Moghal Sarai and Benares reserved compartments, saloons, and even special pilgrim and industrial special trains are put at convenient sidings and are used by persons concerned without any trouble or difficulty to anyone?

(b) If so, do Government propose to reconsider the desirability of keeping through bogies at these stations at convenient places at the stations and enable intending passengers to board them before the arrival of the trains to which they are to be attached?

The Honourable Sir Muhammad Zafrullah Khan: (a) Government have no information.

(b) I shall convey the Honourable Member's suggestion to the Agent, East Indian Railway, for consideration.

HONORARY MAGISTRATES IN THE CENTRALLY ADMINISTERED AREAS.

253. ***Mr. Sri Prakasa:** (a) With reference to the reply to starred question No. 316 on the 11th September, 1936, will Government state how many honorary magistrates are functioning at present, in the centrally administered areas, have undergone departmental examinations and with what results?

(b) Have those, who have failed in these examinations, been reappointed?

(c) How many of them before appointment expressed a desire orally or in writing to high Government officers that they would like to be honorary magistrates, and how many invited at the initiation of high officials?

(d) Is it a fact that many of them visit *thanedars* and *kotwals* at police stations?

(e) Are Government aware that visits by honorary magistrate to police officials leave a feeling in the minds of observers that they are not conducive to justice?

(f) Do Government propose to prohibit private visits of honorary magistrates to police officials and *vice versa* in the areas in which such magistrates have to hear and decide police cases?

The Honourable Sir Henry Craik: (a) In the reply to which the Honourable Member himself refers I have answered the first part of this question. I have not the information asked for in the second part.

(b) and (c). I have not the information.

(d), (e) and (f). These questions are practically a repetition of questions to which I replied on the 11th September last.

METHOD OF CIRCULATION OF BILLS FOR ELICITING PUBLIC OPINION.

254. ***Mr. Sri Prakasa:** (a) With reference to the reply to starred question No. 573 on the 23rd September, 1936, do Government propose to consider the desirability of sending on their initiative to all Members

of the Central Legislature and requesting Local Governments to send to all Members of the Local Legislature copies of the Bills that are circulated for eliciting public opinion?

(b) Do Government propose to make sure that copies of Bills thus circulated, are sent to persons and institutions particularly interested in the subject matter of the Bill either directly or through Local Governments?

The Honourable Sir Nripendra Sircar: (a) and (b). No. There is no occasion to consider the matter as the Government are fully satisfied with the existing arrangements. In respect of Bills circulated by the direction of the Legislative Assembly it has since been suggested to the Local Governments that copies of Bills may be placed in libraries of Provincial Legislatures for the use of their members.

REPORT OF THE INCOME-TAX EXPERTS.

255. ***Mr. Sri Prakasa:** (a) Is it a fact that the income-tax experts have submitted their report to Government?

(b) When, if at all, will their recommendations be known to the public?

(c) What action, if any, do Government intend to take on it?

The Honourable Sir James Grigg: I would refer the Honourable Member to the reply given to question No. 202 on the 25th of January 1937.

PLATFORM TICKETS SOLD AT LUCKNOW ON THE OCCASION OF THE VISIT OF HIS EXCELLENCY THE VICEROY.

256. ***Mr. Sri Prakasa:** (a) How many platform tickets were sold to persons who went to the platform of the Railway Station at Lucknow, on the occasion of the last visit of His Excellency the Viceroy to that city?

(b) Were all persons who went on the platform on that occasion required to buy platform tickets? If not, why not?

(c) What was the loss to the Railway Company by those persons not purchasing platform tickets?

The Honourable Sir Muhammad Zafrullah Khan: (a) and (b). Government have no information.

(c) I would refer the Honourable Member to the reply I gave to his question No. 857 on the 7th October, 1936. No question of loss arises if the Railway Administration decides to admit any person to a platform without his purchasing a platform ticket.

DECORATIONS AT RAILWAY STATIONS ON THE OCCASIONS OF THE VISIT OF VICEROYS AND GOVERNORS.

257. ***Mr. Sri Prakasa:** (a) With reference to the reply to starred question, No. 857, on the 7th October, 1936, will Government state whether private individuals or firms or institutions voluntarily apply to Divisional Superintendents for permission to decorate railway stations on the occasion of the arrival of Viceroys or Governors at any particular station, or does the Divisional Superintendent himself ask any particular person, firm or institution, to undertake such a decoration?

(b) If there are many applicants, is it entirely left to the discretion of the Divisional Superintendent concerned to choose the best person for the work, and does he advise the person concerned as to what he should do?

(c) Does the Railway supply flags, 'fog-signals', etc., for decorative and demonstrative purposes, or is the person chosen for the purpose required to supply or pay for all these himself?

(d) Are persons engaged in the decorations admitted to the platform without platform tickets, or have they to purchase platform tickets every time they go in or every two hours as the case may be?

(e) Are porters required to assist free of all cost at the decorations?

(f) Are Government aware that *bona fide* passengers are greatly inconvenienced by the lumber at the railway station during the time the decorations are put up, and do Government propose to advise the railway administrations to prohibit decorations?

(g) If not, are Government prepared to ask the Railway Administrations to permit decorations for anybody provided somebody stands the cost?

The Honourable Sir Muhammad Zafrullah Khan: (a) to (g). I have called for certain information and will lay a reply on the table when it has been received.

RAILWAY SALOONS SUPPLIED TO THE MEMBERS OF THE GOVERNMENT OF INDIA.

258. ***Mr. Sri Prakasa:** (a) With reference to the reply to starred question No. 247, on the 9th September, 1936, is there no limit fixed to the amount of luggage that a Member of the Executive Council of the Government of India can carry in his saloon?

(b) What is the definition of personal luggage which is not charged for? Is there anything like public luggage which is charged for? Is it a fact that a radio set is personal luggage not charged for, while a box containing Government stationery is public luggage and is charged for?

(c) How many servants can an Executive Councillor take with him without any extra charge being made for them?

(d) Are private secretaries and personal assistants included under the heading 'Servant'? If not, what does the word 'Servant' exactly signify?

(e) What is the manner of checking the passengers in a saloon? Do Travelling Ticket Examiners enter the saloons as they do other compartments, or have they to follow any different procedure?

(f) Are tickets purchased and paid for in advance when a saloon is used by an Executive Councillor, or do the Railway send a bill afterwards to Government for payment?

The Honourable Sir Muhammad Zafrullah Khan: (a) and (c). No limit has been prescribed.

(b) All luggage which a Member takes with him, including a radio set and a box containing Government stationery, is considered as his personal luggage.

(d) The reply to the first part is in the negative. The word "servant" covers all those who are required to wait on the Member for his convenience.

(e) Ordinarily by enquiries from any person travelling in the saloon. There is, however, nothing to preclude a Travelling Ticket Examiner from entering a saloon in order to check the number of passengers travelling therein, if he is not satisfied with the information given to him.

(f) The amount due for the running of the saloon is recovered on bills submitted by Railways to the Department concerned.

DELIVERY OF PARCELS CONTAINING FRESH FRUITS.

259. ***Mr. Sri Prakasa:** (a) With reference to the reply to starred question No. 305, on the 11th September, 1936, are Government in a position to state whether it is or it is not a fact that at Simla, Naini Tal and Ranikhet, parcels of fresh fruits are delivered by the Railway Company direct to the consignees at their residences and railway receipts collected from them afterwards?

(b) Do Government propose to recommend to the Railway Administrations to arrange the delivery of parcels to consignees at their residences in all principal cities, taking security deposit and fixing a reasonable rate for each parcel so delivered?

The Honourable Sir Muhammad Zafrullah Khan: (a) Government have no information beyond that previously communicated in reply to the question referred to.

(b) I am sending a copy of the Honourable Member's question and of this reply to the Agents of the Railways concerned for consideration.

CENSORING OF LETTERS CONTAINING RAILWAY RECEIPTS FOR FRESH FRUITS.

260. ***Mr. Sri Prakasa:** (a) In view of the Honourable the Home Member's statement in the course of his answer to a supplementary question to question No. 305, on the 11th September, 1936, that the censoring of letters containing railway receipts for fruit parcels and an examination of the contents of the parcels themselves, have nothing to do with his department, will Government state to what department does this work pertain?

(b) Is it a fact that censors, when they find railway receipts in the letters they have opened, make sure of the contents of the parcels for which these railway receipts are meant before delivering them to the addressees?

(c) Who is responsible for loss and damage of articles by the loss or delay of railway receipts due to the activities of the censor?

The Honourable Sir Frank Noyce: (a), (b) and (c). The Honourable Member's assumption is that the delay in delivery of the letters in question is due to their being censored. To the best of my belief that assumption is not correct.

ISSUE OF POSTAGE STAMPS AND CURRENCY WITH NEW KING'S EFFIGY.

261. ***Mr. Sri Prakasa:** (a) With reference to the reply to question No. 306, on the 11th September, 1936, in which Government hoped that postage stamps and currency with the new king's effigy will be available sometime this year and in view further of the fact that there has been

a change due to the abdication of His Majesty King Edward VIII, do Government expect any further delay in the issuing of postage stamps and currency with the present king's effigy?

(b) What was the cost already incurred in making the various instruments for producing stamps and currency with His Majesty King Edward VIII's effigy?

(c) Do Government propose to pay any compensation to the Reserve Bank for the scrapping of those instruments and preparation of new ones necessitated by this further change?

The Honourable Sir James Grigg: Certain enquiries are being made, and such information as may be collected will be laid on the table this Session.

INCONVENIENCE FELT BY INTERMEDIATE AND THIRD CLASS PASSENGERS AND PLATFORM TICKET HOLDERS AT THE HOWRAH RAILWAY STATION.

262. *Mr. Sri Prakasa: (a) Is it a fact that intermediate and third class passengers, as well as platform ticket-holders, are not allowed to enter the platforms at the Howrah Railway Station till first and second class passengers have been accommodated?

(b) Are Government aware that this arrangement leads to heavy overcrowding in the central hall leading to the platforms?

(c) Is it not a fact that most of the first and second class passengers reserve their berths beforehand and so are assured of comfortable accommodation whenever they come?

(d) Are Government aware that the detaining of intermediate and third class passengers entails unnecessary inconvenience to them?

(e) Do Government propose to recommend to the authorities concerned the desirability of allowing passengers to enter the platforms as they come?

The Honourable Sir Muhammad Zafrullah Khan: (a) to (d). Government have no information.

(e) I am communicating the Honourable Member's suggestion to the Agent of the East Indian Railway for such action as he may consider necessary.

RATE FOR REGISTRATION OF TELEGRAPH ADDRESSES.

263. *Mr. Sri Prakasa: (a) What is the present annual rate for having registered abbreviated telegraphic addresses?

(b) When were the rates last revised?

(c) What have been the rates at different periods during the last ten years and how did each revision affect the number of such addresses?

(d) Do Government intend to lower the rate and thus encourage private individuals and firms to avail themselves of this arrangement?

The Honourable Sir Frank Noyce: (a) Rs. 20 per annum.

(b) On 10th August, 1932.

(c) Rs. 15 per annum in 1926.

Rs. 25 per annum from the 19th of October, 1931.

Rs. 20 per annum from the 10th of August, 1932.

Information regarding the number of registered abbreviated telegraphic addresses in existence in 1925-26 and in 1932 to 1934 is not available; therefore it cannot be stated how each revision affected the number of such registered addresses.

(d) Government do not propose to lower the rate as it is considered to be a reasonable charge for the services rendered. In this connection, I would invite the Honourable Member's attention to the reply given in this House to starred question No. 1609 by Mr. Gaya Prasad Singh on the 7th December, 1932, and to starred question No. 132 by Khan Bahadur Haji Wajihuddin on the 8th September, 1932.

CONFUSION CAUSED IN HAVING SEPARATE POSTAL DISTRICTS AND REVENUE DISTRICTS.

264. *Mr. Sri Prakasa: (a) Is it a fact that postal districts and revenue districts do not correspond and that this causes confusion in the minds of private correspondents?

(b) Is it a fact that all business in the revenue district of Jalaun, including the district headquarters in the United Provinces, belongs to the postal district of Jhansi and all that in Hamirpur to that of Banda?

(c) Is it a fact that at places some parts of one revenue district belong to one postal district and other parts of the same revenue district belong to others?

(d) Is there any special convenience or advantage in this arrangement? If not, do Government propose to consider the desirability of having common revenue and postal districts?

The Honourable Sir Frank Noyce: (a) It is not clear whether by the term "Postal District" the Honourable Member means a Postal Division which is ordinarily in charge of a Superintendent of Post Offices or whether he means the area over which a Head Post Office has jurisdiction for accounts purposes. In either case however the reply to the first part of the question is in the affirmative. As regards the latter part of the question, Government see no reason why any confusion should be caused in the minds of private correspondents on this account.

(b) It is a fact that the Post Offices in the district of Jalaun are, for accounts purposes, within the jurisdiction of the Head Post Office at Jhansi and the Post Offices in the district of Hamirpur are under the accounts jurisdiction of the Head Post Office at Banda.

(c) Yes.

(d) Postal Divisions and accounts jurisdiction areas of Head Post Offices are fixed according to administrative convenience from the postal point of view and Government see no need to make the jurisdiction of Postal Divisions or of Head Post Offices co-terminous with any revenue district. Any such attempt would involve unnecessary expenditure without any commensurate advantage.

FRAMING OF TIME TABLES FOR THE EAST INDIAN RAILWAY.

265. *Mr. Sri Prakasa: (a) Who are the authorities who frame time tables for the East Indian Railway?

(b) Do they consult local railway officers before introducing changes at any particular centre?

(c) Were the Station Masters of the Dinapore Division consulted before the new time table was enforced from October last?

(d) What were the circumstances in which the time table pertaining to this section was changed from the 1st December?

(e) What is the estimated loss suffered by the Railway in this division during the months of October and November because of the new time table?

(f) What are the comparative figures of earnings for these two months in that section during the years 1935 and 1936?

The Honourable Sir Muhammad Zafrullah Khan: (a) The Chief Operating Superintendent.

(b) Yes.

(c) I am not aware as to who actually were consulted.

(d) I have called for certain information and will lay a reply on the table when it has been received.

(e) and (f). There are so many factors that influence the movement of traffic from day to day that it is not practicable to isolate one or more of them with a view to ascertaining what the difference, if any, in earnings may have been due to.

FREE PLATFORM PASSES GIVEN TO SUPERINTENDENTS OF POLICE.

266. ***Mr. Sri Prakasa:** (a) With reference to the answer to question No. 246 on the 9th September, 1936, is it or is it not a fact that at places Superintendents of Police are given free passes to enter railway platforms? If so, under what rule is this done?

(b) Can those in possession of such passes enter platforms only when on duty, or even on private work, such as receiving or seeing off relatives and friends?

The Honourable Sir Muhammad Zafrullah Khan: (a) Government have no information as to whether platform permits are being given to Superintendents of Police, but officers authorised to issue such permits would not ordinarily refuse to give one to a Superintendent of Police, if they are satisfied that there is justification for this being done.

(b) Platform permits are not given for private work.

RUNNING OF THE BOMBAY-CALCUTTA MAILS VIA ALLAHABAD AND BENARES.

267. ***Mr. Sri Prakasa:** (a) With reference to the reply to starred question No. 310 on the 11th September, 1936, will Government state what is the average number of passengers from and to the Mirzapur Railway Station who utilize the Bombay-Calcutta Up and Down Mails, and how many from Allahabad and Benares utilize them?

(b) What is the daily cost of the shuttle trains that run between Allahabad and Chheoki for these Mails?

(c) What would be the extra mileage involved by running these trains via Janghai-Allahabad instead of via Mirzapur?

(d) Are Government prepared to reconsider the desirability of running these trains *via* Benares, Janghai and Allahabad so as to connect two important stations with the mails and save extra expense on shuttle trains?

The Honourable Sir Muhammad Zafrullah Khan: (a) The number of passengers actually entraining by each train cannot, be ascertained, as tickets issued from these stations may be utilised by any train starting therefrom on the date of issue.

(b) It is not practicable to ascertain the actual cost of a service.

(c) 9 miles per day in each direction.

(d) This is a matter for the East Indian Railway Administration to deal with, and I am sending the Agent a copy of the Honourable Member's question and of my reply thereto for such action as he may consider necessary.

INCREASE IN THE SIZE OF THE EMBOSSED POSTCARDS.

268. ***Mr. Sri Prakasa:** (a) With reference to the reply to starred question No. 308 given on the 11th September, 1936, will Government state what would be the extra cost involved under the following headings if the size of the embossed postcards were increased to that now allowed for privately manufactured postcards: (i) paper, (ii) printing; and (iii) machinery?

(b) Do Government propose to call for tenders from private presses for the printing of such postcards and to consider the desirability of giving the work to a qualified and reliable private press if the estimated cost comes to less than what is incurred now-a-days?

(c) What is the approximate number of such embossed postcards printed per year?

The Honourable Sir Frank Noyce: (a) The annual extra cost of paper would be half a lakh of rupees and of printing rupees twenty five thousand. The cost of installing larger machines would be approximately one lakh of rupees.

(b) Government consider it inadvisable that embossed postcards should be printed in private presses.

(c) 250 millions.

ISSUE OF PLATFORM PASSES TO THE MEMBERS OF THE CRIMINAL INVESTIGATION DEPARTMENT.

269. ***Mr. Sri Prakasa:** (a) With reference to the reply to starred question No. 309 given on the 11th September, 1936, do Government propose to consider the desirability of charging the Criminal Investigation Department for passes given to enable its members to enter platforms, in the interest of railway finance?

(b) What is the number of free passes given to the members of the Criminal Investigation Department on the East Indian and North Western Railways, respectively?

(c) Are the Railway authorities, when granting passes to the Criminal Investigation Department, prepared to impose the condition that the holders thereof are not entitled to harass passengers in any way?

(d) In view of the Honourable the Commerce Member's statement that free passes are granted because they are on public duty, will Government state whether railways carry members of the Criminal Investigation or any other Department of Government free of all costs when they are travelling on public duty? If not, why are any persons on public duty permitted to enter platforms without payment?

The Honourable Sir Muhammad Zafrullah Khan: (a) No.

(b) Government have no information and see no justification for calling for these particulars.

(c) No one, whether with or without platform permits, is entitled to harass passengers.

(d) No. The issue of platform tickets is intended to regulate admission to passenger platforms of other than *bona fide* passengers. Free platform permits serve the same purpose.

REVALUATION OF RUPEE.

270. ***Dr. Ziauddin Ahmad:** (a) Has the attention of Government been drawn to the speech of the Finance Member in the Senate of the Italian Government as reported in the *Times of India*, (page 16), dated the 5th January, 1937 that "since the lira was revalued, the Italian Commercial balance had shown a surplus"?

(b) Do Government intend to revalue the rupee in order to increase the export trade of India?

The Honourable Sir James Grigg: (a) and (b). I would refer the Honourable Member to the answer which I gave on the 25th of January, 1937, to Mr. C. N. Muthuranga Mudaliar's question No. 17.

BAD FOOD SUPPLIED TO HAJ PILGRIMS ON SHIPS.

271. ***Dr. Ziauddin Ahmad:** (a) Has the attention of Government been drawn to the report of the Bombay Haj Committee and numerous passengers about the bad food supplied to the Mecca pilgrims on Board the steamer?

(b) Is the catering arrangement for Hajis made by Turner Morrison and Co.? If not, what arrangement has been made for the supply of food?

(c) Does the company give contract to outsiders? Did they ever invite tenders?

(d) What arrangements have Government made to look after the comforts of Hajis, specially about food?

Sir Girja Shankar Bajpai: (a), (b) and (d). Messrs. Turner Morrison & Co., who are responsible for the supply of food to pilgrims on board their steamers, have entrusted this task to the Indo-Arabian Food Supply Company of Bombay. Complaints regarding the supply of food received from the Port Haj Committee of Bombay and other sources have been the

subject of continuous attention by Government who have throughout been acting in close consultation with the Standing Haj Committee of the Indian Legislature in order to remove legitimate grievances to the extent that this is practicable. An Amir-ul-Haj is appointed on every ship to look after the comforts of pilgrims and to bring to the notice of the master any complaints that pilgrims may have to make.

(c) No tenders were invited by the Shipping Company. They entrusted the feeding arrangements to the Indo-Arabian Food Supply Company as the latter has been running restaurants on the pilgrim ships for several years before the introduction of the compulsory supply of food to all pilgrims and it was felt that the experience would be useful in the larger operation of feeding all pilgrims.

BAD FOOD SUPPLIED TO HAJ PILGRIMS ON SHIPS.

272. *Dr. Ziauddin Ahmad: (a) In case Turner Morrison and Co. are unable to provide satisfactory food to pilgrims: do Government propose to invite other companies, British or foreign, to run steamer services between Jeddah and Karachi or Bombay?

(b) Will Government lay on the table the correspondence they had with Turner Morrison and Co., about bad food supplied to Hajis?

(c) Did Government depute any officer of the Education, Health and Lands Department to enquire into the comfort of Hajis?

(d) What report did he submit about the quality and distribution of food?

Sir Girja Shankar Bajpai: (a) Government have so far no reason to believe that Messrs. Turner Morrison & Co. are unable to provide satisfactory food.

(b) The correspondence is too voluminous for convenient compliance with the Honourable Member's request.

(c) The Honourable Member in charge of the Department of Education, Health and Lands and the Joint Secretary in that Department had an informal talk with certain members of the Port Haj Committee of Bombay during their visit to Bombay in August last. The Joint Secretary also had an informal discussion with members of the Port Haj Committee of Karachi during his visit to that city a few days ago.

(d) No formal reports of such investigations and discussions, which are undertaken in the ordinary course of administration, are submitted.

VALUE OF SHARES OF THE TATA IRON AND STEEL COMPANY.

273. *Dr. Ziauddin Ahmad: What was the value of different type of shares of Tata Steel and Iron Company in January 1934? What is the value of these shares now?

The Honourable Sir Muhammad Zafrullah Khan: The Government of India keep no record of the market prices of shares of Joint Stock Companies. Such prices are, however, published regularly in the Commercial Press, to which I must refer the Honourable Member.

PROTECTION GIVEN TO TEXTILE MILL COMPANIES.

274. *Dr. Ziauddin Ahmad: (a) Are Government aware that textile mill companies made enormous profits in the boom time, and did not build any reserve?

(b) Are Government aware that these millowners begged the Government to tax the consumers in the name of the protection of Indian industries?

(c) Are Government aware of the fact that they imposed taxes on the consumers in the form of heavy protection import duty?

(d) Are Government aware that Indian consumers contribute an amount in the neighbourhood of 20 crores for the maintenance of textile-mill industry?

(e) If it is not 20 crores, what is the approximate figure?

(f) Have Government considered whether it will not be more economical if the contribution of 20 crores or an appropriate amount be given to the workmen who may be employed in some reasonable scheme of public utility?

The Honourable Sir Muhammad Zafrullah Khan: (a) I assume that the Honourable Member is referring to the cotton textile industry. His attention is invited to paragraph 40 of the Report of the Indian Tariff Board (Cotton Textile Industry Enquiry), 1927, copies of which are in the Library.

(b) I would refer the Honourable Member to paragraph 1 of the Resolution of the Government of India in the Commerce Department, No. 341-T (9), dated the 10th June, 1926.

(c) Tariff protection to the industry was granted under legislation passed by the Indian Legislature.

(d) Yes, Sir, on a rough calculation.

(e) Does not arise.

(f) No, Sir.

ABOLITION OF IMPORT DUTY ON PIG IRON.

275. *Dr. Ziauddin Ahmad: Are Government prepared to consider the abolition of import duty on pig iron? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: No. They have considered the matter only recently and have decided to take no action.

RUMOUR REGARDING THE REPORT OF SIR RALPH WEDGWOOD COMMITTEE.

276. *Dr. Ziauddin Ahmad: (a) Are Government aware of the rumour that the report of Sir Ralph Wedgwood Committee was written out in the office of the Railway Board, before the members of the Committee landed in the country?

(b) Are Government aware of the rumour that the reasons for not appointing Indians on the Committee was that the secret mentioned in part (a) may not leak out?

(c) Are Government prepared to ensure that the enquiry is fair and exhaustive, and extends over the entire dominion of subjects raised by the Legislature without paying any attention to the rumours mentioned above?

The Honourable Sir Muhammad Zafrullah Khan: (a) and (b). No.

(c) Government will bring the Honourable Member's question to the notice of the Committee.

MEASURES FOR THE IMPROVEMENT OF CONGESTION IN DELHI.

277. ***Mr. M. Asaf Ali:** (a) When do Government propose to publish Mr. Hume's Report on congestion, and measures for the improvement of existing conditions in Delhi?

(b) Are Government contemplating the establishment of a Town Improvement Trust for Delhi in the near future?

Sir Girja Shankar Bajpai: (a) Government have not yet decided whether to publish Mr. Hume's report or not.

(b) Yes.

DETENTION OF STATE PRISONERS IHSAN ILAHI AND BHAWANI SAHAI.

278. ***Mr. M. Asaf Ali:** (a) Will Government be pleased to state for how long Ihsan Ilahi and Bhawani Sahai, State Prisoners, have been in detention?

(b) Have they or any of their relatives made any representations to Government for their conditional or unconditional release?

(c) When were their cases last examined and with what result?

The Honourable Sir Henry Craik: (a) Approximately six and five years, respectively.

(b) Yes.

(c) The cases were examined in July and August of last year when it was decided that the orders of detention should continue in force.

SALE OF PLOTS IN NEW DELHI.

279. ***Mr. M. Asaf Ali:** (a) Is it a fact that only 14 per cent. of the total area of New Delhi has been built on?

(b) Is it also a fact that some Public Works Department officials have built on more than 70 per cent. of the plots allotted or leased to them? If so, why was this permitted, and why are no steps taken to enforce the observance of the 33 per cent. rule in their case?

(c) Has the area behind the Modern School been leased to Government servants and others, who do not belong to the artisan class?

(d) Were some of these plots of three to four hundred yards auctioned at Rs. 4,000 to Rs. 5,000 each?

(e) Why are these lessees debarred from making reasonable and approved alterations in the scheduled plans to suit their convenience?

Sir Girja Shankar Bajpai: Enquiries have been made and a reply will be furnished to the House on receipt of information.

ENQUIRY INTO THE CONDUCT OF CAPTAIN H. B. S. BRAR OF THE POLITICAL DEPARTMENT OF THE GOVERNMENT OF INDIA.

280. *Sardar Mangal Singh: Will Government please state if it is a fact that a public inquiry was held under Act XXXVII of 1850 by Mr. E. C. Marten, I.C.S., into the conduct of Captain H. B. S. Brar of the Political Department of Government of India?

Sir Aubrey Metcalfe: Yes.

ENQUIRY INTO THE CONDUCT OF CAPTAIN H. B. S. BRAR OF THE POLITICAL DEPARTMENT OF THE GOVERNMENT OF INDIA.

281. *Sardar Mangal Singh: Will Government please state the date on which the Governor General in Council ordered the appointment of the Commissioner to enquire into the conduct of Captain H. B. S. Brar?

Sir Aubrey Metcalfe: The Governor General in Council approved the appointment of the Commissioner on the 8th February, 1935, although the formal order was not signed till the 5th March, 1935.

ENQUIRY INTO THE CONDUCT OF CAPTAIN H. B. S. BRAR OF THE POLITICAL DEPARTMENT OF THE GOVERNMENT OF INDIA.

282. *Sardar Mangal Singh: Will Government please state under what rules the services of Captain H. B. S. Brar were replaced at the disposal of the Commander-in-Chief?

Sir Aubrey Metcalfe: He was reverted to the Army by the order of His Excellency the Viceroy.

ENQUIRY INTO THE CONDUCT OF CAPTAIN H. B. S. BRAR OF THE POLITICAL DEPARTMENT OF THE GOVERNMENT OF INDIA.

283. *Sardar Mangal Singh: Will Government please lay on the table the copies of the written defence of Captain Brar, the reports of the Inquiry Commissioner and of the Public Services Commissioners and the orders of the Secretary of State for India, regarding the case of Captain H. B. S. Brar?

Sir Aubrey Metcalfe: Copies of the defence, Inquiry Report and Public Services Commissioner's Report are being made and will be laid on the table in due course. The orders of the Secretary of State are contained in a confidential document which cannot be made available to the House.

ENQUIRY INTO THE CONDUCT OF CAPTAIN H. B. S. BRAR OF THE POLITICAL DEPARTMENT OF THE GOVERNMENT OF INDIA.

284. *Sardar Mangal Singh: Will Government please state the reasons for investing Captain A. J. Dring with powers under section 337 of the Criminal Procedure Code when he was placed on special duty to make the preliminary inquiry into the conduct of Captain H. B. S. Brar?

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

ENQUIRY INTO THE CONDUCT OF CAPTAIN H. B. S. BRAR OF THE POLITICAL DEPARTMENT OF THE GOVERNMENT OF INDIA.

285. ***Sardar Mangal Singh:** Will Government please state at what time and on what date the inquiry started at Bannu into the conduct of Captain Brar and at what time and on what date the Government of India ordered the inquiry?

Sir Aubrey Metcalfe: The enquiry which had been approved by the Governor General in Council on the 8th February, 1935, started on the 5th March, 1935, on which date the formal order appointing the Commissioner was signed. The Government of India have no information as to the time of commencement of the enquiry in Bannu nor was any record kept of the time at which the order was signed.

REPRESENTATIONS MADE TO THE BRITISH GOVERNMENT ON MR. BINDER'S REPORT REGARDING THE GRIEVANCES OF INDIANS IN ZANZIBAR.

286. ***Prof. N. G. Ranga:** Will Government be pleased to state:

- (a) if they have received the representation of the Imperial Indian Citizenship Association, asking Government to express their dissent from the recommendations of the Binder Report;
- (b) if so, what action has been taken on it by Government; and
- (c) whether they have made any representations to the British Government on the Binder Report; if so, what is the nature of their representation?

Sir Girja Shankar Bajpai: (a) Yes.

(b) and (c). The attention of the Honourable Member is invited to my reply to parts (b) to (e) of Mr. Avinashilingam Chettiar's starred question No. 197 of the current Session.

RECOMMENDATIONS OF THE INDIAN ECONOMIC CONFERENCE AND THE INDIAN SCIENCE CONGRESS.

287. ***Prof. N. G. Ranga:** (a) Will Government be pleased to state if they have obtained the reports of the proceedings of the Indian Economic Conference and the Indian Science Congress?

(b) If so, what action is proposed to be taken on the recommendations made by those Conferences, especially in regard to:

- (i) a re-orientalisation of the protectionist policy of Government;
- (ii) the establishment of a permanent Tariff Board;
- (iii) anti-malarial measures;
- (iv) improvement of the nutritive values of cereals; and
- (v) the development and introduction of suitable organic manures?

(c) If not, are Government prepared to consider the advisability of regularly standing and acting upon their recommendations in so far as they are practicable and financially feasible?

Sir Girja Shankar Bajpai: (a) No.

(b) Does not arise.

(c) Government regret their inability to answer this part of the question until they have seen the recommendations.

RAISING OF CESS ON TEA.

288. *Prof. N. G. Ranga: Will Government be pleased to state:

- (a) if it is a fact that the Tea Improvement and Propaganda Committee has decided upon raising the cess from annas twelve to Rs. 1-8-0;
- (b) whether it is not a fact that Government stated in the Simla Session that there would not be any likelihood of the cess being raised beyond rupee one;
- (c) whether they are aware of the fact that the Indian Merchants Chamber had protested against this precipitous rise in the cess; and
- (d) whether they are prepared to see that the cess is not raised beyond rupee one?

The Honourable Sir Muhammad Zafrullah Khan: (a) No.

(b) No.

(c) No.

(d) Government are unable to give any such undertaking as the rate of the cess has to be fixed on the recommendation of the Indian Tea Market Expansion Board which has yet to come into existence.

RECOGNITION OF THE SOUTH INDIAN FEDERATION OF PEASANTS AND WORKERS TO REPRESENT THE INDIAN TEA PLANTERS OF SOUTH INDIA.

289. *Prof. N. G. Ranga: Will Government be pleased to state if they are prepared to recognise the South Indian Federation of peasants and workers to represent the Indian tea planters of South India and allow that Federation to elect the member for the membership of the Indian Tea Propaganda Committee, allotted for the South Indian tea planters?

The Honourable Sir Muhammad Zafrullah Khan: Government will be glad to consider any representation that may be submitted to them by the Federation through the Local Government with whom the power of nomination at present rests.

PROHIBITION OR RESTRICTION ON THE EXPORTS OF GOLD FROM INDIA.

290. *Prof. N. G. Ranga: Will Government be pleased to state:

- (a) if they have reconsidered their policy regarding the gold exports in the light of the representation sent to them by the Merchants Chamber of the United Provinces;
- (b) whether they are prepared to take any steps either to prohibit or to restrict the exports of gold from India; and
- (c) if not, why not?

The Honourable Sir James Grigg: I have nothing to add to my previous replies and statements on this subject.

REPRESENTATIONS REGARDING THE GRIEVANCES OF THE BENGAL NAGPUR RAILWAY EMPLOYEES.

291. *Prof. N. G. Ranga: Will Government be pleased to lay on the table the representations made by the All-India Railwaymen's Federation and the Bengal Nagpur Railway workers union regarding their grievances, and the replies given to them by both the Government and the Railway Authority concerned?

The Honourable Sir Muhammad Zafrullah Khan: Government have received no representations from the All-India Railwaymen's Federation and the Bengal Nagpur Railway Workers' Union regarding their grievances.

Government are not aware what representations may have been received by the Railway Administration and what replies may have been given, and are not prepared to enquire.

REPRESENTATIONS REGARDING THE GRIEVANCES OF THE BENGAL NAGPUR RAILWAY EMPLOYEES.

292. *Prof. N. G. Ranga: (a) Will Government be pleased to state whether it is a fact that the Bengal Nagpur Railway workers and All-India Railwaymen's Federation had asked Government to appoint a conciliatory Board to enquire into their grievances and to avoid the then impending crisis over the then proposed retrenchment and wage-cuts proposed by the Railway Agent?

(b) If so, when were such representations made?

(c) What was the action taken by Government?

(d) Have Government done anything to avert the strike? If not, why not?

The Honourable Sir Frank Noyce: (a), (b), (c) and (d). No representation was made by the All-India Railwaymen's Federation in connection with the Bengal Nagpur Railway strike. An application signed by the President, Bengal Nagpur Railway Indian Labour Union, was received on the 28th December, 1936, for the appointment of a Board of Conciliation. The application though not in the form required by the rules was very carefully considered by Government, who came to the conclusion that no useful purpose would be served by appointing a Board. Government also considered the question of referring certain matters connected with the dispute to a Court of Inquiry and decided that there was no justification for such action. The representation gave no opportunity of averting the strike which was already in progress when it was received. Since then the Agent, Bengal Nagpur Railway, has offered certain terms to the strikers with a view to terminating the strike.

STRIKE ON THE BENGAL NAGPUR RAILWAY.

293. *Prof. N. G. Ranga: Will Government be pleased to state:

(a) when the strike had begun;

(b) what were the losses incurred by the Bengal Nagpur Railway due to this strike for every day of the strike; and

(c) what is the total loss so far incurred by the Railway because of this strike?

The Honourable Sir Muhammad Zafrullah Khan: (a) A general strike was called by the Bengal Nagpur Railway Indian Labour Union to commence at 10 p.m. on Sunday, the 13th December, 1936, but at earlier dates a considerable number of employees had refused duty.

(b) and (c). It is not practicable to make any precise estimate. For the 10 days' period ending 20th December, 1936, the approximate gross earnings of the Bengal Nagpur Railway were 5.34 lakhs less than the actuals for the corresponding period of the previous year, and for the 11 days' period ending 31st December, 1936, Rs. 8.11 lakhs less.

APPLICATIONS INVITED FOR THE POST OF THE PROFESSOR OF MINING AT THE INDIAN SCHOOL OF MINING, DHANBAD.

294. * Mr. Suryya Kumar Som: (a) Is it a fact that applications were invited for the post of the Professor of Mining at the Indian School of Mining, Dhanbad, several months ago?

(b) Was there any interview on the 4th November, 1936, of some selected candidates who satisfied the conditions advertised for the post? How many were granted interviews? What were the recommendations of the Selection Board?

(c) Why was the post not filled up during all these months? When are Government going to fill up the post? Does not the teaching in the School of Mines suffer due to this long vacancy?

(d) Is there any truth in the rumour that Government propose to recruit a foreigner to fill up the post?

(e) Is it contemplated to advertise for the post in Great Britain?

(f) Is it a fact that amongst the candidates interviewed in last November there were more than one candidate who had obtained degrees in Mining or first class diploma in Mining and who were first class certified colliery managers with wide experience in Indian Mining?

(g) Is it not the policy of Government to recruit suitable Indians in preference to foreigners for the post when they fulfil all the conditions required?

The Honourable Sir Frank Noyce: (a) Yes.

(b) Yes. Six candidates were called for interview. I am not prepared to disclose the Selection Committee's recommendations, as all such recommendations are of a confidential character.

(c) The post fell vacant on the 1st November, 1936. The Governing Body's recommendation was received on 19th November. Some time was occupied in considering the question and steps were taken to offer the post to an Indian candidate on 4th January. The vacancy has not been a long one and as the Principal of the School was authorised to make temporary arrangements, I have no reason to suppose that the work suffered appreciably.

(d) None.

(e) No.

(f) and (g). Yes.

GOVERNMENT'S POLICY REGARDING EMPLOYMENT OF RETRENCHED OFFICIALS.

295. ***Mr. Suryya Kumar Som:** Is it an accepted policy of Government to take retrenched officials back to service, if they are otherwise suitable for the job, in preference to new recruits?

The Honourable Sir Henry Craik: The general rule regarding the finding of alternative employment for persons discharged on the abolition of their appointments will be found in Articles 426 and 427 of the Civil Service Regulations, a copy of which is in the Library of the House. Special measures were taken in connection with the re-employment of persons who were retrenched in the general retrenchment campaign of 1931-32, details of which will be found in the reply given on the 17th February, 1932, by Sir James Crerar to Mr. Lalchand Navalrai's question No. 412 and the statement subsequently laid on the table of the House in connection therewith.

AMOUNT SPENT IN REPAIRING THE DAMAGES DUE TO EARTHQUAKES AT QUETTA AND IN BIHAR.

296. ***Mr. Sri Prakasa:** (a) What are the amounts spent so far by Government in repairing the damages due to earthquake at Quetta and in Bihar, respectively?

(b) What is the reason for the differentiation in treatment of the two places? Was there any difference in the nature of the earthquake, or the nature of the damage?

Sir Aubrey Metcalfe: (a) It is impossible to say what amount was spent by Government on repairing damage due to the Bihar Earthquake, because the Government immediately concerned is not the Government of India. The Honourable Member will, however, find some information in Mr. Brett's report published in 1935, a copy of which is in the Library. The financial assistance given by the Government of India has been fully explained in the Honourable the Finance Member's budget speeches. As for Quetta, preliminary expenditure on salvage and clearance has amounted to about 19 lakhs and repairs to damages to Karezes (water-courses), roads, bridges and drains to the end of the current year will be about 3.5 lakhs. Buildings in Quetta were completely destroyed and the reconstruction of civil buildings which has not yet commenced is expected to cost over 100 lakhs. In the Defence Department, the reconstruction of buildings to the end of the current year is expected to cost nearly 50 lakhs.

(b) Government are not aware of any differentiation in treatment between Bihar and Quetta. The latter part of the question does not therefore arise.

TRAVELLING OF OTHER PERSONS IN SALOONS RESERVED FOR THE EXECUTIVE COUNCILLORS OF THE GOVERNMENT OF INDIA.

297. ***Mr. Sri Prakasa:** (a) In view of the fact that only an Executive Councillor and his servants can travel in the saloon reserved for him, will Government state whether it is a part of a contract with the railways that all other persons travelling in it shall have to purchase extra first class tickets, or has this practice grown out of any convention?

(b) Was the price of building the saloons paid by Government to the railway, or have the railway built the saloons at their own cost?

(c) If the former, why are not a sufficient number of passengers allowed to use it, the cost of whose tickets will approximate to annas twelve a mile, the charge levied by the railway for haulage?

(d) What is the point in forcing an Executive Councillor to purchase extra tickets for members of his family travelling with him?

The Honourable Sir Muhammad Zafrullah Khan: (a) The orders issued by Government provide for fares being paid for those not entitled to travel in the saloon.

(b) The capital cost of the saloon is borne by Railways. Interest, maintenance and depreciation charges thereon are recovered by Railways from Government.

(c) and (d). I would refer the Honourable Member to paragraph 4 of Appendix O, page 600 of the Indian Railway Conference Association's Coaching Tariff (No. 10), a copy of which is in the Library of the House.

RUNNING OF THE 13-UP AND 14-DOWN HOWRAH-DELHI EXPRESS TRAINS ON THE EAST INDIAN RAILWAY VIA BENARES AND JANGHAI.

298. ***Mr. Sri Prakasa:** (a) Is it a fact that the 13-Up and 14-Down Howrah-Delhi Express trains on the East Indian Railway, used formerly to run *via* Benares and Janghai between Moghal Sarai and Allahabad and that since October last they are running *via* Mirzapur between the same stations?

(b) Is it also a fact that a light train runs between Benares and Moghal Sarai to connect Benares with the Up Express at Moghal Sarai?

(c) What is the extra cost involved in running this light train?

(d) What is the extra income, if any, made by the railway by the diversion of the train from the former route?

(e) Do Government propose to recommend to the railway authorities concerned the desirability of running these trains again on the old route?

The Honourable Sir Muhammad Zafrullah Khan: (a) and (b). Yes.

(c) and (d). I would refer the Honourable Member to the reply I gave to his question No. 247.

(e) The suggestion will be communicated to the Agent, East Indian Railway, for such action as he may consider necessary.

REPORT SUBMITTED BY RAIZADA HANS RAJ AND SIR MUHAMMAD YAMIN KHAN ON THEIR VISIT TO THE ANDAMANS.

299. ***Mr. Sri Prakasa:** (a) Have Raizada Hans Raj and Sir Muhammad Yamin Khan, jointly or severally, sent to Government any report of their visit to the Andamans?

(b) What action do Government intend to take on the report or reports? Will Government lay copies of the same on the table of the House?

(c) What was the total cost of their visit to the Indian exchequer?

The Honourable Sir Henry Oraik: (a) and (b). I would refer the Honourable Member to the reply which I have given to Mr. Mohan Lal Saxena's starred question No. 88 to which I have nothing to add. As reports of the interviews granted by both the gentlemen on their visit to the Andamans have already appeared in the Press Government do not consider it necessary to lay any correspondence on the table of the House.

(c) The information is being obtained and will be laid on the table later.

ALTERNATIVE ROUTES BETWEEN BENARES AND STATIONS ABOVE ALLAHABAD ON THE EAST INDIAN RAILWAY.

300. *Mr. Sri Prakasa: (a) From what date have the routes *via* Janghai and *via* Moghal Sarai between Benares and stations above Allahabad on the East Indian Railway been made alternative?

(b) When, if ever, were the railway booking offices at the Delhi Central Station and Connaught Place in New Delhi informed of this new arrangement?

(c) Is it a fact that so late as November last the booking offices at Connaught Place and Delhi Central Station used to charge extra for tickets between Delhi and Benares *via* Moghal Sarai?

(d) What extra income have the railway derived by these booking offices?

(e) Under what heads, if any, are sums realised over and above the proper dues, credited in the railway accounts?

(f) Are Government aware that correspondence with the railway for small overcharges involves labour and expense and what steps, if any, do Government intend to take to protect passengers from such overcharges?

The Honourable Sir Muhammad Zafrullah Khan: (a) 1st July, 1936.

(b) I have called for the information required and will lay a reply on the table when it has been received.

(c) I do not know what extra charge the Honourable Member refers to. The fares *via* Moghal Sarai are higher than those *via* Janghai.

(d) There is no extra income on passenger tickets which are sold at the same rates as at the main station.

(e) Overcharges are not shown separately. They are included in the earnings of the traffic to which they relate.

(f) The reply to the first part is in the affirmative: as regards the latter part, disciplinary action is taken if overcharges are recovered otherwise than in good faith.

INCREASE IN THE PRICE OF THE EAST INDIAN RAILWAY TIME TABLES.

301. *Mr. Sri Prakasa: (a) Is it a fact that the time tables of the East Indian Railway that used formerly to be sold for four annas are now sold for six annas and that extra small time tables are also published and sold for two annas for different provinces through which the railway runs?

(b) What is the number of each variety now printed and how many approximately of each are sold?

(c) What is the total profit to the railway by the sale of the present time tables as compared with the sale of the old four annas time table?

(d) Do Government propose to consider the desirability of recommending to the railway to revert to the old price?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes, except that there are only two extra small time tables, one for Bengal and Bihar and the other for the United Provinces.

(b) I would refer the Honourable Member to the statement I placed on the table of the House in reply to Mr. Mohan Lal Saksena's question No. 70 on the 25th instant.

(c) I have called for certain information and will lay a reply on the table when it has been received.

(d) This is a detail of administration which Government must leave to the Agent, East Indian Railway, to settle.

SYSTEM OF PRINTING THE EAST INDIAN RAILWAY TIME TABLES.

302. ***Mr. Sri Prakasa:** (a) Have Government seen the manner in which the East Indian Railway now prints its time tables, and compared it with the old system?

(b) Is it not a fact that the present system is more cumbrous and complicated? Are Government prepared to recommend to the railway to revert to the old system?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes.

(b) I am unable to agree that the present arrangement is unsatisfactory.

TICKETS CHECKED AT THE BIDDING OF THE CRIMINAL INVESTIGATION DEPARTMENT OFFICIALS ON THE EAST INDIAN RAILWAY.

303. ***Mr. Sri Prakasa:** (a) Is it a fact that Travelling Ticket Examiners on the East Indian Railway check the tickets of particular passengers at the bidding of the C. I. D. officials and take notes of the same?

(b) Are railway officials bound by any law to attend to the demands of the C. I. D. in this behalf? Are Government aware that railway officials detest the work the C. I. D. compel them to do?

(c) Are there any executive directions from Government or the Agent to the railway officials to help the C. I. D. in any manner?

(d) Are Government aware that the present practice leads to many innocent passengers being regarded as police suspects by their fellow-passengers, which is embarrassing and humiliating to them?

(e) Are Government aware that this makes the Railway very unpopular with the public?

The Honourable Sir Muhammad Zafrullah Khan: (a) Government have no information, but if the Honourable Member will let me have particulars of any case in which this has been done, I will have enquiries made.

(b), (d) and (e). No.

(c) Information will be called for from the Agent and a reply laid on the table in due course.

SUPPLY OF CLOTHING TO THE STAFF ON THE EAST INDIAN RAILWAY.

304. *Mr. Sri Prakasa: (a) What is the system for the supply of clothing to the railway staff on the East Indian Railway? Have the railway any approved firm of tailors, or do they call for tenders?

(b) Is each person separately measured and fitted?

(c) Are Government prepared to consider the desirability of recommending to the Railway Administration to patronize local tailors in each division?

(d) What is the annual cost of clothing supplied to each Travelling Ticket Examiner on the East Indian Railway? Will Government give particulars of such clothing?

(e) Is the clothing supposed to be the private property of the official concerned, or has he to deposit the old suit before he gets a new one?

(f) Is the cost of the clothing deducted from the salary of the official, or is it supplied free on behalf of the railway?

The Honourable Sir Muhammad Zafrullah Khan: I am collecting the information and will lay it on the table of the House in due course.

USE OF THE WORDS " FEMALE ", " WOMAN ", AND " LADY " ON THE EAST INDIAN RAILWAY.

305. *Mr. Sri Prakasa: (a) What is the difference in the meaning of the words 'female', 'woman' and 'lady', as used by the East Indian Railway on railway compartments, waiting rooms and latrines?

(b) If they mean the same thing, are Government prepared to ask the railway to decide upon only one of these terms and use it universally for the purpose intended?

The Honourable Sir Muhammad Zafrullah Khan: (a) None.

(b) The suggestion will be considered.

SPECIAL TRAIN RUN FROM ALLAHABAD TO LUCKNOW IN CONNECTION WITH THE INDUSTRIAL EXHIBITION.

306. *Mr. Sri Prakasa: (a) Is it a fact that a special train was run from Allahabad to Lucknow in connection with the Industrial Exhibition at the latter place? How many passengers availed themselves of this? What was the cost on it and the amount of money realised by the sale of tickets for it?

(b) Are Government satisfied that the money was well spent? If not, do they propose to take steps that such special trains are not run in future?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes; one intermediate and thirty-five third class passengers travelled. The amount of fares realised approximated to Rs. 50. The actual cost of operation cannot be definitely ascertained.

(b) The reply to the first part is in the negative. The train was advertised to run in the belief that a very much larger number of passengers would have travelled. Action in regard to the latter part of the question is therefore not called for.

JHATKA AND *HALAL* MEAT SUPPLIED IN RAILWAY DINING CARS AND REFRESHMENT ROOMS.

307. *Mr. Sri Prakasa: (a) What type of meat—*Jhatka* or *Halal*—is supplied to customers using the dining cars attached to trains and the non-denominational restaurants at the railway stations?

(b) Are Government aware that many persons who use these are religiously bound to object to one type or the other of meat referred to above? If so, do Government propose to take steps to see that either these general dining cars and restaurants are reserved for Europeans only, or only vegetarian food is supplied therein?

(c) Is it a fact that there are Hindu and Muslim waiters in these dining cars and restaurants?

(d) Are Government aware that Hindus object to beef and Muslims to pork and that they are greatly aggrieved that being poor and helpless, they are compelled to serve these? If so, are Government prepared to prohibit the service of either meat, or enjoin on railways to employ as waiters only Europeans or such other persons who may have no objection to such meat?

The Honourable Sir Muhammad Zafrullah Khan: (a) Government have no information.

(b) The reply to the first part is in the affirmative and to the second in the negative. The use of dining cars and restaurants is entirely optional.

(c) It is believed that the majority belong to the communities referred to.

(d) No. The men who take up employment as waiters know what they are likely to be required to do in that capacity.

TICKETS FOR THE BENGAL AND NORTH WESTERN RAILWAY PLATFORM AT THE BENARES CANTONMENT RAILWAY STATION.

308. *Mr. Sri Prakasa: (a) What is the arrangement of the East Indian Railway with the Bengal and North Western Railway regarding the use of the Benares Cantonment Railway Station by the latter?

(b) Is it a fact that the Bengal and North Western Railway have no system of platform tickets, and is it or is it not necessary to purchase platform tickets when going to receive or see off friends on the Bengal and North Western Railway platform at the Benares Cantonment station? If necessary, why is it so? If not, why are persons harassed when they do not purchase such tickets?

The Honourable Sir Muhammad Zafrullah Khan: (a) and (b). I have called for the information required by the Honourable Member and will lay a reply on the table when it has been received.

RULES REGARDING PRIVATE SALOONS ON RAILWAYS.

309. ***Mr. Sri Prakasa:** (a) What are the rules regarding private saloons on railways? Can anyone get one built for himself for payment, or is it only allowed for persons of any particular rank? If the latter, why is it so?

(b) Has the person for whom it is built to pay the price of the same, and can he get it in accordance with his own design?

(c) What is the cost of haulage of such saloons, and what are the rules regarding the number of passengers that can travel in it without extra tickets?

(d) Has the maximum carrying capacity of such saloons been fixed, and if so, what is it?

(e) What class of tickets has to be purchased by persons travelling in these saloons besides the owner?

(f) Can the owner of a saloon lend it out for use to a friend; and, if so, what are the conditions, if any, attached to such transaction?

The Honourable Sir Muhammad Zafrullah Khan: (a) It is the policy of Government not to permit the private ownership of railway vehicles. Exceptions to this policy are made only in favour of Ruling Princes. For administrative reasons it is desirable that the number of privately-owned saloons should be strictly limited.

(b) The cost of the saloon is met by the Ruling Prince concerned. Privately-owned saloons are required to conform to standard dimensions, weights, etc., and subject to these limitations, their internal arrangements may follow the owner's wishes.

(c), (d) and (e). I would refer the Honourable Member to Rule 102, pages 147 to 149 of the Indian Railway Conference Association's Coaching Tariff, No. 10, a copy of which is in the Library of the House.

(f) The reply to the first part is in the negative, and the latter part does not, therefore, arise.

· OVERTIME ALLOWANCE FOR THE DISPOSAL OF ENGLISH MAIL IN THE KARACHI POST OFFICE.

310. ***Mr. Lalchand Navalrai:** (a) With reference to my starred question No. 1506, answered on the 29th November, 1932, will Government please state on what date was the overtime allowance actually sanctioned and paid to the staff in connection with the disposal of the inward English Mail in the Karachi Post Office?

(b) Is it a fact that the staff was paid only for 35 occasions instead of the 66 occasions?

(c) Is it a fact that the circle officer asked the Director General, Posts and Telegraphs, to give sanction for the payment of overtime for the remaining 31 weeks also?

(d) Is it a fact that the Director General at first said that he was not prepared to approach Government again for the sanction?

(e) Is it a fact, that the above reply was given after the circle officer explained to the Director General that he was satisfied, by inspecting the records, that the mails during the 31 weeks in question had been actually

dealt with during the closed hours of sorting and delivery departments which mainly dealt with the work; and that the omission of 31 weeks from the original over-time statement prepared by the Karachi Post Office, was a mistake, and that the Post Master, Karachi, had definite orders to engage staff on overtime allowance and he did engage and order overtime staff on all the 66 occasions?

(f) Will Government please state why, in the face of the clear recommendation of the circle officer on the spot, the Director General's office turned down the request of the Postal Union?

(g) What do Government propose to do to give due relief to the staff concerned?

The Honourable Sir Frank Noyce: (a) The overtime allowance was sanctioned on the 13th February, 1934, and paid between the 24th and 28th February, 1934.

(b) The staff was paid on the 35 occasions on which it was established that overtime had been earned.

(c) to (f). The Government of India are not prepared to discuss official correspondence the existence of which could only have come to the Honourable Member's knowledge as a result of a breach of Rule 17 of the Government Servants' Conduct Rules.

(g) Government are not satisfied that any relief to the staff is due.

Mr. Lalchand Navalrai: May I know if the statement is correct that they had acted for more than 35 days?

The Honourable Sir Frank Noyce: I have said that the staff was paid for the 35 occasions on which it was established that overtime had been earned. It was presumably not established that overtime had been earned on other occasions.

Mr. Lalchand Navalrai: May I know that the department came to the conclusion that they had actually worked for more days?

The Honourable Sir Frank Noyce: Obviously not. The staff was paid for the 35 occasions on which it was established that the overtime had been earned.

POST OF THE STAFF MEMBER OF THE RAILWAY BOARD.

311. ***Mr. Lalchand Navalrai:** (a) Will Government be pleased to state if they intend to refill the post of the 'Staff Member' on the Railway Board?

(b) If so, what are the reasons for it, and how do Government justify refilling the post when, owing to retrenchment and other causes, the appointment was abolished or allowed to remain vacant?

(c) Have the railway finances and income increased to justify refilling of this post? If so, how?

(d) In case of refilling the appointment, do Government propose to appoint an Indian to the post? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: (a) and (b). The post of Member Staff on the Railway Board was neither abolished nor held in abeyance.

(c) and (d). Do not arise.

Mr. Lalchand Navalrai: May I know if there is that place of Staff Member to be filled up? If it was not in abeyance or postponed

The Honourable Sir Muhammad Zafrullah Khan: It was neither abolished nor held in abeyance; it was continuously filled.

Mr. Lalchand Navalrai: May I know who held it?

The Honourable Sir Muhammad Zafrullah Khan: If it is necessary for the Honourable Member to know, Mr. Tylden-Pattenson continued to hold it till a certain date.

CATERING IN REFRESHMENT ROOMS AND DINING CARS ON THE NORTH WESTERN RAILWAY.

312. ***Mr. Lalchand Navalrai:** (a) With reference to para. 13 of the memorandum of the Railway Board, dated 11th September, 1936, published at page 1 of the Summary of the Proceedings of the Meeting of the Central Advisory Council for Railways, dated 3rd and 8th October, 1936, will Government be pleased to state when, for the last time, were applications by advertisements called for, for the European catering in refreshment rooms and dining cars on North Western Railway?

(b) How many applications were received for Delhi, Lahore and Karachi sections?

(c) What was the method adopted for calling for the applications by advertisements?

(d) In which papers were the advertisements published?

(e) To whom were the contracts given, for how long, and on what grounds, and were the contractors Europeans or Indians?

The Honourable Sir Muhammad Zafrullah Khan: I am calling for the information required by the Honourable Member and will lay a reply on the table when it has been received.

SHORTAGE OF QUARTERS IN THE PAHARTALI RAILWAY COLONY OF THE ASSAM BENGAL RAILWAY.

313. ***Mr. Akhil Chandra Datta:** (a) Is it a fact that quarters in the Pahartali Railway Colony of the Assam Bengal Railway are not sufficient to meet the requirements of the railway employees?

(b) How many applications for quarters have been refused on the ground that there are none available?

(c) Have all employees applying for quarters been furnished with them?

(d) Has the Agent, Assam Bengal Railway, found it necessary to have more quarters?

(e) Is the shortage due to want of funds?

(f) How many quarters have been built during the years 1930, 1931, 1932, 1933, 1934, 1935 and 1936?

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

DEVELOPMENT OF INDIAN SHIPPING.

314. *Mr. Akhil Chandra Datta: (a) Have Government studied and investigated the position of the Indian shipping interests and ascertained what are the obstacles in the way of the development of Indian shipping?

(b) What definite steps, if any, have been taken by Government since September 1929 to remove those obstacles?

(c) Have Government adopted any measures to enable Indians to enter the overseas trade of their own country?

(d) Have Government received any application for financial aid from any Indian enterprise to enable them to enter the overseas trade?

(e) If so, has any financial aid been so far rendered?

(f) Have Government collected statistics about the part played by the Indian shipping interests in overseas trade? If so, will Government be pleased to lay them on the table?

(g) Has any action been taken on the basis of those statistics?

(h) What is the policy of Government with regard to the development of Indian shipping?

The Honourable Sir Muhammad Zafrullah Khan: (a) The question has been engaging the attention of Government for some years past.

(b) The attention of the Honourable Member is invited to the reply given by me to a supplementary question asked by Mr. Satyamurti on the 5th February, 1936, with reference to his starred question No. 75.

(c) There is no bar to Indians engaging in overseas trade.

(d) Yes.

(e) No.

(f) The Honourable Member's attention is invited to the statement laid on the table on the 9th April, 1936, with reference to Mr. Gadgil's starred question No. 1308.

(g) No.

(h) To give it all possible and reasonable assistance.

RECRUITMENT OF BRITISHERS TO THE INDIAN CIVIL SERVICE.

315. *Mr. Akhil Chandra Datta: (a) Is there any proposal to appoint Britishers to the Indian Civil Service, apart from and independent of the results of competitive examination conducted for the purpose?

(b) Have Government made any recommendation to the Secretary of State to alter the present system of recruitment to the Indian Civil Service in England, so as to enable more Europeans than Indians to get into the service in England? If so, what is that recommendation?

(c) What are the circumstances and reasons which led to this recommendation?

(d) Has the Secretary of State taken any decision on that recommendation? If so, when, and what?

(e) What is the reason for the shortage of recruitment to this service during the last six years?

(f) What steps have been taken to make good the deficiency, and with what result?

(g) What will be the financial relief to India if an Indian is recruited in the place of an Englishman?

(h) What will be the total financial relief to India if recruitment is henceforth confined to Indians?

The Honourable Sir Henry Craik: (a) to (f). I would refer the Honourable Member to the statement made by me on this subject on the 31st August, 1936, in connection with an adjournment motion by Mr. S. Satyamurti on the floor of this House, and to the replies given by me to questions Nos. 47, 113, 125, 126, 132, 177, 178 and 671 on the 2nd, 3rd, 4th, 8th and 28th September, 1936, and supplementary questions and answers thereto.

(g) and (h). The financial relief will be represented by overseas pay, passage concessions, etc., which vary in amount with individual officers and during an officer's career, and cannot be evaluated without many unsafe assumptions.

Mr. Lalchand Navalrai: With regard to part (b) of the question, may I know if Indians get into service in England there?

The Honourable Sir Henry Craik: Yes.

Mr. Lalchand Navalrai: Is it a large number or only one or two men? I am talking of the English Civil Service.

The Honourable Sir Henry Craik: I cannot say. The question of recruitment to the English Civil Service is not part of my official duties.

Mr. Akhil Chandra Datta: With reference to the answer to part (g) of the question, can I have a very rough idea of the amount of financial relief?

The Honourable Sir Henry Craik: I am afraid I cannot give even a rough idea.

PROTECTION AND DEVELOPMENT OF HANDLOOM INDUSTRY.

316. ***Mr. Akhil Chandra Datta:** (a) What is the policy of Government with regard to the handloom industry?

(b) What definite measures, if any, have Government adopted for the protection and development of handloom industry during the last five years?

The Honourable Sir Frank Noyce: (a) and (b). The Government of India are making grants amounting to Rs. 5 lakhs a year for a period of five years to Local Governments for the development of the handloom

weaving industry. The money is being spent by Local Governments on various approved schemes. Particulars of the action taken by them will be found on pages 20, 26 and 27 of the Bulletins of Indian Industries and Labour No. 57, copies of which are in the Library of the House. That bulletin also gives particulars of the assistance given in other ways by Local Governments and of the fiscal protection afforded to cotton textiles in general.

Mr. Lalchand Navalrai: May I know if it will be a provincial subject after the advent of the new constitution? Will help to handloom industry be a question for the Provincial Governments?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member can find that out for himself from the Act, or at any rate he can wait till the new Constitution comes into force.

CO-OPERATIVE EDUCATION AND TRAINING IN THE PROVINCES.

317. *Mr. Akhil Chandra Datta: (a) Are Government aware that as a result of the policy recommended by the Linlithgow Commission on Agriculture and supported by numerous other committees, the work of co-operative education and training was declared to be a fit subject to be entrusted to non-official bodies like apex co-operative federations? Do Government adhere to this policy?

(b) Will Government state the reasons that have led to a transfer of the work of co-operative education and training to the department just on the eve of the introduction of the new constitution without giving a fair trial to the policy recommended by the Linlithgow Commission and others?

Sir Girja Shankar Bajpai: (a) Government have been unable to trace in the Commission's Report any recommendation for the adoption of a policy such as the one stated by the Honourable Member.

(b) Does not arise.

ARTICLE ENTITLED "BOMBAY EXPOSED TO GRAVE DANGER IN EVENT OF WAR" PUBLISHED IN THE SUNDAY STANDARD.

318. *Sir Muhammad Yakub: (a) Has the attention of Government been drawn to an article under the heading "Bombay exposed to Grave Danger in event of War", published in the *Sunday Standard*, dated the 10th January, 1937?

(b) Have Government seen the Right Honourable Mr. V. S. Srinivasa Shastri's statement that "The world to-day was hastening towards a war of the highest magnitude in which all units will be involved"? If so, will Government state what steps, if any, they have taken, or are going to take, in order to keep India ready to meet all exigencies? If not, why not?

(c) Do Government propose to take any steps to safeguard Bombay, Karachi, Calcutta, Delhi, Peshawar, Rangoon, Madras and other important cities from destructive air raids? If not, why not?

The Honourable Sir Henry Craik: (a) I have read the article.

(b) and (c). The first part of the question asks for an opinion on a debatable subject. I am not able to disclose military measures taken for the protection of India but the question of the protection of the Civil population from aerial attack is at present under the consideration of the Government of India.

TRAVELLING BY AIR OF THE OFFICERS OF THE ALL-INDIA AND CENTRAL SERVICES.

319. *Mr. C. N. Muthuranga Mudaliar: Will Government be pleased to state :

- (a) the number of officers (each class to be shown separately) of the All-India and Central Services, class I and class II, who have been furnished during the last two years, 1934-35 and 1935-36, at Government expense with first class 'C' passages by the P. & O. Steamers;
- (b) whether it is proposed that the first two classes of officers should in future travel by air instead of by sea as at present, and, if so, the reasons for the change; and
- (c) whether it is a fact that the change proposed is in support of the policy of His Majesty's Government in the United Kingdom to promote aerial navigation as part of their larger policy of strengthening all sides of their aerial services?

The Honourable Sir James Grigg: (a) Officers of Central Services, Class II, sent out of India, are not eligible for First Class 'C' passages by P. & O. The information in respect of officers of All-India Services and Central Services, Class I, is not readily available. Government consider that the advantage to be gained by collecting it from various sources will not be commensurate with the labour involved.

(b) Government have issued instructions with the object of encouraging officers of the All-India Services and Central Services, Class I, whose deputation pay exceeds a particular limit, to travel by air rather than by sea as they have estimated that such travel will, on the whole, be more economical to Government.

(c) No.

ALLOWANCES OF THE GOVERNOR GENERAL.

320. *Mr. C. N. Muthuranga Mudaliar: Will Government be pleased to state :

- (a) the various allowances, other than his pay, of which the Governor General of India is in receipt;
- (b) the allowances of which he will be in receipt after the inauguration of Federation; and
- (c) the total allowances of the Governors General of Australia, Canada, South Africa and New Zealand?

The Honourable Sir James Grigg: (a) The Governor General of India is in receipt of the following allowances, other than his pay:

	Rs.
Sumptuary allowance	40,000
Contract allowance	1,41,800
State conveyances and motors	43,000
Presents and charities	10,000
Customs duty on imported stores	8,000
Purchase of glass, crockery and linen	16,000
Tour expenses	4,70,000

- (b) No decision has yet been reached.
- (c) Government have no information.

EXPENDITURE PROVIDED FOR DEFENCE PURPOSES.

321. *Mr. C. N. Muthuranga Mudaliar: Will Government be pleased to state:

- (a) the expenditure provided for defence purposes in the current year's budget of the Dominions of Canada, Australia, New Zealand and South Africa;
- (b) what percentage of the total expenditure is it in each case; and
- (c) what percentage of the total expenditure is the similar expenditure provided for India?

Mr. G. R. F. Tottenham: (a) and (b). The required information is not available for the current year. I would, however, refer the Honourable Member to the Armaments Year Book, 1935, and the Statistical Year Book, 1935-36, which are issued by the League of Nations and which contain information on the subject. It is made clear in the books themselves that there is no comparability between the figures of the different countries owing to differences (1) in the proportion between public and private activities, (2) in the proportion between the activities of the central, regional, local and other public bodies, and (3) in methods of accounting.

(c) About 25.

ENQUIRY BY EXPERTS INTO THE INCOME-TAX SYSTEM IN INDIA.

322. *Mr. C. N. Muthuranga Mudaliar: Will Government be pleased to state:

- (a) whether the enquiries conducted by certain income-tax experts imported from the United Kingdom recently have been completed; and if so, whether their report will be published; if not, why not;
- (b) when they first started on their investigation;
- (c) the period during which Government anticipated they would be employed; and
- (d) whether that period has been greatly exceeded, and, if so, by how much, and why?

The Honourable Sir James Grigg: (a) I would refer the Honourable Member to the reply given to parts (a) and (b) of question No. 202 on the 25th of January, 1937.

(b) About the end of October, 1935.

(c) A year or so.

(d) No.

RE-ORGANISATION OF THE GOVERNMENT OF INDIA SECRETARIAT.

323. *Mr. C. N. Muthuranga Mudaliar: Will Government be pleased to state:

(a) whether they have under consideration the reorganisation of the existing central Secretariat in connection with the forthcoming reformed constitution of the centre, and if so, whether they have considered the question of the pay of officers of the superior services employed in the Secretariat, and if not, why not;

(b) whether they have considered the question of the revision of the present scales of pay for posts of Secretary, Joint Secretary, Deputy Secretary, Under and Assistant Secretary either in connection with the changes contemplated in connection with the reorganisation of the Secretariat, or in connection with the introduction of new scales of pay, and if so, the result of such consideration, and if not, why not; and

(c) whether it is a fact that special pay or fixed pay attached to the posts referred to in part (b) above is not an 'accruing' right of the services concerned, and if so, whether the question of refixing it in accordance with the economic conditions of India will be considered?

The Honourable Sir Henry Craik: (a) The reply to the first part is in the affirmative.

(a) second part and (b). The scale of pay of the post of Assistant Secretary has already been reduced for new entrants, and the question of the revision of pay of other superior posts has been deferred for the present.

(c) The reply to the first part is in the negative and the second part does not arise.

UNSTARRED QUESTIONS AND ANSWERS.

APPOINTMENT OF MUSLIMS AND OTHER MINORITIES IN THE CENTRAL SERVICES.

15. Sir Muhammad Yakub: (a) Will Government be pleased to lay on the table of the House a complete statement showing to what extent effect was given to the Government of India's Resolution relating to the appointment of the Musalmans and other small minorities in the Central Services, including the Railways and the Postal Department, during the year 1936, giving reasons when the directions contained in the Resolution could not be given effect to?

(b) Will Government be pleased to state how many posts were declared "Technical" in various departments, since the Government of India's Resolution mentioned in part (a) of this question was issued, and pointing out how many should have been allotted to Muslims if they had not been so declared?

The Honourable Sir Henry Craik: (a) The information will be contained in the annual returns for 1936, which will be laid on the table of the House in due course

(b) I lay on the table a list of posts excluded from the orders about communal representation, because they require high technical or special qualifications or because their number is too small for the orders to be applied. There is nothing to prevent the appointment of Muslims to these posts if they possess the necessary qualifications.

List of Services and Posts excluded from the scope of the orders contained in the Home Department Resolution No. F-14/17-B/33-Ests., dated the 4th July 1934, regarding communal representation in the services.

Services and Posts.

Class of Service.

I.—COMMERCE DEPARTMENT.

1. Bengal Pilot Service	Central, Class I.
2. Mercantile Marine Training Ship Service	Do.
3. Nautical Adviser to the Government of India	General Central, Class I.
4. Chief Surveyor with the Government of India	Do.
5. Actuary to the Government of India	Do.
6. Secretary, Indian Accountancy Board	Do.
7. President and Members, Tariff Board	Do.
8. Principal Officers, Nautical Surveyors, Principal Engineer and Ship Surveyors, and other Engineer and Ship Surveyors of the Mercantile Marine Department at the ports of Karachi, Bombay, Madras, Calcutta and Chittagong	Do.
9. Ship Surveyors, Mercantile Marine Department, Bombay and Calcutta	Do.
10. Headmaster, Indian Mercantile Marine Training Ship "DUFFERIN"	Do.
11. Shipping Masters, Bombay and Calcutta	Do.
12. Director-General of Commercial Intelligence and Statistics	Do.
13. Deputy Directors of Commercial Intelligence and Statistics	Do.
14. Deputy Director of Statistical Research at the headquarters of the Government of India	Do.
15. Engineer-in-Chief, and Engineer, Lighthouse Department	Do.
16. Wireless Telegraphy Inspectors, Mercantile Marine Department	General Central, Class II.
17. Medical Officer of the Indian Mercantile Marine Training Ship "DUFFERIN"	Do.
18. Deputy Shipping Masters, Bombay and Calcutta	Do.
19. Assistant Shipping Master, Calcutta	Do.
20. Chief Engineers of the Pilot Vessels belonging to the Bengal Pilot Service	Do.
21. Assistant Actuary to the Government of India	Do.
22. Commercial Accountant, Lighthouse Department	Do.
23. Foremen Lighthouse Mechanics on the Headquarters Lighthouse Establishment	Do.
24. Draftsman and Clerks, Engineer-in-Chief's Office, Lighthouse Department	General Central, Subordinate.

Services and Posts.

Class of Service.

I.—COMMERCE DEPARTMENT—*contd.*

25. Mechanics and Storekeeper Clerk at the Madras Lighthouse Workshop	General Central.	Subordinate.
26. Subordinate Staff in the Lighthouse Districts		Do.
27. Crews of the Launches belonging to the Mercantile Marine Department, Calcutta and Bombay		Do.
28. Crews of Light Vessels		Do.
29. Crews (including Engineer Officers but excluding Chief Engineers) of the Pilot Vessels belonging to the Bengal Pilot Service and the Steam Launch "AID"		Do.
30. Accountant for the Leadsman's Quarters at Calcutta		Do.
31. Assistant Masters, Clerks, and Crews of the Indian Mercantile Marine Training Ship "DUFFERIN"		Do.
32. High Commissioner for India	Unclassified.	
33. Deputy High Commissioner for India		Do.
34. Secretary, Public Department, Office of the High Commissioner for India		Do.
35. Indian Trade Commissioners		Do.
36. Deputy Indian Trade Commissioner, London		Do.

II.—DEFENCE DEPARTMENT.

1. Caretaker, Army and R. A. F. Headquarters.	Posts on the Army side are not subject to the Civil Services (Classification, Control and Appeal) Rules, and hence no classification can be given.
2. Workmen's Establishment of the Royal Indian Navy.	
3. Ratings of Military Launches.	
4. Chief Maulvi, Board of Examiners.	
5. Translators and Librarians, Fauji Akhbar Section.	
6. All Posts in the Army Educational Establishments.	
7. Army Language Teachers.	
8. Accountant, A. G.'s Branch.	
9. Recruiters and clerks of the offices of the A. T. R. Os.	
10. Clerical staff of the Indian Territorial Force.	
11. Civilian Clerks of the Indian Signal Training Corps, S. T. C., Jubbulpore.	
12. Civilian Clerks with units of the Auxiliary Force in India.	
13. Religious Teachers for units of the Army in India.	
14. Clerical staff of the Command Offices of Judge Advocate General's Department.	
15. Civilian staff under the Director of Medical Services.	
16. Assistant Farm Overseers and Zilladars and all locally recruited staff of the Army Remount Department.	
17. Surveyors Assistants, and Superintendents, Electrical and Mechanical, Military Engineer Service.	
18. Draughtsman, M. G. O.'s Branch.	
19. Assistant Works Managers, Ordnance and Clothing Factories.	
20. Technical Staff of the Indian Ordnance Inspection Section (Lethal Stores Inspectorates).	
21. Technical staff of the Indian Army Ordnance Corps.	
22. Overseer, Sub-Overseer, and Tally Clerks, Controller Flour Mills, Lyallpur.	
23. Draughtsmen, First Grade, Aircraft Depot, R. A. F., Drigh Road.	
24. Two posts under the R. I. N. at Calcutta.	
25. Advisory Chemists, Assistant Chemists, and Laboratory Assistants, Medical Stores Depots.	
26. Cutlers, Medical Stores Depots, Lahore and Calcutta.	

III.—EDUCATION, HEALTH AND LANDS DEPARTMENT.

1. Medical Research Department	Central, Class I.
2. Zoological Survey of India	Do.
3. Government Epigraphist for India, Superintendent for Epigraphy, and Assistant Superintendent for Epigraphy, Archaeological Department	Do.

Services and Posts.

Class of Service.

III.—EDUCATION, HEALTH AND LANDS DEPARTMENT—*contd.*

4. Imperial Agricultural Research Institute and Sub-Stations	Central, Class I and Class II.
5. Imperial Dairy Institute	Do.
6. Imperial Veterinary Research Institute and Sub-Stations	Do.
7. Botanical Survey of India	Do.
8. Agents of the Government of India in South Africa, Ceylon and British Malaya	General Central, Class I.
9. Secretary to the Agent of the Government of India in S. Africa	Do.
10. Assistant Secretary to the Agent of the Government of India in South Africa	General Central, Class II.
11. Epigraphical Assistant, Reader, and Clerks, office of Government Epigraphist for India	Central Subordinate.
12. Assistant, Clerks, and Custodian. Office of the Superintendent for Epigraphy	Do.
13. Custodians, Agra and Lahore Forts, and Custodian, Archæological Area, Delhi Fort and Curator, Indian War Memorial Museum	Do.
14. Entomological Assistant, Laboratory Assistants, Artists, Gallery Assistants, Taxidermists, and Insect Setters, Zoological Survey of India	Do.
15. Ministerial establishments of the Agents of the Government of India in South Africa, Ceylon, and British Malaya	Unclassified.

IV.—FINANCE DEPARTMENT.

A.—Posts directly under the Finance Department.

1. Master, Deputy Master, and Assistant Master, Security Printing, India	General Central, Class I.
2. Deputy Controller of Stamps	Do.
3. Assistant Master, Currency Note Press	Do.
4. Controller of the Currency	Do.
5. Deputy Controller of the Currency	Do.
6. Mint Masters, Bombay and Calcutta	Do.
7. Deputy Mint Master	Do.
8. Chief Assayer, Mint, Bombay	Do.
9. Chief Inspector, Control, Engraver, Supervisors (Technical), Junior Supervisors (Technical), and Assistant Supervisors (Technical), Security Printing, India	General Central, Class II.
10. Personal Assistant to the Controller of the Currency	Do.
11. Artist Engraver, Calcutta Mint	Do.
12. Estate Custodian, Security Printing, India	General Central, Subordinate.
13. Bullion Establishment at the Mints	Do.
14. Fifty per cent. of the Supervising Staff of the Operative Establishment at the Mints (Reserved for Europeans, Domiciled Europeans and Anglo-Indians)	Do.

B.—Posts under the Central Board of Revenue.

15. Members and First Secretary, Central Board of Revenue	General Central, Class I.
16. Special Chemical Adviser to the Central Board of Revenue	Do.
17. Chemical Examiners, Calcutta and Bombay Customs Houses	Do.
18. Chief Mining Engineer, Northern India Salt Revenue, Khewra	Do.
19. Superintending Electrical and Mechanical Engineer, Khewra	Do.

Services and Posts.

Class of Service.

IV.—FINANCE DEPARTMENT—*contd.*B.—*Posts under the Central Board of Revenue—contd.*

20. Customs Appraisers Service*	Central, Class II.
21. Assistant Chemical Examiners, Karachi, Madras, and Calcutta Customs Houses	General Central, Class II.
22. Personal Assistant to the Special Chemical Adviser to the Central Board of Revenue	Do.
23. Opium Chemist, Opium Factory, Ghazipur	Do.
24. Mechanical and Electrical Engineer, Sambhar	Do.
25. Mines Manager, Khewra	Do.
26. Clerks in the Reserve Stamp Depot.†	General Central, Subordinate.

V.—FOREIGN AND POLITICAL DEPARTMENT.

- | | |
|--|-------------------|
| 1. Political Department of the Government of India | Central, Class I. |
|--|-------------------|

VI.—HOME DEPARTMENT.

1. Posts of Chief Judge and Puisne Judge in the Chief Court, Oudh, and Additional Judicial Commissioner, N.-W. F. P., when held by a Barrister, Advocate, or Vakil	General Central, Class I.
2. Government Examiner of Questioned Documents, Assistant Government Examiner of Questioned Documents, and Assistant Director, Intelligence Bureau	Do.
3. Deputy Director and Assistant Directors, Intelligence, Peshawar	Not classified yet.
4. Secretary and Assistant Secretary, Public Service Commission	General Central, Class I.
5. Director, Deputy Director, and Additional Deputy Directors, Public Information	Do.
6. Deputy Central Intelligence Officers; Deputy Superintendents, Intelligence, Peshawar; and Deputy Superintendents of Police, Delhi and Coorg	General Central, Class II.
7. Confidential Assistant, Intelligence Bureau	Do.
8. Personal Assistant to the Chief Commissioner, A. & N. Islands; Assistant Commissioner, Nicobars; Extra Assistant Conservators of Forests, and Exploitation Officers, Andamans Forest Department	Do.
9. Photographer, Intelligence Bureau	General Central, Subordinate.
10. Tahsildar and Sub-Inspector of Police under the Deputy Director, Intelligence, Peshawar and Assistant Central Intelligence Officers	Do.
11. Senior Special Assistant and Confidential Assistant, Office of the Public Service Commission	Do.

VII.—IMPERIAL COUNCIL OF AGRICULTURAL RESEARCH.

1. Vice-Chairman, Agricultural Expert, Animal Husbandry Expert, and Secretary	General Central, Class I.
2. Agricultural Marketing Adviser to the Government of India	Do.

VIII.—INDUSTRIES AND LABOUR DEPARTMENT.

1. Indian Ecclesiastical Establishment	Central, Class I.
2. Indian Meteorological Service	Do.
3. Geological Survey of India	Do.
4. Mines Department	Do.

*Any direct appointments made to this service otherwise than on the basis of special technical qualifications will not be outside the scope of the Resolution of 4th July 1934.

†This staff will come within the scope of the Resolution of 4th July 1934 as soon as the term of the contract of the present Storekeeper expires.

Services and Posts.

Class of Service.

VIII.—INDUSTRIES AND LABOUR DEPARTMENT—*contd.*

5. Posts in the Indian Stores Department, except the posts of Deputy Director, and Assistant Director, Administration and Intelligence	General Central, Class I
6. Posts at the Indian School of Mines	Do.
7. Posts in the Civil Aviation Directorate	Do.
8. Patents and Designs Department	Do.
9. Consulting Architect, Architect, Electrical Engineer, and Administrative Officer, Central Public Works Department	Do.
10. Controller of Broadcasting	Do.
11. Station Directors, Station Engineers, and Directors of Programmes, All-India Radio	General Central, Class II.
12. Explosives Department	Do.
13. Posts in the Civil Aviation Directorate, except the posts of Superintendents in the office of the Director of Civil Aviation in India	Do.
14. Patents and Designs Department	Do.
15. Superintendent, and Assistant Superintendent, Horticultural Operations; Works Assistant; Quantity Surveyor; Financial Assistant and Rent Officer; and Assistant Estate Officer, Central Public Works Department	Do.
16. Consulting Engineer to the Government of India	Not yet classified.
17. Assistant to the Consulting Engineer to the Government of India	Do.
18. Storekeeper, Deputy Store Keepers, and Assistants and Clerks, Stationery Stores Section of the Central Stationery Office, Calcutta.*	General Central, Subordinate.

IX.—LEGISLATIVE DEPARTMENT.

1. Secretary, Joint Secretary and Draftsman, and Deputy Secretary, when held by a non-I. C. S. Officer	General Central, Class I.
2. Solicitors, and Assistant Solicitor to the Government of India	Do.

*These posts will come within the scope of the Resolution of 4th July 1934 as soon as the term of the contract of the present Storekeeper expires.

REMOVAL OF BAN PLACED ON MAULANA OBAIDULLAH SINDHI.

16. **Seth Haji Abdoola Haroon:** (a) Are Government aware of the fact that Maulana Obaidullah Sindhi, who had emigrated about twenty years ago from India to Afghanistan, is at present staying at Mecca?

(b) Is it a fact that a ban has been imposed by Government on his entry into India?

(c) Are Government aware that Maulana Obaidullah desires to come back to his native land—India—as he is seventy years old, and cannot put up with the inconvenience of remaining away from home?

(d) Is it a fact that similar bans put on other emigrants of the same type have recently been removed by Government?

(e) Are Government prepared to remove the ban on the Maulana and allow him to return to India? If not, why not?

The Honourable Sir Henry Craik: (a) to (e). I would invite the attention of the Honourable Member to the reply given by Sir James Crerar to his question No. 347 on the 3rd February, 1931. Maulvi Obaidullah Sindhi has not himself asked for facilities to return to India.

THE INSURANCE BILL.

The Honourable Sir Nripendra Sircar (Law Member): Sir, I move for leave to introduce a Bill to consolidate and amend the law relating to the business of insurance.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That leave be granted to introduce a Bill to consolidate and amend the law relating to the business of insurance."

The motion was adopted.

The Honourable Sir Nripendra Sircar: Sir, I introduce the Bill.

RESOLUTION RE DRAFT CONVENTION OF THE INTERNATIONAL LABOUR CONFERENCE RE MAINTENANCE OF RIGHTS UNDER INVALIDITY, OLD-AGE AND WIDOWS' AND ORPHANS' INSURANCE.

The Honourable Sir Frank Noyce (Member for Industries and Labour): Sir, I beg to move:

"That this Assembly having considered the draft Convention concerning the establishment of an international scheme for the maintenance of rights under invalidity, old-age and widows' and orphans' insurance, adopted by the Nineteenth Session of the International Labour Conference, recommends to the Governor General in Council that he do not ratify the Convention."

This Resolution, Sir, if I recollect correctly, has been on the list of business of the House for the last two Sessions. It has been crowded out by more important business. I do not think that I need detain the House by a lengthy exposition. Members who have studied the report presented by our delegates to the 1935 Conference of the International Labour Office, Sir Bhupendra Nath Mitra and Sir Joseph Bhore, will recollect that they hold the view that the Convention is one which has no practical application to India. This Convention arises out of a series of social insurance conventions adopted by the International Labour Conference in 1933, which provided for elaborate systems of invalidity, old-age and widows' and orphans' insurance. The Conventions were considered by this House and also by the Council of State towards the close of 1933. The House agreed with the Government that the Conventions should not be ratified and indeed, if I recollect correctly, not a single Member suggested their ratification.

Now, the present Convention is merely designed to secure international co-ordination of the various systems of social insurance to which it refers. I cannot explain the position better and also more briefly than by citing a short passage from the report of our delegates. I would remind the House that those two delegates, Sir Bhupendra Nath Mitra and Sir Joseph Bhore, had very special knowledge of labour conditions in this country. What they said was:

"In the course of discussion in the Conference, it was pointed out that, in the absence of international arrangements, a worker who is employed and is compulsorily insured successively in two or more countries is often unable to fulfil the qualifying conditions required separately by the national schemes. He loses credit for the contributions paid in respect of him in the first country, because he interrupts his

insurance, and, in the second country, he either does not qualify for a pension, or obtains only a small pension corresponding to the time he has worked there. The problem of the removal of these and similar disabilities had already found a partial solution in many bilateral treaties contracted between countries of emigration and countries of immigration. The Conference held that a complete and satisfactory solution could only be achieved by means of an international convention. The draft convention, therefore, is more or less a generalisation of the characteristic points of the existing bilateral treaties."

It follows from that that the question does not concern this country for three reasons. The first is that we have not the systems to co-ordinate; the second is that it is not practicable to set up the systems and the third is that even if the systems were in existence, their co-ordination for a country like India which is separated by thousands of miles from any other country with a system of this kind would be a matter of no practical importance. It is for this reason that I ask the House to adopt my Resolution. Sir, I move.

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

"That this Assembly having considered the draft Convention concerning the establishment of an international scheme for the maintenance of rights under invalidity, old-age and widows' and orphans' insurance, adopted by the Nineteenth Session of the International Labour Conference, recommends to the Governor General in Council that he do not ratify the Convention."

Mr. N. M. Joshi (Nominated Non-Official): Mr. President, in the course of his remarks, the Honourable Member in charge of the Department of Industries and Labour stated that the discussion on this Resolution was crowded out on account of some more important business as having to be transacted in this House. I feel, Sir, that it is a great pity that the Government of India should not consider the consideration of labour questions of sufficient importance. In any case, it is a great pity that the consideration of these matters should be treated as less important than the consideration of other matters. There are other indications of this fact that the consideration of labour matters is not regarded as very important by the Government of India. I hear that the Government of India have agreed to postpone the consideration of some important measures during the absence of Congressmen from this House. The very fact that they take up this measure in their absence shows that the Government of India do not attach sufficient importance to the consideration of these matters. But, Sir, there are other reasons why I feel that the Government of India do not attach sufficient importance to the work of the International Labour Organisation. For some years, I have been pressing the Government of India to send an adequate delegation for the International Labour Conferences. For some years the Government of India sent one delegate for employers and one delegate for Labour, and they also sent some number of advisers although that number was always very small. Then they stopped the practice of sending advisers on the ground of finance. Well, Sir, in these days, when the Government of India can easily throw away two crores of rupees on what they call "rural uplift" (Sir Cowasji Jehangir: "Throw away"?), it should not have been difficult for them to spend a few thousand rupees on this object. Fortunately, the Government changed their policy, and last year they sent one delegate and one adviser on behalf of labour and one delegate and one adviser on behalf of employers also. I would suggest to the Government of India that if they

[Mr. N. M. Joshi.]

give sufficient importance to the work of the International Labour Organisation, they should not object to spending a small amount of additional money for sending an adequate delegation to the International Labour Conferences. (Sir H. P. Mody: "I agree.") I am glad my Honourable friend, Sir H. P. Mody, agrees with me. I have no doubt that he will exert his undoubted influence with the Government of India in this matter.

Then, I would like to draw the attention of the House to a statement which the Honourable Member in charge of the Department of Industries and Labour placed yesterday before this House. From that statement you will find that the Government of India propose to follow some new procedure in considering the decisions of the International Labour Organization. In that statement they also mentioned that they do not propose to ratify the Convention regulating certain systems of recruitment and also that they do not propose to take action on the recommendation concerning that subject. Ordinarily the Government of India should have placed a Resolution before this House, if they did not want to take any action or if they did not want to ratify that Convention. I do not know why the Government of India should have changed their procedure, and here I would like to appeal not only to the Government of India, but to the Members of the Legislature and also to you, Sir, personally, who is in charge of the privileges of this House that this House should not be deprived of the power which it has enjoyed for so many years. It has been the accepted practice of the Government of India that if they have to take any action or if they want to refuse to take any action, that decision shall be the decision of the House and not of the Government of India. The Government of India, by issuing this statement and by telling us that they do not propose to ratify the Convention, without placing a Resolution before the House, have deprived the House of the power which it has possessed for more than fifteen years. Sir, I would like the Members of the Legislature to take some interest in the powers and privileges of this House and I would like to protest strongly against the Government of India arrogating to themselves the right to change the established practice in this matter. I strongly protest against the action of the Government depriving this Legislature of the undoubted right which this House has enjoyed for more than fifteen years. This Convention, the Government of India explain, regulating the recruitment of some special classes of workers, is not applicable to India, but I am not so sure about that fact. The Government of India in their statement say this:

"The Convention is designed to regulate the recruiting of indigenous workers in the territories of Members of the International Labour Organization and the term 'indigenous workers' is defined as including 'workers belonging to or assimilated to the indigenous populations of the dependent territories of Members of the Organization and workers belonging to or assimilated to the dependent indigenous populations of the home territories of Members of the Organization'. This definition was carefully drafted by the Committee, so that it would only cover the conditions which the Convention was framed to meet. It is not designed to cover conditions in India, since India has no dependent territories and no workers belonging to or assimilated to the dependent indigenous populations of her home territories."

Sir, I am not quite sure about the accuracy of this last statement. The Government of India say that India has no dependent territories. Surely, what are the Indian States, if they are not dependent territories of the Government of India and of British Government?

The Honourable Sir Frank Noyce: Sir, I must take strong objection to my Honourable friend's statement that Indian States are dependent territories of British India. I think that statement is open to the gravest objection; it is a travesty of the facts.

Mr. N. M. Joshi: I do not know what is open to the gravest objection. Is it open to the gravest objection to say that the British Government controls the destinies of the Indian States?

Mr. President (The Honourable Sir Abdur Rahim): I do not think that is a matter which can be discussed now. As a matter of fact, they are not part of the Government of India or under the Government of India.

Mr. N. M. Joshi: The question, Sir, is not that they are a part of the Government of India; the question is whether they are a part of India.

The Honourable Sir Frank Noyce: I must ask your ruling, Sir, as to whether my Honourable friend is entitled to discuss it at all.

Mr. President (The Honourable Sir Abdur Rahim): The Chair has perhaps given its ruling.

Mr. N. M. Joshi: I would like to be allowed to say this that as great an authority as Lee-Warner has called them Protected Princes.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member must not continue that discussion.

Mr. N. M. Joshi: The second point is—"workers belonging to or assimilated to the dependent indigenous populations of her home territories". Now, we have got what we call "Excluded Areas".

The Honourable Sir Frank Noyce: Sir, is my Honourable friend in order in discussing at all a Convention which is not before the House? I have not interrupted him so far, because I realise that he is entitled to state his views on the procedure which the Government of India propose to adopt in respect of Conventions and Recommendations in the future. He has every right to discuss that; and I propose, in reply, to explain why we propose to adopt this procedure; but I do submit that he is not in order in going into details of Conventions in respect of which we do not propose to move Resolutions and details of which are not at present before the House.

Mr. N. M. Joshi: May I say this that I am not going into any details of Conventions at all.

The Honourable Sir Frank Noyce: My Honourable friend has been doing that for the last five or six minutes.

Mr. N. M. Joshi: I am challenging the statement of the Government that in India there is no section of population to which the Convention applies. I am showing the applicability of the Convention to Indian conditions. I realise that I cannot go into the details of this Convention, and I

[Mr. N. M. Joshi.]

shall content myself by saying that the Government are wrong in stating that there are no sections of the population to which the Convention should apply; and I maintain that the population of the Excluded Areas is covered by this Convention. Sir, I shall not say any more on that point. As regards the Convention itself, I can understand the attitude taken up by Government in not ratifying this Convention. This Convention deals with some co-ordination between different countries in the matter of social insurance schemes, protecting people against the incidents of invalidity and old age and certain disabilities. But, Sir, India is not in a position to ratify this Convention on account of the fact that India has not yet established any scheme of social insurance protecting the working classes of this country against invalidity, old age and such disabilities to which they are subject. I feel that time has come when this Legislature should enter an emphatic protest against the failure of Government for establishing a system by which workers will be protected during sickness and during old age. When workers are neglected during sickness, their efficiency is bound to suffer. If a man does not feel some security of maintenance during his old age, his efficiency, during his working period, is bound to suffer. A man who is anxious about his old age and feels that there is no provision about it cannot do his work as satisfactorily as a man whose old age is safeguarded. It is for that reason that the Government of India provide sick leave to their employees: it is for that reason the Government of India provide pensions to their employees: and if it is necessary to protect the well-paid employees of the Government of India, who draw as much as Rs. 2,000 and Rs. 3,000 a month, against the anxiety for the provision of old age, and if they are to be protected during days of sickness, is it not necessary that poor people, who draw Rs. 10, or Rs. 15, or Rs. 25 a month, should be protected during their sickness and during their old age? I am sure, there is nobody in this House who will maintain that the needs of the people who draw Rs. 2,000 and Rs. 3,000 in this matter are greater than the needs of the poor people. I would, therefore, suggest to the Members of this Legislature to support me in demanding from the Government of India that they should not delay the establishment of a system of social insurance protecting the working classes against sickness and during their old age. If they do that, the efficiency of the workers of this country will increase, and from that point of view I would suggest to my Honourable friend, Sir H. P. Mody, to support me in my demand that the Government of India should, without loss of time, take up the question of the establishment of a system of social insurance in this country. Sir, I have done

The Honourable Sir Frank Noyce: Sir, my Honourable friend, Mr. Joshi, following his usual custom, has taken advantage of the opportunity presented to him to cover a much wider field than that covered by the Resolution before the House. In the course of a speech which lasted some 20 minutes, he devoted exactly half a minute to the Resolution which I had moved. He has taken advantage of the opportunity to attack Government on various points.

Mr. N. M. Joshi: Is it wrong?

The Honourable Sir Frank Noyce: I am not entering into the merits of that: I am merely stating the facts. I would repeat that my Honourable friend has taken advantage of the opportunity to attack Government

on various points. He first attacked them on the ground that the postponement of *this Resolution from the last two Sessions* was evidence of the callous neglect on the part of Government of labour questions. On that point, I should like to remind him that on both occasions I was perfectly willing to move this Resolution. I do not remember exactly why it was crowded out on the first occasion, but I can tell my Honourable friend very definitely that it was not the Government of India who crowded it out on the last occasion. I was perfectly prepared to move it at the end of the last Simla Session, and, I think, also at the end of the last Delhi Session, but on neither occasion did the House wish to go on with it. In any case, what I would like to impress upon the House is that I did no more than assent that this Convention is unimportant as far as India is concerned. In both the Sessions, to which my Honourable friend has referred, this House has devoted a considerable amount of time to labour matters. In the Delhi Session, we had, I think, the Payment of Wages Bill, and, in the last Simla Session, we had the Trade Disputes Bill. I submit that by taking up the Resolution at this stage we have shown no neglect whatever of the importance of labour questions. My Honourable friend in making that accusation is displaying a complete lack of perspective. His second accusation was that this is an important matter—I trust I have proved to the House that it is not—and that Government had no right to bring it forward when they had agreed to postpone more controversial matters till the House is at its full strength. I can only say in that respect—and I have the full authority of the Leader of the House for doing so—that Government have not entered into any agreement to postpone any Government business, because the House is not at present at its normal strength.

Then, Sir, he referred to the inadequacy of the Indian Delegation to the International Labour Conferences. He admitted that we strengthened it last year, but Mr. Joshi is never satisfied and always asks for more. As he knows full well, the strength of our Delegation is determined by two factors, the first of which is financial condition. We have to cut our coat according to our cloth. The second factor is the importance of the agenda to India. His main attack, however, was directed to the procedure which we propose to adopt in regard to placing further draft Conventions and Recommendations adopted by the International Labour Conference before this House. I admit that he is entitled to a full explanation of the reasons which have led us to adopt that course, and I propose, with your permission, Sir, to state very briefly what they are. I indicated some time ago to this House that we were not entirely satisfied with the procedure which is at present in force. That procedure has been ordinarily, though not invariably,—and this is a point which I would like to bring to the special notice of my Honourable friend—to bring before both Houses Resolutions dealing with each Convention and Recommendation that would involve legislation in order to enable it to be put into effect. We have followed this procedure whether we propose to ratify a Convention or to implement a Recommendation or whether we propose to take no action at all. So far as I have been able to ascertain,—and we have made the most careful inquiries on the subject,—this procedure is not followed in any other country in the world and we are satisfied that there is no legislative or treaty obligation to follow it here. It is far from being an ideal practice as, I am sure, this House is already aware. The mere fact that I am bringing forward today a Resolution that ought to have been brought forward a year ago is sufficient evidence of that.

[Sir Frank Noyce.]

Recently, to give another example, it led to a debate on the application of the 40 hours a week to glass bottle works just after the House had rejected the main 40 hour week Convention. It also involved discussing a Convention on Coal Mines which differed, in altogether minor and unimportant respects, from the one previously rejected by the House. The increasing volume of other and—in spite of what my Honourable friend has said I maintain,—frequently more important business renders it desirable that we should not ask the House to enter on debates which can serve no useful purpose. It is appropriate that as in the case of other business, the initiative should ordinarily rest with those who desire action. At the same time looking back over the very numerous debates which have dealt with the recommendations of the International Labour Conference, I feel that in many cases, and I would even include some cases in which no action has been taken, the debates have been of distinct value. When new ideas in the field of labour legislation emerge from the Conference at Geneva, the debate serves the purpose of giving the Government some indication of public opinion on the subject and also helps to stimulate the social conscience in this country on these matters. We are, therefore, anxious to make no alteration in procedure which could be regarded in any way as tending to stifle discussion on subjects which are of any practical importance to India or which are so regarded by a substantial portion of the House. The steps we propose to take are those which have been indicated in the statement which I laid on the table of the House yesterday. In the first place, it is our intention to place all the Conventions and Recommendations on the table of the House ensuring that every Member gets a copy of these. At the same time, we shall place on the table a short statement, as I did yesterday, indicating for each Convention and Recommendation the action which we propose to take. Where that action involves fresh legislation, we shall normally introduce legislation itself instead of proceeding first by Resolutions. If legislation is approved, that will place us in a position to proceed to ratification or such other action as may be agreed upon. If action in other directions than legislation is proposed, we shall normally proceed by Resolution, unless as has happened on some occasions in the past, Government already have the authority to take the action required. Further we shall not feel precluded from moving a Government Resolution even in cases where no action is proposed, if the obvious practical importance of the subject renders this step desirable.

As I have already stated, the House will be informed as soon as they receive the Conventions and Recommendations whether Government propose to proceed by legislation or by Resolution or to bring no proposal before the House. In case where the House is informed that Government do not propose to bring any proposal before it in respect of a Convention or a Recommendation, it will be open to Members who differ from the view taken by Government of the desirability or practicability of taking action to table Resolutions on the subject indicating the action which they consider suitable. Now, Sir, I recognise that all the Resolutions tabled in the House do not find a place in the ballot. But where notices of a Resolution indicate that there is a general desire for the discussion of any such Convention or Recommendation, and the ballot has failed to give the Resolution in question an opportunity of being discussed, all I can say is that we shall be prepared to consider the allotting of Government time to such a Resolution.

I trust, Sir, that the House will agree that this procedure will save a great deal of its time and that is far more practicable and efficient than that we hitherto adopted. I trust that the House will generally approve it. I propose to follow my Honourable friend, Mr. Joshi's example and to make a very brief reference to the motion which is before the House. He has attacked Government for their failure to evolve a scheme of sickness insurance, but that is a very big issue and I do not propose to discuss it today. I am content to leave this motion in the hands of the House.

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

"That this Assembly having considered the draft Convention concerning the establishment of an international scheme for the maintenance of rights under invalidity, old-age and widows' and orphans' insurance, adopted by the Nineteenth Session of the International Labour Conference, recommends to the Governor General in Council that he do not ratify the Convention."

The motion was adopted.

RESOLUTION *RE* DRAFT CONVENTION OF THE INTERNATIONAL LABOUR CONFERENCE *RE* ANNUAL HOLIDAYS WITH PAY.

The Honourable Sir Frank Noyce (Member for Industries and Labour): Sir, I move:

"That this Assembly having considered the draft Convention and the Recommendation concerning annual holidays with pay adopted at the Twentieth Session of the International Labour Conference recommends to the Governor General in Council that he do not ratify the Convention or give effect to the Recommendation."

It is, Sir, a matter of regret that I have to move yet another Resolution recommending the non-ratification of a Draft Convention adopted by the International Labour Conference. It has unfortunately been my fate to do that very often in this House and the reason is almost invariably the same. It is that, in drafting their Conventions, the International Labour Conference does not pay sufficient attention to the conditions in this country which differ so completely from those in western countries. It is very unfortunate that that should be so, but it is a fact and we have to recognise it and take action accordingly. I trust, Sir, I shall be able to establish to the satisfaction of the House that that consideration applies with special force to the Convention which is at present before the House. The subject matter of this Convention first came before the International Labour Conference in 1935. The Nineteenth Session of the Conference which was held in that year had before it a preliminary report which is known as a Grey Report which had been prepared by the International Labour Office and which contained a statement of the law and practice in the various countries in the matter of holidays with pay, and set forth, in conclusion, the points on which the Government Members of the Conference might be consulted with a view to the second stage of what is known as table discussion procedure. The Conference decided to place the question of holidays with pay on the agenda of its next Session, the Twentieth Session, and settled the basis on which Government should be consulted in preparation for the second discussion and the final decision to be taken at that Session. An elaborate questionnaire was accordingly drawn up by the Office and it was circulated to the Governments of the

[Sir Frank Noyce.]

States Members in July, 1935. When we received that questionnaire, we took the opportunity of making a preliminary reference to the Local Governments with a view to framing instructions to our delegates when the question came up again. After examination of the replies we got from the Local Governments, we replied to the International Labour Office emphasising the difficulties that the Draft Convention would create and impressing a preference for a recommendation. I should like to read to the House exactly what we said. It runs as follows:

"The Government of India believe that the principle is sound but every sound principle of labour welfare is not capable of satisfactory general enforcement by legislative enactment. In the present case, any attempt to enforce a general system in India would meet with grave difficulties. Much of the labour employed in industry is drawn from and maintains contact with villages at long distances from industrial centres and a holiday would be of little value to the workers unless it made it possible for them to revisit their village. But few could afford to make such a journey every year. Again, holidays would lose much of their value for the worker unless they could be taken at a time when, on account of family events or other circumstances, such as harvest work, he desired it, and for a period varying with his needs at the time. The systems in force in State establishments are nearly all elastic, in the sense that holidays can be allowed to accumulate for a period of years, and taken in substantial blocks. A system of this kind can be worked by mutual arrangement between employer and employed, but could hardly be enforced by law in any large number of establishments without extensive administrative machinery whose cost might be disproportionate to the benefits received. Any legal system would have to be of an experimental nature, and could only be applied on a limited scale for some time to come."

We added:

"The Government of India are not in favour of any draft Convention. Any attempt to lay down detailed provisions in a Convention would probably render the Convention largely infructuous. A Convention affirming the principle and accompanied by a Recommendation giving guidance on the details is open to less objection."

That, Sir, is a statement of the position that the Government of India took up on this matter. Unfortunately, although other Governments including, it is important to note, those of Great Britain and Japan expressed opinions against the adoption of a Draft Convention, we found ourselves in a minority; and at the 1936 Conference which was attended by my Honourable friend who sits behind me, Mr. Roy, a Convention of very wide scope was adopted.

Now, Sir, I would ask Honourable Members to examine that Convention with care. If they will refer to Article 1 of it, they will find a tremendous list of classes of establishment to which it is applicable. And unless we are prepared to apply the Convention to every type of undertaking mentioned in that list, we cannot ratify it. That is a point which I should like to emphasise very strongly, and I hope my Honourable friend, Mr. Joshi, will realise it. I am confident that one glance at the list will be sufficient to convince most Members that it renders ratification by this country inconceivable. The list includes, for example, all places of refreshment, all places of public amusement, all trading establishments, that is every shop, big or small, all newspaper establishments,—in fact, every branch of occupation one can think of except agricultural estates and sea-going vessels. I think it would be obvious to the House that it would be absolutely impossible, except at prohibitive cost, to attempt to regulate more than a fraction of the Indian establishments to which we should have to apply this Convention if we ratified it. I would repeat that, unless we are prepared to ratify it in every respect we cannot ratify

it at all. That being the case, it is hardly necessary for me to enter into any detailed discussion of the other provisions. All I would say about them is that they are of a less impracticable character in some ways than is Article 1. Article 2, for example, which deals with the length of the holidays, asks for an annual holiday of six working days for adults and twelve for persons under 16, but adds that the duration should increase with length of service. Actually, as the House is aware, all Governments in this country and a certain number of other employers give holidays to many of their employees on a scale far exceeding a week a year. The other important provisions are mainly of an administrative and practical character.

I have already referred to the main criticism of the provisions that we offered. I stated it at the outset of my speech and it is also implicit in the views of the Government of India which I have read to the House. I can only repeat that, like a number of conclusions of the International Labour Conference, the Draft Convention views the subject much too exclusively in the light of Western conditions. In this country, I doubt if many of our factory workers would greatly appreciate a six or even a ten days' annual holiday, particularly if the pay they got then represented a reduction from their wages throughout the year, as it certainly would in many cases. They will probably tell you that they would prefer longer spells away, to enable them to go back to their villages, even if they did not get pay for the period. And I think many social workers would be prepared to agree that the longer spell in the country, even if it was less frequent, was better for them than a few idle days spent in the city streets because there was not sufficient time to make the long journey to the village possible or, at any rate, worth while. None the less, I adhere to the view that we expressed in our reply, that the principle is a sound one. I myself believe,—though I doubt if I could persuade many workers of this,—that even at the cost of lowering of wage levels, they would gain if they were given and were compelled to take holidays. We are prepared to examine the position and see whether there is any possibility of pursuing the matter further. There may be branches of industry where the idea, which is already familiar in this country through Government practice, could be extended. It is our intention, therefore, if the House adopts this Resolution, to consult Local Governments again, though I would, in conclusion, warn the House that I see little prospect of anything comprehensive being achieved in this direction in present conditions.

Sir, I move.

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

“That this Assembly having considered the draft Convention and the Recommendation concerning annual holidays with pay adopted at the Twentieth Session of the International Labour Conference recommends to the Governor General in Council that he do not ratify the Convention or give effect to the Recommendation.”

Mr. N. M. Joshi (Nominated Non-Official): Sir, in view of the fact that this list of business was circulated only last night, I should like to ask for your indulgence in permitting me to move a simple amendment to this Resolution of which I could not give notice. I would also appeal to the Honourable Member in charge of the Department of Industries and Labour not to take objection to my amendment on the ground of want of notice.

Mr. President (The Honourable Sir Abdur Rahim): Could not the Honourable Member send a written notice of the amendment?

Mr. N. M. Joshi: I sent it by post last night, but the Secretary tells me that he did not receive it. So I ask for your indulgence to be allowed to move this amendment. It simply makes positive what Government have said negatively. The Resolution with my amendment would read thus:

“* * * recommends to the Governor General in Council that he should ratify the Convention and give effect to the Recommendation.”

Therefore, the amendment would be:

“That for the words ‘do not’ the word ‘should’ be substituted, and for the word ‘or’ the word ‘and’ be substituted.”

Mr. President (The Honourable Sir Abdur Rahim): As the Honourable Member says he posted the letter last night giving notice of the amendment, which has not yet been received by the Secretary, the Chair would waive the Standing Order and allow him to move the amendment.

Mr. N. M. Joshi: Thank you, Sir. I move:

“That for the words ‘do not’ the word ‘should’ be substituted, and for the word ‘or’ the word ‘and’ be substituted.”

While replying to my remarks regarding the change of procedure, the Honourable Member said that the practice of placing the Conventions before the Legislature was nowhere to be found except in India. I am not as close a student of world politics and world Legislatures as my Honourable friend is or might be. But I would like the Honourable Member to remember that there is no member of the International Labour Organization which is in the position in which the Indian Government today is. Every member of the International Labour Organization is a self-governing member. India today is not self-governing. The Indian Government is in no way responsible to the Legislature or to the people of this country. It is for that reason that the wise predecessors of the Honourable Member in charge of the Department of Industries and Labour agreed that whatever may be the decisions of the International Labour Organisations, instead of the action being left to the irresponsible Government of India, the Legislature should have a voice in coming to a decision on these matters. I feel that the predecessors of the Honourable Member were not only more liberal, but wiser. It is a pity that the Honourable Member whom we all like very much should have taken upon himself the responsibility of depriving this Legislature of a much valued prerogative and right. I shall not deal with that question any more except to suggest to the Government of India that in a matter of this kind of great constitutional importance where the Legislature has enjoyed a right for more than fifteen years, the Government of India should at least place a Resolution before the House asking for the approval of the Legislature for the new procedure which they have adopted. If the House itself agrees to part with its prerogative, to part with its rights, let the Government do it. But I think it is wrong for Government to deprive this Legislature of a right which the Legislature has enjoyed for more than fifteen years without seeking the approval of the Legislature, without even giving the

Legislature proper opportunity to discuss this very important constitutional procedure. The Honourable Member, towards the end of this part of his speech, said that the House would approve of the new method or the new procedure which the Government of India have begun. Now, how is the House going to express its approval or its disapproval? The Resolution before the House is not regarding this new procedure. The Resolution is as regards the ratification or non-ratification of the Convention

Mr. President (The Honourable Sir Abdur Rahim): What is the exact change in the procedure which the Honourable Member is referring to now?

Mr. N. M. Joshi: The exact change in the procedure is this. Up to this time, the Government of India regarded it obligatory upon themselves to place before the Legislature the conventions and recommendations of the International Labour Organization. It was obligatory upon them to do it before

The Honourable Sir Frank Noyce: It was not obligatory. They did it, but there was no obligation upon them to do it.

Mr. President (The Honourable Sir Abdur Rahim): They now propose to place them upon the table of the House?

Mr. N. M. Joshi: No; they have placed the Convention before the House by way of Resolution. But they do not regard the procedure as obligatory. The Honourable Member said it was not obligatory, but they followed that practice continuously for fifteen years; and I say that that practice has now the force of established law. Whether it was obligatory or not is a point for constitutional lawyers to decide

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): How is it that you are moving an amendment on this particular Resolution?

Mr. N. M. Joshi: The difference is this. The Government now state that it is at their discretion and sweet will whether a Resolution will be brought before the Legislature or not

Sir Cowasji Jehangir: May I ask whether in this particular instance a Resolution is actually before the House on which you are speaking and to which you have moved an amendment?

Mr. N. M. Joshi: I am talking of the general right of the Legislature.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has got a Resolution now before the House, and the House is discussing it. If the Honourable Member wants to raise the general question of procedure, he must find out some other method.

Mr. N. M. Joshi: What I said was this. I know that the proper method will be for me to move a Resolution; but my point was that it was the duty of the Government to place a Resolution before the Legislature if they wanted to make any change in the procedure. Government having done a wrong thing

Mr. President (The Honourable Sir Abdur Rahim): Is there any authority for that?

Mr. N. M. Joshi: The authority is the established practice for fifteen years. During the last fifteen years, Government never failed to do it. It is for the first time they initiate this new procedure now. I, therefore, maintain that if Government wanted to initiate a new procedure they should have done that by means of a Resolution; they should have asked the permission of the House for the changed procedure. If the House is not interested in maintaining its own prerogatives, I alone cannot help this House, except to say that I strongly protest against the action of Government in depriving this Legislature of a much valued prerogative.

As regards this Convention itself, I listened very carefully to the speech of the Honourable Member in charge of the Department of Industries and Labour. He and his Government approve of the principle of holidays with pay. We are very grateful to the Government of India even for the acceptance of this principle. But the acceptance of principle does not lead anywhere. It is not a matter of solace to the working classes of this country. I must also very gratefully acknowledge that the Honourable Member has also promised to give further examination to this question in consultation with Local Governments. But I am not quite satisfied with what the Honourable Member has promised. I would suggest to the Honourable Member that the ratification of this Convention is not an impossible thing. He stated that the Convention applies to a large number of industries. That is the first difficulty which he pointed out. I am prepared to admit that the list as given in this Convention is a long one. But, at the same time, one need not be frightened by a long list of words given in a Convention. You can just see what are these industries—railways, tramways, ports, harbours, docks, piers, roads, tunnels, bridges, viaducts, sewers, drains, wells, etc. One can divide industries which are one into ten industries. If I were to make a list, I would say transport industry and municipal services, and the list would have been a very small one. In order to secure precision, the list has been made a long one; but the lengthy list need not frighten us. I feel that it is not a very difficult thing for the Government of India to legislate establishing the principle of holidays with pay. I am glad the Honourable Member did not say that the proposal of the Convention regarding the length of the holiday is an unreasonable one. The Convention has recommended that the holiday should consist of six days minimum. The Honourable Member pointed out certain disadvantages in that course. He first said that there are grave difficulties in the way of establishment of holiday by legislation. I do not know what the grave difficulties are. He mentioned a few: and I cannot say that those difficulties deserve the epithet "grave". He said a short holiday with pay would be practically valueless to the working classes of this country. In his opinion what the working classes needed was a longer holiday, preferably with pay. I think that is the view of the Honourable Member—(An Honourable Member: "We all want that"),—but he stated that he would prefer a longer holiday without pay to a shorter holiday with pay. Well, Sir, if the Honourable Member says that a longer holiday is preferable, I entirely agree with him. I feel, Sir, that the working classes of this country work too long without rest or holidays, and if we judge the working classes of this country by the standards which we apply to ourselves, then the need for a longer holiday will be apparent to every one of us. Ask the Members who are sitting on my left as to how many

holidays they receive during a year with pay. Some of them get perhaps one month's holiday, sometimes two months, and some even more. (*An Honourable Member*: "No.") Well, Sir, if that is our need, the need of the working classes, who work much longer than we do, is certainly greater as regards holidays. Imagine the position of people who work in factories for ten hours a day, and the only holidays they get are weekly Sunday holidays. I know that many of these people hanker for a rest day, hanker for a holiday, and I have observed on many occasions when people go on strike that during the strike period, instead of appearing depressed, they appear to be very cheerful, and when I went into the causes of that, I came to this conclusion, that the working classes sometimes welcome a strike in spite of the fact that that strike involves a loss of pay on account of an instinctive desire for a holiday. When people who work without a holiday for a year or two go on strike, they enjoy their life, their freedom, for some time. Sir, the need for a holiday will, therefore, be admitted by all Members of this House.

The difficulties which the Honourable Member has pointed out are, according to him, administrative difficulties

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has perhaps exceeded his time limit already.

Mr. N. M. Joshi: I am sorry, Sir. I shall not detain the House longer. The difficulty which my Honourable friend pointed out was that if we made a law, we would find it difficult to supervise the administration of the law. We need not anticipate those difficulties, but let us have a good law. If we think that the principle of holidays with pay is a good one, let us have a law, and even if that law cannot be supervised very thoroughly, the Government of India have got some machinery everywhere in taluks and even in villages by which the supervision of this law can be made thorough and effective. I, therefore, hope that the House will agree with me that there are no insuperable difficulties in the way of Government in accepting my amendment suggesting that the Convention should be ratified and the Recommendation should be acted upon.

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

"That for the words 'do not' the word 'should' be substituted, and for the word 'or' the word 'and' be substituted."

If this amendment is adopted the amended Resolution will read like this:

"That this Assembly having considered the draft Convention and the Recommendation concerning annual holidays with pay adopted at the Twentieth Session of the International Labour Conference recommends to the Governor General in Council that he *should* ratify the Convention *and* give effect to the Recommendation."

Both the Resolution and the Amendment are now under discussion.

Sir H. P. Mody (Bombay Millowners' Association: Indian Commerce): Sir, I desire, as a matter of course, to contradict everything that my friend, Mr. Joshi, has said, in much the same way that he regards it almost as a religious duty to oppose everything emanating from my Honourable friend, the Industries Member . . .

Mr. N. M. Joshi: No, that is not true.

Sir H. P. Mody: Well, I would like to ask my friend to look into the record of his membership during the last ten years and to tell me on what occasion he has supported the Government with regard to labour legislation in spite of having had his way all along the line. My friend, not possessed of a sense of humour

Mr. N. M. Joshi: I will borrow it.

Sir H. P. Mody: My friend, not possessed of a sense of humour, said that the Government of India were indifferent in matters of labour legislation, but the facts are quite the other way. Very recently I had occasion to publicly refer to my friend, Sir Frank Noyce, and after paying, if I may be allowed to say so, a well deserved tribute to the work he had done during his Membership, I said that the one thing that puzzled me with regard to my Honourable friend was why he was called the Member for Industries at all. He had all along been dealing with matters of labour legislation, year in and year out, and yet my friend, Mr. Joshi, says that the Government of India are indifferent to the interests he represents.

Now, Sir, what is the question before the House? It is about holidays with pay, and on that my friend, Mr. Joshi, had very little to say. I would like to remind him that even the Whitley Commission, with which were associated several members with very radical tendencies, did not go as far as this Convention wants this country to go

Mr. N. M. Joshi: That Report is out of date.

Sir H. P. Mody: It is so much in advance of the requirements of this country that we fear that it is before date, and not out of date. I would like to remind my friend that not only the Whitley Commission did not go as far as this, but that in spite of such Conventions emanating from the International Labour Office, there are very few countries in the world which have given practical effect to the principle of holidays with pay. Does my friend, Mr. Joshi, want India to fall into line with an International Convention which so many industrially advanced countries have not found it possible or desirable to give effect to? Does he want to make the course of industries even more difficult than it already is, burdened as they are in this country with taxation, with inefficient labour, which is sometimes misnamed cheap labour?

Mr. N. M. Joshi: Do you want a holiday?

Sir H. P. Mody: If a six-day holiday will make Mr. Joshi's labour friends more efficient, we shall be willing to consider it, but it is not a six-day holiday he wants. As a matter of fact, he gave it his blessing, and then he slipped into his usual role. After saying a six-day holiday would be very welcome, he went on to suggest that longer holidays would of course be very desirable. I do not know whether my friend, Mr. Joshi, keeps a cat about him, but he so often lets it out of the bag that I would advise him to be more guarded in future.

About the question of holidays with pay, my friend, Sir Frank Noyce, gave some very valid and substantial reasons why the Government of India do not find it possible to give their blessing to the Convention. I say

ditto to Mr. Burke, and I would like to submit in addition that my Federation, the Employers' Federation of India in the course of their representation to the Government of India on this subject, pointed out the practical difficulties in the way of a great many industries if this Convention was sought to be given effect to. We have pointed out how tea, mining, coal, plantations and other industries would be affected in their day to day working. The obvious and the most forceful argument against it is the one which was employed by the Honourable Sir Frank Noyce, namely, that in the peculiar conditions of India, where labour lives enormous distances away from where it works, a short holiday of six days in the year would mean nothing. The employés would waste all that time going and returning to their work, and it would mean no holiday at all. Then, there is another strong objection and that is that labour is so migratory and that the turnover is so considerable that the additional dislocation which would be caused by a compulsory leave of six days in the year would be unthinkable in the present condition of industries in this country. Again, on account of the habits and customs of the labouring classes, it would be so very difficult to work in this little holiday. Most work-people want to go away during the marriage season. They want to go away for various domestic reasons, funeral, marriages and the like. You cannot tell them that you will give them six days holiday with pay at a particular period of the year, and prevent them at the same time from taking those other unauthorised holidays which they are so much in the habit of taking. Going through the exact recommendations, I also see it is stated that the holidays should be earned after one year's work regardless of whether this period has been spent in the employment of the same or of several employers. That is to say, if my Honourable friend, Mr. Joshi, were working on a loom somewhere, he could put in a couple of months in one mill, then drift on to another, then to a third and join in December the last employer and ask for a holiday with pay of six days. How are those employers who have not had the benefit of the services of a workman continuously for one year—how are they expected to give a holiday with pay, and how are these six days of pay to be distributed between the various employers amongst whom the workman has flitted from time to time?

Mr. N. M. Joshi: Pay out of a common pool.

Sir H. P. Mody: There are going to be common pools, I see! No, Sir. Both on practical and other grounds I do not subscribe to the principle of holidays with pay in the present conditions of this country. There are many occupations in which I certainly grant the necessity of holidays with pay. For instance, there is likely to be on the agenda of the International Labour Conference at some future date the question of holidays with pay for domestic servants. I personally, from a fair amount of experience, am free to admit that domestic servants are very hard used in comparison to labourers in factories, for whom a benign Government and labour leaders have striven their best. If a Convention like that were to come before the International Labour Conference, it might be a different matter, we might think it our duty to support it. But, in the present conditions of India, we do not want to penalise industries which are faced with competition from countries with relatively cheaper labour. Therefore, I am against the amendment of my Honourable friend, Mr. Joshi, and I ask my friends on this side of the House (Laughter) to strongly oppose it.

The Honourable Sir Frank Noyce: Sir, we seem this morning to have followed the procedure which is so frequently referred to in the Reports of the International Labour Conference and is known as the double discussion procedure. My Honourable friend, Mr. Joshi, raised the question of the procedure which we propose to adopt in future with regard to draft Conventions and Recommendations on one of the Resolutions which I moved this morning. I replied to him on that Resolution and he is now replying to me on the second Resolution that I have moved. I do not propose to add much, indeed I am not in a position to add much, to the arguments I have already adduced, showing how convenient that procedure is from the point of view of this House. But what I would once more emphasise is that we are not taking away any prerogatives from the House. If the House really wants to discuss any Convention or Recommendation, the way is open for it to do so, and it is not a difficult way. There are indeed three ways by which it can secure discussion. In the first place, if a draft Convention or Recommendation is of importance to this country, the Government would obviously put it down on the list of Government Business to enable it to be discussed. In the second, if the House should at any time differ from the views of the Government on that matter, then it is open to that section of the House which differs from the Government to table a Resolution on the subject, as the House is aware, if any Resolution has the support of any considerable section of the House, it soon finds a place in the ballot. In the third place, if the result of the ballot is unfavourable to such a Resolution and if there is evidence that the House would wish to discuss the draft Convention or Recommendation, then Government will do their best to find Government time to enable it to be discussed. I submit that those are quite satisfactory safeguards and that their adoption should prevent the waste of time on which I commented when I explained the new procedure. The old procedure has led to anomalous and one might almost say farcical results, results which bring about a position in which, although the House has rejected the main Convention, it proceeds to discuss at some length an entirely subsidiary and unimportant Convention arising out of that Convention. I would ask my Honourable friend, Mr. Joshi, for example in regard to the instance I mentioned, what useful purpose was served, when the House had rejected the 40 hours week Convention generally, by discussing the application of that Convention to glass blowers as this House did on one occasion. It is to avoid that sort of thing that we have suggested the new procedure.

It will be obvious that I am not in a position to accept Mr. Joshi's amendment. Indeed I cannot but wonder whether he was serious in putting it forward. He himself admits the difficulty and indeed the impracticability of applying this Convention if we ratified it. His argument, as it so often is, is that enforcement does not matter in the least, and should not prevent legislation embodying the principle. I would submit that such a course is definitely dishonest.

Mr. N. M. Joshi: We passed the Sarda Act.

Sir H. P. Mody: That did not prevent people from marrying.

The Honourable Sir Frank Noyce: That may be, but I am expressing my personal point of view. I consider that to legislate when you know

you cannot enforce your legislation is definitely dishonest; it is not only definitely dishonest but it brings the law into contempt with serious consequences to the country. My Honourable friend knows that perfectly well. He has admitted that the enforcement of the legislation which he suggests would be impracticable. I submit that that is the best argument I can adduce to the House in support of my motion.

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

“That in the Resolution that has been moved, the following amendment be made :
‘That for the words ‘do not’ the word ‘should’ be substituted, and that for the word ‘or’ the word ‘and’ be substituted.’”

The motion was negatived.

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

“That this Assembly having considered the draft Convention and the Recommendation concerning annual holidays with pay adopted at the Twentieth Session of the International Labour Conference recommends to the Governor General in Council that he do not ratify the Convention or give effect to the Recommendation.”

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Wednesday, the 27th January, 1937.