

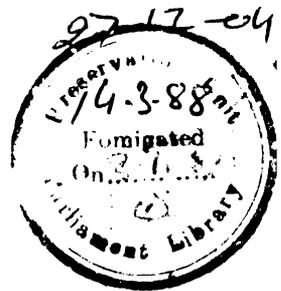
Monday, 18th September, 1939

THE
COUNCIL OF STATE DEBATES

VOLUME II, 1939

(11th September to 27th September, 1939)

SIXTH SESSION
OF THE
FOURTH COUNCIL OF STATE, 1939



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COUNCIL OF STATE.

Monday, 18th September, 1939.

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

MEMBER SWORN :

The Honourable Mr. Charles MacIvor Grant Ogilvie (Defence Secretary).

QUESTIONS AND ANSWERS.

INDIAN OFFICERS IN ADMINISTRATIVE DEPARTMENTS OF THE DEFENCE FORCES.

1. THE HONOURABLE MR. G. S. MOTILAL : What is the number of Indian officers in the administrative departments of the defence forces of India, except medical men ?

THE HONOURABLE MR. C. M. G. OGILVIE : Twenty-four officers are serving in the administrative departments of the defence forces.

SAVING IN THE DEFENCE BUDGET CONSEQUENT UPON THE REMOVAL OF BRITISH TROOPS FROM INDIA.

2. THE HONOURABLE MR. G. S. MOTILAL : What will be the saving in the Defence Budget consequent upon transfer of some of the troops from India ?

THE HONOURABLE MR. C. M. G. OGILVIE : The ultimate annual recurring saving in the Defence Budget on all British troops that left the Indian establishment so far will be Rs. 201 lakhs.

ROYAL INDIAN NAVAL RESERVE.

3. THE HONOURABLE MR. V. V. KALIKAR : Will Government state the number of recruits for the Royal Indian Naval Reserve and the number of Europeans and Indians who have applied up till now ?

THE HONOURABLE MR. C. M. G. OGILVIE : Nine Europeans and 39 Indians have so far been granted commissions in the Royal Indian Naval Reserve ; and 350 Indians have been recruited as ratings.

The numbers of those who have applied are not yet available. Enquiries have been made from the Flag Officer Commanding, Royal Indian Navy, and the Honourable Member will be informed when the answer is received.

DUTY REALIZED ON IMPORTED SUGAR.

4. THE HONOURABLE MR. G. S. MOTILAL : Will Government state the quantity of sugar imported by India since 1st April, 1939 up to the end of August and the amount of import duty received from this source ?

THE HONOURABLE SIR ALAN LLOYD : The latest figures available are up to the end of July, 1939, and the Honourable Member is referred to pages 116 and 290 of the Accounts relating to the Seaborne Trade and Navigation of British India for July, 1939, a copy of which is in the Library.

OVER-PRODUCTION BY COTTON MILLS.

5. THE HONOURABLE MR. G. S. MOTILAL : (a) Have Government received any representation from the textile millowners for taking measures to prevent over-production by mills in India ?

(b) Have any steps been taken by the textile millowners for controlling or curtailing production ? If so, what concerted action has been taken by them and what action, if any, Government have suggested to them ?

THE HONOURABLE SIR ALAN LLOYD : (a) No, Sir.

(b) The Southern India Millowners' Association have informed Government that they have themselves recommended curtailment of production to their members some of whom have accepted the recommendation. Government have made no suggestions to the Association.

DUTY REALIZED ON IMPORTED COTTON.

6. THE HONOURABLE MR. G. S. MOTILAL : (a) How many bales of cotton have been imported into India since 1st April to the end of August this year and what are the corresponding figures for the last year ?

(b) How much import duty has been received by Government on such cotton this year and how much was received last year ?

THE HONOURABLE SIR ALAN LLOYD : (a) The latest information available is for the period April to July, 1939 and the Honourable Member is referred to page 118 of the Accounts relating to the Seaborne Trade and Navigation of British India for July, 1939, a copy of which is in the Library of the Legislature.

(b) The Honourable Member is referred to the return of Indian Customs and Central Excise Revenue for the month of August, 1939, a copy of which is in the Library.

AIR-CONDITIONED COACHES ON RAILWAYS.

7. THE HONOURABLE MR. G. S. MOTILAL : (a) Will Government state whether the experiment of air-conditioned coaches on the railways has proved a success ?

(b) From which station to which station are air-conditioned coaches run at present and on what trains ?

(c) Do Government propose to provide air-conditioned coaches on other trains and, if so, which ?

THE HONOURABLE SIR GUTHRIE RUSSELL : (a) Yes.

(b) Between Bombay (V. T.) and Howrah on the G. I. P. R.-E. I. R. mail trains and between Bombay (Central) and Delhi on the B. B. & C. I. R. Frontier Mail service. This service is extended to Kalka during the summer.

(c) Yes on the Delhi-Peshawar Frontier Mail service and on the Lahore-Karachi Mail trains. The possibility of introducing an air-conditioned service between Delhi and Howrah and between Bombay and Madras is under consideration.

AIR-CONDITIONED COACHES ON RAILWAYS.

8. THE HONOURABLE MR. G. S. MOTILAL : Have Government obtained the opinion of passengers using air-conditioned coaches as to the comparative preference between the system used by the E. I. R. from Bombay to Calcutta and the one used by the B. B. & C. I. R. from Bombay to Delhi ?

THE HONOURABLE SIR GUTHRIE RUSSELL : No special steps have been taken towards this end. But from opinions expressed voluntarily by passengers, it would appear that some prefer one system and some the other.

AIR-CONDITIONED COACHES ON RAILWAYS.

9. THE HONOURABLE MR. G. S. MOTILAL : Do Government contemplate changing the system of air-conditioning of the E. I. R. to that of the B. B. & C. I. R. ?

(b) Which of the two systems is cheaper ?

THE HONOURABLE SIR GUTHRIE RUSSELL : (a) It is presumed that by E. I. R. the Honourable Member means the Bombay-Howrah air-conditioned service. If so the answer is in the negative.

(b) The system adopted by the B. B. & C. I. R. is the cheaper in first cost. Prevailing temperature conditions and the annual mileage of the service concerned decide which of the two system is the more economical to adopt for any particular service.

AIR-CONDITIONED COACHES ON RAILWAYS.

10. THE HONOURABLE MR. G. S. MOTILAL : Are Government aware that the E.I.R. air-conditioned coaches are uncomfortable for sleeping ? Are necessary changes for improvement under their consideration ?

THE HONOURABLE SIR GUTHRIE RUSSELL : With regard to the first portion of the question, a complaint has been received that the lower convertible berths are too narrow for comfortable sleeping. With reference to the second part of the question the matter has been considered and it has been decided that no change should be made in the existing carriages. The lower berths are capable of being converted into chairs for day-time use and this feature, which is generally appreciated, determines their width.

EXPORTS OF COTTON TO BRITAIN.

11. THE HONOURABLE MR. G. S. MOTILAL : Will Government state the quantity of Indian cotton exported to England since the beginning of the trade year and the corresponding figures for the last year ?

THE HONOURABLE SIR ALAN LLOYD : The Honourable Member is referred to the Monthly Accounts relating to the Seaborne Trade and Navigation of British India, copies of which are in the Library.

IMPORTS OF COTTON, YARN AND PIECEGOODS.

12. THE HONOURABLE MR. G. S. MOTILAL : Will Government state the quantity of cotton, yarn and piecegoods imported into India from the United Kingdom and other countries from 1st April, 1939 to 31st August, 1939, and the corresponding figures for last year ?

THE HONOURABLE SIR ALAN LLOYD : The latest information available is for the period ending July, 1939 and the Honourable Member is referred to the Accounts relating to the Seaborne Trade and Navigation of British India for that month, a copy of which is in the Library.

DETERIORATION IN POTENCY OF DRUGS.

13. THE HONOURABLE SIR DAVID DEVADOSS : (a) Has the attention of the Government of India been drawn to the complaint in the *Hindu* of Madras of the 2nd June, 1939 that owing to the hot and humid climate of India the potency of drugs greatly deteriorate ?

(b) Has the Bio-chemical Standardisation Laboratory of the Government of India made experiments showing that a rapid deterioration of the most important drugs of pharmacopoeia takes place ?

(c) Is there any guarantee that the drugs sold by chemists and druggists are of the standard quality or of the quality mentioned by the manufacturers ?

(d) Are there any means of compelling chemists and druggists not to sell drugs which have deteriorated in quality ?

(e) Does the Government of India propose to take steps to ensure that drugs sold by chemists and druggists are of the standard quality and, if so, how and when ?

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : (a) Yes.

(b) Experiments on the effects of climate and storage on many commonly used drugs are in progress at the Bio-chemical Standardisation Laboratory, Calcutta. The evidence so far available indicates that a certain amount of deterioration in the active principles of many drugs takes place in the climate of India.

(c) and (d). Not at present.

(e) Government propose to undertake, as soon as possible, legislation to control the import, manufacture and sale of drugs in India.

COMPLAINTS AGAINST THE WORKING OF THE OUT-AGENCY OF THE S. I. R. AT KODAIKANAL, ETC.

14. THE HONOURABLE SIR DAVID DEVADOSS : (a) Has the S.I.R. an outpost at Kodaikanal under the management of the Kodaikanal Motor Union ?

(b) Have there been numerous complaints by *bona fide* passengers to the authorities of the S.I.R. in regard to the delay, hardships and inconvenience caused and high rates charged by the Kodaikanal Motor Union ?

(c) Have through ticket holders been put to delay and inconvenience ?

(d) Did the S.I.R. depute a representative to enquire into the complaints and to report thereon ?

(e) What is the result of the enquiry ?

(f) Did the railway authorities pass any orders on the report ?

THE HONOURABLE SIR GUTHRIE RUSSELL : (a) and (d). Yes.

(b) No. Only two complaints were received by the S.I.R.

(c) Through ticket holders, who failed to comply with the rules regarding luggage, were caused some inconvenience.

(e) Only approved and notified charges, which had been certified by the Collector of Madura as reasonable, were found to have been levied. No delay or hardship was caused and the complaints were found to have been solicited by competitive interests which existed prior to the formation of the present Motor Union.

(f) I am advised that, in the light of the experience gained, the Administration has taken steps to ensure the efficient working of the new Out-agency which has been greatly appreciated by residents and visitors.

ESTABLISHMENT OF AN INDUSTRIAL BANK BY GOVERNMENT.

15. THE HONOURABLE MR. G. S. MOTILAL : Do Government contemplate establishing an Industrial Bank with a plan for helping the establishment of suitable new industries ?

THE HONOURABLE MR. C. E. JONES : No.

EXERCISE OF POWERS BY COMMISSIONERS OF INCOME-TAX UNDER RULE 49 OF THE CIVIL SERVICES (CLASSIFICATION, CONTROL AND APPEAL) RULES.

16. THE HONOURABLE MR. P. N. SAPRU : (a) In how many cases Commissioners of Income-tax have exercised their powers under the Civil Services (Classification, Control and Appeal) Rules, rule 49, during the past five years in the United Provinces and Central Provinces and what were the penalties imposed on the officers concerned ?

(b) How many appeals by Income-tax Officers against orders under the Civil Services (Classification, Control and Appeal) Rules, rule 49, have been preferred to them during the past five years in the United Provinces and

Central Provinces and in how many of them Government passed orders themselves and in how many they acted on the advice of the Federal Public Service Commission ?

(c) How many of such appeals were accepted and how many were rejected ?

(d) Do Government or the Federal Public Service Commission give an opportunity to the officer concerned to make a defence or representation or hear him if he wants to be heard ? Was any such thing allowed in the appeals mentioned in (a) ? If so, in how many of them ?

(e) In how many of the appeals mentioned in (a) above, the officers concerned were supplied with copies of the confidential records under the Civil Services (Classification, Control and Appeal) Rules, rule 49, or of other documents and of the opinions of the officers imposing penalties on them, and their explanations asked in respect of them ?

(f) If the procedure mentioned in (e) is not followed have Government considered the advisability of at least allowing an officer to be penalised to acquaint himself with the charges against him and to submit his explanation in respect of them before final orders are passed ?

THE HONOURABLE MR. C. E. JONES : (a) In nine cases—five in the United Provinces and four in the Central Provinces. The penalties imposed were suspension in one case, censure in three cases and withholding of increments or promotion, including stoppage at an efficiency bar, in five cases.

(b) In four cases in the United Provinces and none in the Central Provinces. In two cases orders were passed by the Central Board of Revenue and in two cases the Government of India acted on the advice of the Federal Public Service Commission.

(c) Two were rejected, one accepted and one withheld.

(d) In disciplinary cases which are referred to them for advice, the Federal Public Service Commission have before them the complete records of the proceedings and all connected documents. These papers include the defence, representation or appeal of the accused officer at each stage of the proceedings. In one or two exceptional cases, in the past, the Commission have heard the accused officer but it is not their usual practice to do so and it was not allowed in any of the cases of the Income-tax Department, Central Provinces and United Provinces. Government generally follow the procedure adopted by the Federal Public Service Commission.

(e) The procedure prescribed for such cases in rule 55 of the Classification, Control and Appeal Rules has been followed.

(f) Government have no reason to believe that the prescribed procedure for imposing penalties is not followed generally.

AUTHORITY EMPOWERED TO IMPOSE PENALTIES ON INCOME-TAX OFFICERS UNDER RULE 49 OF THE CIVIL SERVICES (CLASSIFICATION, CONTROL AND APPEAL) RULES.

17. **THE HONOURABLE MR. P. N. SAPRU :** (a) To whom have Government delegated the power of imposing penalties on gazetted officers

of the Income-tax Department under the Civil Services (Classification, Control and Appeal) Rules, rule 49 ?

(b) Have Government considered the advisability of framing rules governing the procedure in all matters relating to penalties under the Civil Services (Classification, Control and Appeal) Rules, rule 49, and specially of laying down that no penalty should be imposed without giving timely warning and an adequate opportunity of representation or defence to the officer to be penalized ?

THE HONOURABLE MR. C. E. JONES : (a) The power to impose any of the penalties specified in rule 49 of the Civil Services (Classification, Control and Appeal) Rules on Class II Officers, viz., Income-tax Officers, Assistant Income-tax Officers and Chief Examiner of Account has been delegated to Commissioners of Income-tax. No delegation has been made in respect of Class I Officers, viz., Commissioners and Assistant Commissioners of Income-tax.

(b) The procedure for the imposition of penalties is prescribed in rule 55 of the Civil Services (Classification, Control and Appeal) Rules under which adequate opportunity for representation or defence is allowed to the officer against whom penalty proceedings have been instituted.

ACQUISITION OF THE SHADRA-SAHARANPUR RAILWAY.

18. THE HONOURABLE MR. P. N. SAPRU : Will the Honourable Member for Railways please state :

(a) Whether Government has arrived at any decision regarding the acquisition of the Shadra-Saharanpur Railway in 1941 ?

(b) Whether Government has made an enquiry into the matter from a financial point of view ? If so, what are its conclusions ?

(c) Whether any step has been taken to serve the Shadra-Saharanpur Railway Company with a notice in April, 1940 for terminating the contract in 1941 ?

THE HONOURABLE SIR GUTHRIE RUSSELL : (a) and (c). No.

(b) The financial aspect of the question has not yet been examined.

REPRESENTATION FROM THE LAXMI MATCH WORKS.

19. THE HONOURABLE MR. P. N. SAPRU : (a) Will the Honourable the Finance Member please state whether his Department has received a representation from the Laxmi Match Works making suggestions for the support of Indian industry and encouragement of the use of Indian wood in the manufacture of matches as well as the manufacture of machinery for that purpose by adopting the following means :

(i) an increase in the duty by 0-11-0 annas per gross ;

(ii) imposing a heavy duty on aspen splint wood manufacture ;

(iii) a heavy duty on the import of machinery for the manufacture of matches ; and

(iv) increasing the rebate on the manufacture of matches as a cottage industry ?

(b) If the answer be in the affirmative, have Government examined those proposals and what steps do they propose to take in the matter ?

THE HONOURABLE MR. C. E. JONES: (a) Yes.

(b) The proposals were examined and rejected.

ACCIDENTS ON RAILWAYS.

20. THE HONOURABLE MR. P. N. SAPRU: (a) Will the Honourable Member in charge of Railways be pleased to state whether in serious accidents on the railways during recent years, which have caused serious damage to life of passengers, they have observed that the persons who suffered most are those travelling in the first two or three bogies ?

(b) If the answer be in the affirmative, have Government considered the advisability of replacing the first three bogies in all the fast trains by goods and luggage vans with a view to avoid serious loss of life and damage to the railways in case of accidents ?

THE HONOURABLE SIR GUTHRIE RUSSELL: (a) This has not been observed to be always a fact.

(b) Does not arise.

SEARCHLIGHTS ON RAILWAY ENGINES.

21. THE HONOURABLE MR. P. N. SAPRU: (a) Is the searchlight in front of railway engines fixed and cannot be moved sideways and properly utilized on the curves of the track ?

(b) If the answer be in the affirmative, have Government considered the advisability of getting the searchlight on the engines movable, instead of being fixed ?

THE HONOURABLE SIR GUTHRIE RUSSELL: (a) Yes.

(b) The matter has been considered. It is undesirable to introduce manual control and it is difficult to secure satisfactory automatic control, but the possibility of making an experiment will be reconsidered.

ENCOURAGEMENT OF BANKING.

22. THE HONOURABLE MR. P. N. SAPRU: Have Government considered the advisability of taking steps for encouraging banking in India by consolidating small banks into bigger ones by the process of incorporation, and do they intend to bring any legislation for the purpose ?

THE HONOURABLE MR. C. E. JONES: No.

DELAY IN DELIVERY OF LETTERS, ETC., AT BIJNOR.

23. THE HONOURABLE MR. P. N. SAPRU: (a) Prior to 1930, was the mail for Bijnor carried via Nagina and was there a Railway Mail Service office at Nagina ?

(b) Was the mail in those days carried from Nagina to Bijnor by motor lorries and delivered to the public at about 8 A.M. ?

(c) Was the Railway Mail Service office shifted from Nagina to Najibabad in 1930 and is the mail now delivered at Bijnor from 12 A.M. to 3 P.M. ?

(d) Are Government aware that the delay in the delivery of post at Bijnor is causing great inconvenience to the public and is causing great damage to the trade and business of Bijnor ?

(e) Have Government considered the desirability of removing the complaint of the public, business and industry of Bijnor by shifting the Railway Mail Service office to Nagina and arranging lorry service for the carriage of mails from Nagina to Bijnor ?

THE HONOURABLE MR. J. D. TYSON: (a) and (b). Yes. The mails used to be delivered at Bijnor at 8-30 A.M.

(c) The Sorting Mail Office was removed from Nagina to Najibabad in 1931. Prior to 1931 the whole mail was delivered at Bijnor only once in the day, namely, at 8-30 A.M. At present mails from the Eastern United Provinces, Bengal and Bihar are issued for delivery at 8 A.M. and those from the rest of India are issued for delivery at 12 NOON.

(d) Complaints have been received that the present arrangements cause some inconvenience to the public as compared with the arrangements which existed eight years ago.

(e) No. As Bijnor is now linked by railway with the main line and as Nagina is no longer a stopping place for the E.I.R. Mail trains, no purpose would be served by re-establishing the Mail Sorting Office at Nagina.

THE HONOURABLE SIR MUHAMMAD YAKUB: Is the Honourable member aware that the E.I.R. Mail now stops at Nagina at the instance of the United Provinces Minister, the Honourable Hafiz Muhammad Ibrahim, who is himself a resident of Nagina ?

UNHEALTHY COMPETITION AND OVER-PRODUCTION IN THE CEMENT AND OTHER INDUSTRIES.

24. THE HONOURABLE MR. G. S. MOTILAL: (a) Are Government aware of unhealthy competition and over-production in cement and other industries ?

(b) Have Government considered the desirability of taking steps to prevent uneconomic over-production ? If so, what steps do Government propose to take in the matter ?

THE HONOURABLE SIR ALAN LLOYD: (a) Government have received complaints on the subject from certain units of the steel rolling industry. As regards other industries, they have no information beyond what has appeared in the newspapers.

(b) Government's policy in the matter was referred to by the Honourable the Commerce Member in his speech at the Conference of rolling and re-rolling mills on the 16th August, 1939. The speech was fully reported in the press.

ISSUE OF INFORMATION AS TO THE FIELD OF NEW INDUSTRIES AND EXPANSION OR CONTRACTION OF THE EXISTING INDUSTRIES.

25. THE HONOURABLE MR. G. S. MOTILAL : Do Government propose to guide the public by issuing information as to the field of new industries and expansion or contraction of the existing industries ?

THE HONOURABLE SIR ALAN LLOYD : The development of industries is primarily a provincial subject. The Government of India issue the following publications which contain information on some of these points :

1. Proceedings of the Industries Conferences.
2. Annual Reports of the Industrial Research Bureau.
3. Bulletins of Indian Industrial Research.

PEONS IN THE INCOME-TAX DEPARTMENT, UNITED PROVINCES.

26. THE HONOURABLE MR. P. N. SAPRU : (a) Are the peons in the Income-tax Department in the United Provinces paid only Rs. 10-8-0 as pay and granted one warm coat for uniform once in four years ?

(b) Were a number of peons in the Income-tax Department taken from the Revenue Department (Collectorate) ?

(c) Were the rates of pay for peons mentioned in (a) the same as those of the peons in the Revenue Department ?

(d) Have the Revenue Department in the United Provinces recently given increments to the peons at As. 8 in two years up to a maximum of Rs. 14 and Re. 1 to Rs. 2 as city and hill allowances and have they given these increments a retrospective effect ?

(e) Have Government considered the advisability of granting increments to the peons of the Income-tax Department similar to those granted by the United Provinces Government ?

THE HONOURABLE MR. C. E. JONES : (a) The pay of office peons in the Income-tax Department, United Provinces, is Rs. 10-8-0 and Rs. 12 per mensem and their cold weather liveries are renewable after every third year.

(b) Yes.

(c) It is understood that the pay of the peons attached to Deputy Collectors was Rs. 10-8-0 per mensem.

(d) Yes.

(e) The matter is under consideration.

COMPETITION BY THE IMPERIAL BANK OF INDIA WITH LOCAL BANKS.

27. THE HONOURABLE MR. P. N. SAPRU : (a) Does the fact of the Imperial Bank being an agent of the Reserve Bank entitle it to use that position for competing with the local banking ?

(b) Does the Imperial Bank use that position for that purpose ?

(c) If the answer to (b) be in the affirmative, have Government considered the advisability of stopping this competition ?

THE HONOURABLE MR. C. E. JONES : (a), (b) and (c). The attention of the Honourable Member is invited to the provisions of the Imperial Bank of India Act, section 45 of the Reserve Bank of India Act and the agreement provided therein. The Government of India have no power to interfere so long as these provisions are not contravened.

BROADCASTING STATION AT NAGPUR.

28. **THE HONOURABLE MR. V. V. KALIKAR :** (a) Did the Provincial Government of the Central Provinces and Berar make a representation to the Government of India to establish a Broadcasting Station at Nagpur ?

(b) Did the Government of India turn down the recommendations of the Provincial Government ? If so, why ?

(c) Has the attention of the Government of India been drawn to the reply given by the Honourable Mr. C. J. Bharuka, Minister in charge of Industry, Central Provinces and Berar, in regard to the establishment of a Broadcasting Station at Nagpur in answer to a question by the Honourable Mr. R. M. Deshmukh, M.L.A., on 14th August, 1939, in the Central Provinces Assembly ?

THE HONOURABLE MR. J. D. TYSON : (a) and (c). No.

(b) Does not arise.

ABNORMAL IMPORTS OF YARN FROM CHINA AND JAPAN.

29. **THE HONOURABLE MR. V. V. KALIKAR :** (a) Have the Southern India Millowners' Association made a representation to the Government of India that the imports of yarn from China and Japan should be immediately reduced ?

(b) Have the Government of India taken any action on the representation ? If not, why not ?

(c) Has the Provincial Government acquainted the Government of India of the difficulties experienced by the Southern India Millowners' Association regarding the urgent necessity of helping the industry by placing an embargo on the imports of Chinese and Japanese yarn and also reducing the import duty on raw cotton by half ? If so, what action do the Government of India propose to take on the representation of the Provincial Government ?

THE HONOURABLE SIR ALAN LLOYD : (a) Yes, Sir.

(b) and (c). A representation on the subject has been received from the Provincial Government and the question is under consideration.

RECENT ASIATIC SEGREGATION LEGISLATION IN THE UNION OF SOUTH AFRICA.

30. **THE HONOURABLE MR. V. V. KALIKAR :** Will Government make a short statement on the negotiation that they have been carrying on

with the Union Government regarding the Asiatic segregation legislation and the result of the negotiation ?

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : Towards the end of last year it was reported that the Minister of the Interior of the Government of the Union of South Africa was contemplating a scheme of servitude in order to protect Europeans in the Transvaal against the alleged penetration of Asiatics into predominantly European areas. As the House is well aware, the Government of India are opposed in principle to any form of segregation on racial grounds, and suitable representations were made by the Government of India to the Union Government in the matter. An Act, designed mainly to restrict Asiatics in the Transvaal to their present trading licences and residential sites during the next two years, was passed in the Union Parliament on the 12th June. Negotiations on the objections of principle raised by the Government of India are still in progress and are of such a nature and at such a stage that I regret I am unable to make a more detailed statement.

INCREASE IN CUSTOMS REVENUE.

31. **THE HONOURABLE MR. V. V. KALIKAR :** (a) Have the revenue receipts under customs duty brought an increase of over Rs. 3 crores during the last four months ?

(b) Are unprecedented imports of sugar and motor spirit responsible for the increase in receipts ?

(c) If the answers are in the affirmative, do Government propose to abolish the newly imposed duty on raw cotton ? If not, why not ?

THE HONOURABLE MR. C. E. JONES : (a) As compared with the corresponding period of the last financial year, there has been an increase of over Rs. 3 crores in net customs revenue.

(b) Larger imports of sugar and motor spirit are responsible for a substantial portion of the increase.

(c) Government are unable to give any indication of their attitude towards this proposal beyond pointing out that in present conditions there is no warrant for the suggestion implied in the question that total customs receipts will continue to show an increase over last year's figures.

TRADE RELATIONS WITH BURMA.

32. **THE HONOURABLE MR. V. V. KALIKAR :** (a) Have the Indian Merchants' Chamber in the course of a letter to the Government of India on the proposed Indo-Burma trade talks represented to the Government of India that they should secure from the Government of Burma proper compensation for the loss of Indian life and property during the recent riots in Burma and a guarantee of protection in future before any trade negotiations are undertaken between the two countries ?

(b) If the answer is in the affirmative, do Government propose to take any action on the representation made by the Indian Merchants' Chamber ?

(c) Do Government propose to give notice to the Government of Burma for termination of the agreement between Burma and India? If so, when?

(d) Do Government propose to appoint non-official advisers of the commercial community to advise the delegates of the Government of India during the trade talks? If not, why not?

THE HONOURABLE SIR ALAN LLOYD : (a) Yes, Sir.

(b) and (d). These questions will be duly considered by the Government of India if and when it is decided to enter into negotiations with the Government of Burma for the drawing up of a trade agreement.

(c) The matter is still under consideration.

MOTION FOR ADJOURNMENT *RE* RECOMMENDATIONS OF THE CHATFIELD COMMITTEE.

THE HONOURABLE THE PRESIDENT : Honourable Members, the Honourable Mr. Kunzru has given notice of a Motion for Adjournment. As I think that Motion is in order I will read the statement to you :

" To the President of the Council of State. I beg to give notice hereby of my intention to move a Motion for the adjournment of the business of the Council on the 12th September" (which, with my consent has been put off till today), " to discuss a definite matter of urgent public importance, viz., the unsatisfactory character of the announcement made by His Majesty's Government regarding the recommendations of the Chatfield Committee ".

Is there any objection on your part ?

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD (Leader of the House) : No, Sir.

THE HONOURABLE THE PRESIDENT : I don't think there is any objection to the Motion in the House? In that case, I admit this Motion of Adjournment. As to the time it will be discussed, I cannot state at present. It will be either after the termination of today's business or after lunch, when we hope to take it up immediately, or otherwise at 4 p.m.

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : Sir, I gather that it will be convenient for us and will also suit the Honourable Member if it is taken up after lunch.

THE HONOURABLE THE PRESIDENT : Provided we finish the business of the House before lunch.

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : But even if we finish before lunch, I would request you to take it up after lunch.

BILLS PASSED BY THE LEGISLATIVE ASSEMBLY LAID ON THE TABLE.

SECRETARY OF THE COUNCIL : Sir, in pursuance of rule 25 of the Indian Legislative Rules. I lay on the table copies of the following Bills

[Secretary of the Council,]

which were passed by the Legislative Assembly at its meeting held on the 12th September, 1939, namely :

1. A Bill to amend the Indian Carriage by Air Act, 1934, for a certain purpose.
2. A Bill further to amend the Indian Rubber Control Act, 1934.
3. A Bill further to amend the Indian Railways Act, 1890, for a certain purpose (*insertion of new section 42B*).
4. A Bill to amend certain enactments and to repeal certain other enactments.

INDIAN CENSUS BILL.

THE HONOURABLE MR. E. CONRAN-SMITH (Home Secretary) : Sir, I beg to move :

“That the Bill to provide for certain matters in connection with the taking of the census, as passed by the Legislative Assembly, be taken into consideration.”

Sir, I believe that this Bill requires no very persuasive oratory to commend its provisions to this House. The object of taking a census and the value of the statistical information thereby obtained are widely known and, if many Honourable Members have not themselves been called upon to perform functions under the Census law, it is probable that most of them have been required to answer the questions set out in the schedules with which enumerators are armed and they are therefore aware of the general nature of the information sought to be obtained. The census represents (I quote the words of the present Census Commissioner for India) :

“a great national effort in which all citizens take their part with the object of producing material which would be of service to all”.

This is especially true in India with its many millions of population. It is only by securing the widest co-operation that the mass activity involved can be carried through. Without such co-operation, the possibility of holding a census in India at all would be ruled out on the score of expense. Before, however, embarking on the legislation which comes before this House today, the Government of India consulted Provincial Governments and I am glad to be able to inform Honourable Members that all Governments have promised full and willing co-operation and have given an assurance that provincial officers and provincial administrative machinery will be made available for the work connected with the holding of the census. Moreover, they have agreed to impress upon all their people the voluntary nature of census work. But even with this assurance of free and willing co-operation it is only by restricting the nature of the information to be collected within very circumscribed limits that the cost can be kept within manageable proportions. Honourable Members will not expect me at this stage to detail the various heads under which information will be collected. I will only say that certain changes are proposed as compared with the last census and that we are in consultation with Provincial Governments on that matter. The whole question will in due course be considered by a Conference of Provincial Census Superintendents with the Censu

Commissioner for India. The information which has been collected on previous occasions when a census has been held constitutes a valuable storehouse on which authorities in India continually draw. But it has to be remembered that the questions which can be put and answered have to be related to the average intelligence of the enumerator and of the person enumerated. It follows, therefore, that it is useless to endeavour to collect information based on questions of an abstruse or theoretical nature, and that is a limitation which has to be borne in mind.

The provisions of this Bill now before the House follow in the main those of the Act of 1929 which regulated the census held in 1931. There are a few differences partly in drafting and partly in substance. With the former I need not deal. As regards the latter, there are four changes. In clause 5 of the Bill the attempt to enumerate in detail the classes of local authorities whose services may be requisitioned has been abandoned and the clause has been drafted in wide terms so as to cover all authorities whose assistance is likely to be required. Secondly, the maximum permissible penalty for offences under the Act has been increased from Rs. 50 to Rs. 200 with the object of giving a wider discretion to courts. Thirdly, clause 12 of the Bill provides that no court inferior to that of a Presidency Magistrate or a Magistrate of the second class shall have jurisdiction to try offences under the Act.

Finally, clause 13 has been drafted so as to afford greater protection to census records than was previously given. Experience has shown that attempts were made to secure the production in court of census schedules both in connection with prosecutions under the Child Marriage Restraint Act and also to rebut or sustain an *alibi* in criminal cases. The intention of clause 13 as drafted is to make such procedure impossible. I would also draw the attention of Honourable Members to the addition which has been made to the previous law by clause 16 which implements a recommendation of the former Census Commissioner, Dr. Hutton, that power should be given to Census Commissioners to abstract and supply to approved persons available statistical information on payment of the extra cost of supply.

I have two other observations to make, Sir, before I conclude. Honourable Members will be interested to learn that our present Census Commissioner has been enabled through the good offices of an American Foundation to combine with his leave a tour of certain places and a study of the methods employed in the taking of the census in other countries, and I have no doubt that India will benefit materially from the knowledge and experience thus gained. My second and final observation is this. We meet this session under the shadow of a wicked and a needless war. I have no doubt Honourable Members are asking themselves whether that war and the consequences flowing from it will permit the carrying through of the activities which this legislation is designed to promote. That is a matter on which no one can prophesy. We can only proceed on the assumption and in the fervent hope that conditions when the time comes will be such as to make possible the completion of the work of which we are now laying the foundations.

Sir, I move.

THE HONOURABLE MR. HOSSAIN IMAM (Bihar and Orissa : Muhammadan) : Mr. President, this is one of those legislations which usually crop up

[Mr. Hossain Imam.]

at stated intervals and, as such it would not require any criticism or very great detailed study because they are usually modelled on previous enactments and experiences. I intervene at this stage simply to draw the attention of the Honourable Member to a few facts which I hope will receive his favourable consideration. Firstly, Sir, I welcome the opportunity given to the Honourable Mr. Yeatts to visit America and other countries and thereby get experience of census work in other countries. I hope, Sir, that as we are very poor in statistical information about the economic condition in the countryside, if possible the Honourable Member will give us a more accurate picture of the agricultural population, how they live, what is their material condition, and so on. Secondly, Sir, I wish to draw the attention of the Honourable Member to a reality of the situation. At the moment, I have to admit with some shame that there is bitter communal feeling. In that condition, it is possible that census records may be tampered with. The question of language and religion—these two items have in the past been subject to the vagaries of the enumerators. Sometimes it has happened that people who happened to be of a different nationality than the enumerator himself were left out from the census. Sometimes it has happened that instead of writing down the language which the man speaks, another language has been written. I do not say that this is the general condition of things. But the possibilities are there, and it would have been better and prudent if Government had thought it proper to provide specifically for such offences, although I find that there is a provision in clause 9—“knowingly makes any false return”. This covers my objection, and therefore I am not moving any amendment on the point. My desire is only this that the Superintendents should be men of absolute integrity and great care should be taken in selecting them. We should rely not only on the enumerators but we should rely also on checks. There should be, if not cent. per cent. check, at least a good check so that such vagaries do not happen. Thirdly, Sir, I should like to ask the Government to see that the reports are published a little earlier than they were done the last time. The statistics lose much of their intrinsic value if they come too late. I know that it is a difficult job to go through 35 crores of people—probably by 1941 there may be 400 millions. I admit that the task is difficult and it does involve time, but if you employ additional hands for a shorter period you might finish the work quickly. It does not involve a larger expenditure if you keep 100 men for one month rather than 10 men for 10 months. It would be a very good thing if these reports are published as early as possible.

THE HONOURABLE SIR RAMUNNI MENON (Nominated Non-Official) : Sir, notwithstanding the Honourable Mover's expression of inability to forecast the future trend of events, I think it is a source of comfort to all of us to find that the Government of India in the face of what threatens to be a very grim and long-drawn struggle are making preparations for an event which presupposes the existence of normal conditions of life in the year 1941. Let us all hope that the anticipation of the Government of India will be fully realized. There is only one point which I should like to mention in regard to the census. The Honourable Mover has already referred to the well-known fact that a Census Report is a store of useful information. In certain recent debates

in this Council and elsewhere the value of the Census Report has been brought into particular prominence in regard to certain social questions, such as infant marriage, the prevalence of polygamy, polyandry, and so forth. It is obvious that the information furnished in a Census Report, if it is to be very useful, must be accurate, and while I do not in the least wish to cast any reflection on the achievements of past census officers, I would like to emphasise the importance of ensuring that as far as possible accurate and extensive information should be collected at the ensuing census. Now, it seems to me, and I think it will appear to other Honourable Members also, that it is probable that the war and other events connected with the war will compel the Government to embark upon a campaign of economy. Whenever an economy drive is started it generally happens that it is the cultural activities of the Government that are the first to suffer. I do hope that if any such economy drive is found necessary there will be no occasion to restrict the scope of the activities of the ensuing census. I should like, as far as the limited conditions of a census operation would permit, as full and as accurate information as possible to be collected on what is generally known as the civil condition of the population of India, matters relating to marriage, infant marriage, widowhood, polygamy, and so forth ; because it seems to me that in the years to come the legislative activities of India will be marked more and more by the incursion of social questions, and it would be extremely important for legislators and public men to have at their disposal important and reliable data on these questions.

With these few words, Sir, I support the Bill.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS (Punjab : Non-Muhammadan) : Sir, during the last census my information was that political and communal considerations played a large part, and the enumerators, if I mistake not, were ordered to perform a certain political mission. As far as my information goes they were made to class some Hindus as non-Hindus, and the actual position was different to that which they made it out to be. At the present time it is essential that the census should be a true record of facts. I therefore request the Government and particularly the new Census Commissioner to see that such mistakes be not committed in future and that the records of the census be such as cannot be questioned later on.

With these words, Sir, I support the Bill.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU (United Provinces Northern : Non-Muhammadan) : Sir, I should just like to add one word to what has already fallen from Sir Ramunni Menon. In view of the importance of social questions in the future, particularly those relating to social justice in the economic sphere, it is desirable that the census returns should supply fuller information about the wage-earning classes than they do at the present time. What I have in mind is an industrial census. I know that the census authorities cannot undertake a census of the kind that I have in view, a census of the kind that has been undertaken in many European countries. Yet I think that if they were to pay more attention to the importance of this question they could easily ask their agents to supply more information on this subject than is done at present either in the all-India census or the provincial census reports. I do not think, Sir, I need say more in order to enable Government to realize the value of the information that I have asked for both in the

[Pandit Hirday Nath Kunsru.]

immediate present and in regard to questions that may arise a few years later. As census operations take place only once in 10 years, I think it is very desirable that we should look ahead and as far as possible provide such facts and figures in the Census Reports as will enable us to understand the social condition of our population, particularly in those spheres where urgent and difficult questions are likely to arise.

THE HONOURABLE SIR A. P. PATRO (Nominated Non-Official): Sir, I have just a few words to say on this Bill which we all welcome and which has been very rightly described as a national effort for the purpose of ascertaining the real state of affairs in the population. But unfortunately it is very disheartening to find in this House the old question of the communal struggle has been raised. One section asks for greater care in enumeration of their particular community, another section asking similarly that there should not be any incorrect estimation of the population in their own provinces or in their own districts. Is it possible in a Census Report to solve this long-standing and complicated communal question? When the enumerators go to the villages and when they have got inspectors supervising them, the best thing for the communities concerned who suspect that an accurate estimation of the population and the language will not be made to have their voluntary associations, independent men who would help the enumerators, who would help the inspectors. Instead of doing their duty in the matter of assisting and co-operating with such inspectors, supervisors and enumerators, to throw the burden on the low-paid enumerators and expect that they should be above board is a thing which is not sensible or wise. Therefore it is necessary for those communities who entertain such suspicions of the accuracy of the enumerators to have voluntary associations to aid the enumerators to arrive at a correct conclusion. I therefore deprecate any attempt made that the Government and the enumerators should decide the question of the existing differences between the communities. In another place both communities raised the question of the accuracy of the last census estimate. Till now no effort has been made by the communities concerned to ascertain what is the real state of affairs. In another place also the question of the languages spoken was also raised. In these two matters it is not right to charge that the Census Report does not give them the solution required, instead of making efforts themselves and arrive at a correct conclusion. I agree with the Honourable Mr. Hossain Imam when he said that in regard to the agricultural population we have to note various details concerning their economic condition and their social condition. The Census Report is not a survey of the economic condition of the people; it is not a survey of the educational condition of the agricultural population. It is intended primarily and essentially for the purpose of obtaining the strength of the population, how far it has grown; incidentally the civic condition is also noted; but the primary object of the census is not to enter into the social and economic condition of the people. A separate survey would be necessary if such information is desired. It has been pointed out that in regard to certain classes and communities we should know what their social position is, and in matters which may come hereafter in political discussions, we may look into and search Census Reports

to help us in the matter. But I always considered that the Census Report is not a treatise on languages, is not a treatise on economics, is not a treatise on the social conditions of the people. Therefore it is too much to expect the Census Report to contain all the information. Information for the various objects and various purposes which we have in view may otherwise be obtained. For instance, we have got the statistical society, we have got private, voluntary, association. We have also got the Government Statistical Department. Why not insist upon the Statistical Department helping in the matter and obtaining a separate review on that? Similarly we have got the economic section of the Government. Insist on the economic section of the Government to supplement what the Census Report would say. With Reports from the economic societies and the Economic Department of the Government and also from the Statistical Department of the Government, if they are actively engaged in these matters, we will be able to obtain a better and a more comprehensive idea of the matters than what a Census Report would give. Therefore it is too much, I submit, to expect the Census Report to contain all the information we want. With regard to communal differences, which are the bane of our country and which every reasonable man thinks should be minimised as much as possible, I say that in this matter it is the voluntary associations that could help more than the Government report can.

THE HONOURABLE SIR ALAN LLOYD (Commerce Secretary): Sir, I venture to intervene in this debate merely in order to support the point of view which has been expressed by my Honourable colleague on my right with reference to that part of the Honourable Mr. Kunzru's speech which referred to an industrial census or industrial survey. I feel convinced that the Honourable Mr. Kunzru himself fully recognizes that a survey of that sort could not be efficiently carried out by the machinery which is appropriate for the larger census and also he would agree with us that a survey of that sort is of little use if it is only carried out only once every 10 years. Industrial survey work should be carried out, if possible, almost continuously. I make these remarks because I wish him to understand, and the House to understand, that the question of an industrial survey as distinct from the ordinary census is a matter which has not only been repeatedly considered by the Government of India in the past, but has by no means dropped out of sight. Our recent consideration of the question has no doubt had to be interrupted by the violent wrench given to economic conditions by the outbreak of war, but I feel confident that the Government of India will take this matter up again as soon as times are propitious.

THE HONOURABLE MR. P. N. SAPRU (United Provinces Southern : Non-Muhammadan): Sir, the Honourable Sir A. P. Patro has on this, as on most other questions, a narrow outlook and if I may just say what I feel about the census it would be something like this. It is not only figures of population that we want; we want some life also in the Census Report. We want the Census Report to be a useful guide for us so far as future legislation is concerned. We want to have some idea of the social conditions under which our people live; we want to have an idea of the improvements which

[Mr. P. N. Saprū.]

have been effected, if any, in the social customs of the people. For example—

THE HONOURABLE SIR A. P. PATRO : What a great outlook !

THE HONOURABLE MR. P. N. SAPRU : It is a greater outlook than that of Sir A. P. Patro, and we want to have, as Sir Ramunni Menon very wisely pointed out, some data about these social customs, because, as years go on, we shall be busy with legislation in regard to these social matters. We want to know, for example, whether there has been any change of opinion in regard to child marriage ; we want to know whether there has been any change of feeling in regard to the position of women, and what the condition of women is in the various strata of society. We want to have full light on all these matters and we want a comparative study. We want to know what has been the progress effected between 1931 and 1939 or 1941 with regard to these social matters. So far as the wage census, which was suggested by the Honourable Mr. Kunzru is concerned, Sir Alan Lloyd did not quite understand him. He does not for a moment suggest a very detailed survey of industrial conditions ; what he wants is something to be said in the census about these industrial conditions also. We want to know what is the average wage, for example, during the last 10 years has been, so that we may be able to deal with these problems of social justice.

THE HONOURABLE SIR A. P. PATRO : A Daniel come to judgment !

THE HONOURABLE MR. P. N. SAPRU : I cannot hear the Honourable Member.

So far as the point raised by Mr. Hossain Imam and Lala Ram Saran Das is concerned, I would like to say that there is no question of communalism there at all. We want an accurate census both of the religions and the languages of India, an accurate census of the populations of India. Sometimes it happens that the census officers do their work in a very cursory manner. They just come and ask some servants, "How many people are living in this house and what is their religion" ? and they just go away. Now, that is a sort of thing that must be put a stop to. Of course, voluntary effort is also necessary. There I agree with Sir A. P. Patro. Sometimes I have to agree with him ! I think voluntary efforts can be useful in this direction but we want a better class of census officer, a more intelligent class of census officer, and even though we will be passing through critical times, I hope it will be realized by the Government that the census of the country is a very important matter, a matter which affects vitally the life and conditions of the people of this country.

THE HONOURABLE THE PRESIDENT : Motion made :

"That the Bill to provide for certain matters in connection with the taking of the census, as passed by the Legislative Assembly, be taken into consideration."

Question put and Motion adopted.

Clauses 2 to 10 were added to the Bill.

Clauses 11 to 17 were added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

THE HONOURABLE MR. E. CONRAN-SMITH: Sir, I move:

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

THE HONOURABLE MR. HOSSAIN IMAM: Mr. President, I would not intervene at this stage but for the remarks made by Sir A. P. Patro and the silence of the Honourable Member in charge of the Bill. The Honourable Sir A. P. Patro suggested that public bodies could co-operate and thereby rectify any mistake which crept into the records of the census officers. But perhaps he did not give his attention to clause 13 which provides that no person shall have the right to inspect any book, register or record made by a census officer in the discharge of his duties. How does he get over that? Are we entitled to override the statute and go and inspect the records and suggest amendments and find out mistakes?

THE HONOURABLE SIR A. P. PATRO: I said “co-operate” with them, assist the enumerators who are the people whom you know.

THE HONOURABLE MR. HOSSAIN IMAM: Mr. President, as I pointed out, the whole trouble arises because of the *male fide* intentions of certain people. If it were a *bona fide* mistake no trouble would arise, but what I wanted to check and what criminal law always tries to check is wrong motives and that cannot be provided until you have either a penalty or a check for it. Secondly, Sir, the Honourable Sir A. P. Patro again objected that a census is not a statistical survey and we should have another machinery to do that work. May I point out to him that at the present moment the Census Reports do give information on economic lines, *e.g.*, so many people are engaged in agriculture, so many people are engaged in labour, so many people in subsidiary industries, all this sort of information is available. What I wanted was that a little elaboration should be made. I do not want any new information to be given but an elaboration of the existing tables and I would have suggested that the Government should ask the economists or the public men to suggest what useful materials could be collected by these census officers. It is for executive action. They have to decide. We can only inform them what we want and it is not for us to dictate exactly what should be included. Perhaps he also questioned my suggestion about literacy—that the Census Reports are not a literacy survey. They are a literacy survey as well. There you find enumeration of literates given in the census register. Those who are literate in English, those who are literate in their own language. That information is already in the Census Report. My only idea in making the suggestion was not so much to include new information as to elaborate the existing information as available and therefore, Sir, I hope that Government would not be as contrary as my Honourable friend.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: Sir, I had no mind to speak at this stage. But it is my friend Sir A. P. Patro who makes me do so. I can produce facts which Sir A. P. Patro cannot deny, because facts are facts. I know of instances where grave changes have been made in the classification or the religion of various communities in the Punjab. I know,

[Rai Bahadur Lala Ram Saran Das.]

from my own personal experience that on the day of enumeration in the last census over 100 people who were living in my Lahore residence were not counted. I find that checking authorities or the checking agencies are not generally competent. I do say that because after all the census is a useful document for the public and from the study of that we ought to know how things are going on. For example, we must see from the Census Report how many artisans from each class have changed their profession and so on and so forth and whether Muslims are classed as Muslims or non-Muslims and similarly the other communities. Efforts have been made and my information as far as I have been able to verify seems to be correct. Therefore, I think my friend Sir A. P. Patro's remarks were not justified because he has not in his observations quoted any authority or any document from which he has made this unwarranted attack.

THE HONOURABLE SIR A. P. PATRO : Sir, my justification for speaking on this occasion is because I am not a socialist as the Honourable Member professes to be. If, from the socialist point of view, I take a narrow view of things, then I am perfectly satisfied with myself. I am not a socialist of that type,—pretend to be a socialist and yet in practice carry on contrary to the ideals. Therefore, from that point of view, from the socialist point of view, I may be narrow but I cannot be a socialist because I have got a stake in the country.

Then as regards quoting section 13, it is not at all helpful. On the other hand, clause 17 of the Bill provides for the making of rules. What I suggested was that there can be a rule made. It is quite possible both for the Government of India as well as others to make the necessary provision in the matter. Therefore, it is not at all a thing that is prevented under the Bill itself. No prevention is there. As regards quoting authorities, I know that the Honourable the Leader of the Opposition is accustomed to quote irrelevant authorities. I do not want to indulge in such speculation. Therefore, I say that no authority is needed except what we have to conceive by common sense. Therefore, all this talk is beside the proposition before the House.

THE HONOURABLE MR. E. CONRAN-SMITH : Sir, I rise again only because of the implied reproach in the observations of the Honourable Mr. Hossain Imam that I had not dealt with the points which he and other Honourable Members had made. I rise now to give the assurance, which I felt was unnecessary, that Government welcome the advice which he and other Honourable Members have given and will give it the fullest consideration. But, having said that, I should repeat, in view of the trend of Honourable Members' remarks which were to the effect that greater accuracy and fuller information was required, that we are limited by the material available for conducting the census and by the financial implications involved. Subject to that, Government share the desire of Honourable Members that any avoidable mistakes in the census schedules should be prevented.

THE HONOURABLE MR. HOSSAIN IMAM : I can assure the Honourable Member that the Assembly will be generous in that respect if fuller information costs more money.

THE HONOURABLE THE PRESIDENT : Order, order. You cannot make a second speech. The Question is :

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

The Motion was adopted.

INDIAN SALT (AMENDMENT) BILL.

THE HONOURABLE MR. C. E. JONES (Finance Secretary) : Sir, I move :

“ That the Bill further to amend the Indian Salt Act, 1882 for certain purposes, as passed by the Legislative Assembly, be taken into consideration.”

It is hardly necessary for me, Sir, in respect of a simple measure of this sort to take more than a few moments of the Council's time. The Bill is simple in scope, simple in intention, and it has been necessitated by a very simple consideration. It arises from the fact that in the interests of efficiency and of administrative convenience it has been found desirable to combine the administration of Central Excises with the administration of Salt in Northern India. The result of this combination has been that the duties and functions of the Officer in charge of the Department over this vast area has increased beyond the capacity of one officer to deal with. Therefore, it has been found desirable to split this Northern India Salt Revenue Department, now called the Northern India Central Excise and Salt Department, into two independent charges and to appoint two officers to hold these two charges respectively. There is a provision unfortunately in the Indian Salt Act in section 5 which puts the whole Department statutorily in the charge of one officer. Therefore, if we are to give effect to this desirable administrative change, it is unavoidable that this particular section should be amended to enable us to have two officers to run the Department instead of one. The whole matter has been explained in the Statement of Objects and Reasons which, short as it is, covers the whole ground. The substance of the Bill will be found in clause 4 and the rest of the provisions are purely formal and consequential. I do not think that more need be said in respect of this simple measure.

Sir, I move.

THE HONOURABLE MR. HOSSAIN IMAM (Bihar and Orissa : Muhamadan) : Mr. President, I wish to say a few words about this administrative change. Apparently, in the manner in which the Honourable Member has put it, it is a very innocent and very desirable amendment. But he wisely refrained from giving us the details of the division which he is going to make. I am told, Sir, that a man will be stationed at Calcutta who will be in charge of sugar factories situated at more than 600 miles to the west from the headquarters, whereas the man who will be stationed in Delhi will not look at the industries which are only 40 or 50 miles from his headquarters. I do not object so much to the basic fact that there should be a division. But the line of demarcation which the Department has in view and which has not been brought before us shows some sort of irregularity or that it has not shown full consideration to the fact that the ease of inspection should be the first criterion. Probably the idea behind was that there should be an equal division of the income so that while Salt and partially sugar should come under the supervision of the Delhi Headquarters, Calcutta should be in charge of steel, majority

[Mr. Hossain Imam.]

of sugar and a good bit of matches. That might be convenient. But it would have been better if economy had been the guiding principle, to retain Deputies only under the man in charge. A Deputy might have worked in Calcutta. At present, too, there are Deputies working in other parts. There was no necessity for creating two highly paid officers if economy had been their guide, as it is said that it is the guide of the Government of India.

THE HONOURABLE THE PRESIDENT: Motion made:

"That the Bill further to amend the Indian Salt Act, 1882 for certain purposes, as passed by the Legislative Assembly, be taken into consideration."

Question put and Motion adopted.

Clauses 2 to 6 were added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

THE HONOURABLE MR. C. E. JONES: Sir, I move:

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

I might perhaps take this opportunity of saying, with reference to the Honourable Mr. Hossain Imam's remarks, that I made no mention, while speaking on the Motion for Consideration, of the administrative arrangements that we proposed to make in detail, because it seemed to me rather irrelevant to the principle of the Bill, which was merely to enable Government to appoint two officers instead of one. As a matter of fact, I think the division contemplated is a territorial division by a line running south from Hardwar. The proposal simply is that instead of having one Commissioner at Delhi, one Deputy Commissioner at Delhi and one Deputy Commissioner at Calcutta, we should have one Collector at Calcutta and one Collector at Delhi. The financial consequences of the changes are more or less negligible and I think the executive Government can be trusted to make a suitable division between the charges of the two officers to give them each an approximately equal amount of work and responsibility.

THE HONOURABLE THE PRESIDENT: The Question is:

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

The Motion was adopted.

CODE OF CIVIL PROCEDURE (AMENDMENT) BILL.

THE HONOURABLE MR. E. CONRAN-SMITH (Home Secretary): Sir, I move:

"That the Bill further to amend the Code of Civil Procedure, 1908 for a certain purpose, as passed by the Legislative Assembly, be taken into consideration."

Sir, this is a simple, but from the point of view of Government, a necessary little Bill, the intention of which is so clearly explained in the Statement of Objects and Reasons attached to the Bill as introduced that I need not take

up the time of the House in explaining its provisions in any detail. Honourable Members will find the reason why Government regard the Bill as of some importance in the last paragraph of the Statement of Objects and Reasons from which it is clear that the amendment which the Bill makes in the First Schedule to the Code of Civil Procedure is required for the protection of the public revenues. Rule 48 of Order XXI of the First Schedule to the Code deals with the procedure in the case of attachment of the salary or allowances of a public officer or servant of a railway company and provides for deduction being made by the disbursing officer from such salary or allowances in satisfaction of the attachment order. The legality of the procedure hitherto followed in regard to the salary or allowances of an officer on leave in England whereby the High Commissioner made the required deduction from the officer's leave salary has been questioned on the ground that no attachment order, or direction made as a result thereof, could bind the High Commissioner in England. The amendment made by the Bill in sub-rule (1) of rule 48 is designed to remove that doubt and to ensure that the disbursing officer wherever he may be, is empowered to reduce by the requisite amount the salary or allowances of an officer on leave while he is absent from India. The procedure under the rule as proposed to be amended will be that the accounts officer in India on whom the attachment order is served will issue a fresh certificate to the High Commissioner in London making the deduction required and the accounts officer will remit the money to the court. Without the amendment now proposed to be made Government might, by virtue of sub-rule (3) of rule 48, become liable for the amount or for part of it. The passage of the Bill which is now commended to the House will avert the danger of that liability falling on the public revenues.

Sir, I move.

THE HONOURABLE MR. HOSSAIN IMAM (Bihar and Orissa : Muhammadan): Mr. President, I welcome this measure because though it may be insignificant in itself, it is of very great constitutional importance to us, as it recognizes the power of the Indian Legislature to legislate for disbursements made outside India. This kind of matter has been the subject of debate in this House many times, e.g., on the consideration of a Resolution by Sir David Devadoss when he moved that pensions and pay issued to our officers in England should be subject to Indian income-tax, long before the Act of 1935 was passed. The Government then took objection that the territorial jurisdiction of the Legislature in India did not extend to that limit. I welcome, Sir, this admission by the Government of India that it has power to legislate for disbursements outside India if they are met from the revenues of India. This will be useful to us when we are considering the question of subjecting to income-tax our loans which will be issued no longer by the Secretary of State but by the Governor General under the new Government of India Act. I welcome this measure.

THE HONOURABLE THE PRESIDENT: Motion made: "

"That the Bill further to amend the Code of Civil Procedure, 1908 for a certain purpose, as passed by the Legislative Assembly, be taken into consideration."

Question put and Motion adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

THE HONOURABLE MR. E. CONRAN-SMITH : Sir, I move :

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

I must I feel take this opportunity to disabuse the mind of my Honourable friend Mr. Hossain Imam of a misconception and I hope that he won't welcome the Bill any the less on that account. What this Bill does is to control our accounts officers out here. It does not purport to give any jurisdiction over the disbursing officer in England. The effect however which Government desire to achieve is achieved by the Bill.

THE HONOURABLE THE PRESIDENT : The Question is :

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

The Motion was adopted.

INDIAN TEA CESS (AMENDMENT) BILL.

THE HONOURABLE SIR ALAN LLOYD (Commerce Secretary) : Sir, I move :

“ That the Bill further to amend the Indian Tea Cess Act, 1903 for a certain purpose, as passed by the Legislative Assembly, be taken into consideration. ”

The Indian Tea Cess Act of 1903 was amended in 1936 in order to provide for the creation of an Indian Tea Marketing Expansion Board, and the constitution of that Board provided for a membership, or at least now provides for a membership of 28, all of whom are appointed by the Central Government, 24 on the nomination of the various commercial bodies and tea associations interested in the subject, and four on the recommendation of the Provincial Governments concerned. The reason why the whole lot were not appointed on the recommendation of commercial bodies and the like was that in some cases it was found that the interests concerned were not sufficiently well organized to be able to produce satisfactory representation. It is now reported to us by the Bengal Government that the Indian tea planters of the Terai are sufficiently organized to be added to the list of those whose representatives are nominated by a commercial body and not by the Provincial Government. The Government of Bengal has therefore asked that the power of nominating this particular representative should be transferred from them to the Terai Indian Planters Association, and this Bill gives effect to that recommendation. I do not think I need say anything more to commend it to the acceptance of the House.

Sir, I move.

The Motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

THE HONOURABLE SIR ALAN LLOYD : Sir, I move :

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

The Motion was adopted.

MEDICAL DIPLOMAS BILL.

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD (Education, Health and Lands Member): Sir, I move :

“ That the Bill to make the provision referred to in sub-section (1) of section 120 of the Government of India Act, 1935, as passed by the Legislative Assembly, be taken into consideration.”

Honourable Members must have seen from the Statement of Objects and Reasons that this Bill has been introduced at the request of the Indian Medical Council. The main object of the Bill is that if we consider that any particular diploma given in the United Kingdom does not indicate a sufficient skill in the practice of medicine, then we should have the power of preventing such a diploma holder from either being registered or being allowed to practise in this country. Under the Government of India Act, section 120, before we can take such action, certain conditions are laid down, and it is with the object of conforming to the conditions laid down in the Government of India Act that we have brought in this legislation. We have also included Burma in it because the position is the same. If a medical diploma is given by the Burma Government, we cannot prevent the holder of such a diploma from practising in this country, even if we think that his diploma does not indicate a sufficient skill in the practice of medicine, unless we also make provision for an appeal to the Privy Council. Therefore, we have also included Burma in the Bill. I may inform Honourable Members that the holder of an Indian diploma can practise in the United Kingdom but if the British Medical Council wish to challenge his right of practice, then he has a right of appeal to the Privy Council. Our object is to put ourselves in a similar position by complying with the provisions of section 120 of the Government of India Act and it is for this purpose that we have introduced this Bill.

Sir, I move.

THE HONOURABLE MR. P. N. SAPRU (United Provinces Southern : Non-Muhammadan): Sir, the object of this Bill has been lucidly explained by the Honourable the Leader of the House and I desire to give this Bill my support. But there are just one or two points on which I should like to be enlightened. The Honourable the Leader of the House says that Indian medical diplomas are recognized in England. So far as I know Indian medical degrees of certain Universities are registrable in England but so far as the diplomas are concerned they are not registrable in England—for instance the L. M. P. Diploma of Agra or the L. M. P. of Amritsar ; they cannot be registered in England.

THE HONOURABLE THE PRESIDENT : Are they sufficiently qualified ?

THE HONOURABLE MR. P. N. SAPRU : I should not like to have any L. M. P. at all. What I wanted to ask the Leader of the House—I think I am entitled to put the question—is whether it is or it is not a fact that these L. M. Ps. are not recognized in England ? I do not know whether the apothecary's qualification in England is higher than the qualification of the L.M.P. in India. The apothecary's course is only a four years' course and it is the lowest medical qualification as far as I know.

[Mr. P. N. Saprū.]

Then, there is another question on which I should like just to say one or two words. I hope the Government will do something to deal with this problem of foreign non-British practitioners in India. You have got a large number of Jewish practitioners now earning a large income in Calcutta and Bombay, and they have sprung up in Delhi and Lucknow also, and they are cutting into the practice of the Indian and European practitioners who are *bona fide* residents of this country. We have got a great deal of sympathy with the Jews—they are the victims of Hitlerism—we have got a great deal of sympathy with this oppressed race; we have got a great deal more sympathy with ourselves. I think some legislation ought to be introduced which would put these medical qualifications on a sound basis. Everybody ought not to be allowed to practise medicine in this country. We have got here the largest number of quacks; we have got hakims, vaid, homœopaths. I think something ought to be done to put matters right so far as the practice of medicine in this country is concerned.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS (Punjab : Non-Muhammadan) : Sir, apothecaries, so far as my information goes, are not allowed to practise in England. In India apothecaries are posted even as civil surgeons of districts. I know the case of a Government official who was being treated by an apothecary civil surgeon and the poor fellow had to be confined to bed for over three months.

THE HONOURABLE SIR DAVID DEVADOSS (Nominated Non-Official) : Whose fault ?

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : The apothecary's. Then to the good fortune of the patient the apothecary civil surgeon was transferred from the district and an I.M.S. officer came in. He diagnosed the disease aright and he addressed the patient, "You will be cured in a week or so" and in a week that officer was cured. So the inference from this incident is that apothecaries, generally speaking, are not as competent as I. M. S. or M.B.B.S. officers and that the system of making apothecaries civil surgeons or asking them to treat patients ought to be discontinued. As far as foreign doctors are concerned, I may say that as long as they are experts and as long as they are capable of curing many hopeless cases, no restriction should be placed against them, but for those who are not very efficient or hold bogus degrees there must be certain restrictions in the interests of our medical graduates who are finding it very hard to make two ends meet and in maintaining soul and body together. I would at this stage say that the system of having those people who are not fully qualified to practise in England their practising in the civil department must be discontinued in the interests of the public.

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : Sir, I am afraid that the questions that have been raised really do not concern the Bill which is before the House : whether legislation should or should not be introduced to restrict the practice of Jews who have taken refuge in this country through the persecution of the Nazi Government is quite beside the point. The point that I wished to emphasise was that, unless this provision is made as

stated in the Bill, it is not possible for us here to prevent a man from practising medicine who has a United Kingdom diploma, even if we think that that diploma does not indicate that he has a certain medical skill. That is to say, unless this legislation is passed, we cannot prevent him from practising, since under the Government of India Act, section 120, it is enjoined that this power of appeal to the Privy Council should be laid down by legislation of the Federal or Provincial Legislature and it is in order to comply with that provision that this Bill has been introduced.

THE HONOURABLE THE PRESIDENT : Motion made :

“ That the Bill to make the provision referred to in sub-section (1) of section 120 of the Government of India Act, 1935, as passed by the Legislative Assembly, be taken into consideration.”

Question put and Motion adopted.

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

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : Sir, I move :

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

The Motion was adopted.

INDIAN TARIFF (FOURTH AMENDMENT) BILL.

THE HONOURABLE SIR ALAN LLOYD (Commerce Secretary) : Sir, I move :

“ That the Bill further to amend the Indian Tariff Act, 1934 for a certain purpose, and to validate the levy and collection of certain duty under that Act, as passed by the Legislative Assembly, be taken into consideration.”

This may be called a two-clause Bill. The proposal contained in clause 2 is designed to provide a minimum *ad valorem* duty in the case of perfumed spirits which are liable to a specific standard rate of duty. Before the recent amending Act was passed, all the items contained in Item No. 22 (5) of the Tariff Act were subject to preferential duties. There was, however, a higher and a lower rate of duty. By the amending Act recently passed, the lower rate of duty was abolished in the case of perfumed spirits. There is a proviso to item 22 (5) saying that where there is a higher and a lower rate of duty there should be a minimum *ad valorem* duty of 30 per cent. corresponding to the higher specific duty and a minimum *ad valorem* of 20 per cent. corresponding to the lower specific duty. That proviso was not applicable where there was a single rate of duty. This point was overlooked ; had it been noticed at the time, the change which is now proposed by the present amendment would have been made. A minimum *ad valorem* duty would have been imposed and it would have been 25 per cent. which is the rate to which the other preferential duties of 20 and 30 per cent. which were recently abandoned were changed.

As regards clause 3, this is the result of a rather curious legal nicety. The Tariff Act, before the end of last year, imposed a protective duty on wood pulp. In the recent amending Bill it was proposed to change it to a revenue duty of 25 per cent. That amending Bill contained other provisions relating

[Sir Alan Lloyd.]

to protective duties and had a declaration under the Provisional Collection of Taxes Act which said that the new rate of protective duties should have force from the date from which the Bill was introduced. No reference was made to revenue duties because the rate of 25 per cent. would in any case apply in the absence of any other rates because, if there was no rate prescribed at all for wood pulp, 25 per cent., the general rate for articles not otherwise specified, would apply. In the course of passage through the Legislature this duty was however changed from a revenue duty of 25 per cent. to a protective duty of 25 per cent. or Rs. 30 per ton, whichever is higher. It therefore called for the declaration under the Provisional Collection of Taxes Act which made provision for protective duties; but that could not be done retrospectively without special legislation. It is that special legislation of a retrospective character which is contained in clause 3 of this Bill. There is nothing in either part of this Bill beyond the rectification of what may be described as natural but unfortunate mistakes.

Sir, I move.

The Motion was adopted.

Clauses 2 and 3 were added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

THE HONOURABLE SIR ALAN LLOYD : Sir, I move :

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

The Motion was adopted.

COMMERCIAL DOCUMENTS EVIDENCE BILL.

THE HONOURABLE MR. E. CONRAN-SMITH (Home Secretary) : Sir, I move :

“ That the Bill to amend the Law of Evidence with respect to certain commercial documents, as passed by the Legislative Assembly, be taken into consideration.”

Sir, the genesis of this Bill is to be sought in certain observations of the High Court of Bombay made in the year 1925 on the inconvenience and delay resulting from the absence of any provision in the existing law of evidence whereby such commercial documents as are accepted as *prima facie* correct in commercial circles are made admissible as evidence without requiring further proof of authenticity. My first acquaintance with this Bill was when two chaprasis staggered into my room under a load of files which on further inspection turned out to be samples of commercial documents. I state this fact merely as a partial explanation of the delay which has occurred in bringing this Bill finally before the Legislature.

Scrutiny of an immense number of documents with the help of experts was involved, and this is also an explanation of the comparative length of the Schedule to the Bill. Moreover, the fullest consultation with Provincial Governments and commercial bodies had to take place, as their views were required on the actual documents to be included in the Schedule. The result of

these labours is now embodied in the Bill before the House. As regards the Bill itself there is only one clause which calls for particular comment. Honourable Members will observe that in clause 3 a distinction is made between documents which the Court shall presume, and documents which the Court may presume, to have been duly made by or under the appropriate authority and to contain accurate statements. The words " may presume " and " shall presume " are used in the sense in which they are used in the Indian Evidence Act. In the case of documents with regard to which the Court may presume, the Court may either regard the document as proved until it is disproved or may call for proof. In the case of documents with regard to which the Court shall presume, the Court shall regard those documents as proved unless and until they are disproved. An examination of the documents proposed for inclusion in the Schedule showed that in some cases while there was no ground for excluding the documents altogether, nevertheless, their nature was not such as to justify an obligation on the Court to presume their authenticity. It may interest Honourable Members also to know that there was a clause in the original Bill as introduced which gave the Governor General in Council power to direct by notification that any document should be added to, or removed from, the Schedule. On further consideration, however, it was realized that that clause was *ultra vires* of the Constitution in that it purported to confer on the Central Government executive authority in the exclusively provincial field. The clause was, therefore, omitted and as a result, a change in the Schedule can only be made by legislative action either at the Centre or in the provinces. The provisions of the Bill, I think, call for no further comment, and I commend them to the House.

Sir, I move.

The Motion was adopted.

The Schedule, Parts I and II, were added to the Bill.

Clauses 2 to 4 were added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

THE HONOURABLE MR. E. CONRAN-SMITH : Sir, I move :

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

The Motion was adopted.

MOTION RE REPORT OF THE PACIFIC LOCOMOTIVE COMMITTEE.

THE HONOURABLE SIR GUTHRIE RUSSELL (Chief Commissioner for Railways) : Sir, I move :

" That the Report of the Pacific Locomotive Committee be taken into consideration."

Sir, I would like to say at the outset that but for his pre-occupations in the Assembly, the Honourable the Railway Member would have been here for this debate today. Whether he will be able to manage to get here this afternoon, I cannot say. That will depend on the course of business in the Assembly.

[Sir Guthrie Russell.]

Sir, exactly a week ago today I had the pleasure of listening to a debate in the Assembly from the Official Gallery on a similar Motion to that which I have just moved. One of the Honourable Members of that House, in thanking the Honourable the Railway Member for postponing the debate for 10 days in order to give Members an opportunity of studying the Report, frankly stated that if he—and he included other Members of that House—had been given 50 years to study the Report, they would still not have understood the technical portions leading up to the recommendations of the Committee. Whether the Honourable Member was correct in his estimate of the technical knowledge of the Members of the Lower House, I know not, and though I am quite sure the same statement could not have been made with truth in this House, I do think that all Honourable Members will agree that there are many portions of the Report which are very difficult for an ordinary layman to understand, and the interpretation of these must be left to skilled engineers. In this we are quite safe, for it is clear from the reception which the Report has had in the technical press that it is looked upon as a great contribution to the science of locomotive practice and design. I would like here, on the floor of this House, to pay my tribute to the members of the Pacific Locomotive Committee for the vast amount of work they have done for us. I have little doubt that their recommendations will go a very long way towards the solution of our particular problems in India. I may say that such experiments as we have already carried out lead us to hope that the alterations to the locomotives which have been recommended by the Committee will be the final solution of our problems. I would point out, however, that the Committee themselves sound a note of warning and emphasise that until we are satisfied by experiments that their recommendations are correct, and that these locomotives are fit to be put back on fast services, we should retain the speed restrictions which are at present in force. This, I may say, will be the policy of the Railway Board. In my speech today, I propose to avoid as far as possible abstruse technical matters. But if any Honourable Member of this House raises a question which involves a technical explanation, I shall do my best to reply to it.

I propose to divide my remarks into three general parts—past, present and future. First the past. No one hates *post mortems* more than I do. It is easy to be wise after the event. Since the Report of this Committee has come out, I have often said to myself, "What would you have done if you had been the Chief Commissioner of Railways when the decisions which were taken had to be taken?" and quite honestly I have found it very difficult to answer that question. It is quite impossible to place one's self in the position of those who were responsible for the decision that was come to and know what was in their minds. Of one thing I am quite certain, and that is, that what they did they did for the best. We do know what the position of Railways was then. India had come through the turmoils of the Great War, the Indian Railways had done their bit. The Indian Railways had done their bit, but they had done this perforce at the expense of repairs, maintenance, renewals and essential additions to their assets. I cannot sum up the position better than by a quotation from the Acworth Committee Report. This is as follows :

"There are scores of bridges with girders unfit to carry train loads up to modern requirements. There are many miles of rails, hundreds of engines, and thousands of wagons whose rightful date for renewal is long over-past".

THE HONOURABLE MR. HOSSAIN IMAM : When was this Report made ?

THE HONOURABLE SIR GUTHRIE RUSSELL : In 1920-21. That was the position as assessed by a Committee which had as its Chairman probably the world's greatest railway economist, Sir William Ackworth and the Committee had among its members various notable Indian business men.

This however was not the only problem with which Railways were faced. Between 1913-14, the year the war started, and 1922-23, the fuel bill had gone up by just over Rs. 5½ crores, or by considerably more than 100 per cent., with an increase in train mileage of only 9 per cent.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Could he give us the figures for coal for 1927-28 ?

THE HONOURABLE SIR GUTHRIE RUSSELL : It was in 1922-23 that the Railway Board committed themselves to the policy which is under consideration at the present moment, but if the Honourable Member wishes the figures for 1927-28 I can probably get them for him this afternoon. As I was saying, the train mileage had increased by 9 per cent. only whereas the coal bill had increased by 100 per cent., a remarkably serious position. These were the two major problems before the Railway Board, the general question of rehabilitation of the Railways and the question of reducing working expenses. How did they tackle these problems ? First, the Legislative Assembly voted a programme of Rs. 150 crores to be spread over five years for rehabilitation. The Railway Board drew up a programme of bridge, rail and locomotive renewal. All these were co-ordinated, that is, bridges and rails were designed to carry the axle load of the proposed new locomotives. It is well known that at that time, so long as the track and bridges were capable of supporting the virtual load of a locomotive everything was considered to be well. Little was known of the transverse forces that were set up by moving loads and nothing was known of the flange forces with which we are all now so familiar, as a result of research—research to which India has contributed in no small measure, I may say here that two of our officers during the past summer have been spending their leave carrying out experiments to determine the flange forces set up by the great Pacific locomotive on one of the railways of Great Britain.

I shall now turn for a moment to the policy of standardization. As far as can be traced, from 1901 onwards Indian Railways had been making attempts to introduce standardization of locomotive types with the help of the British Engineering Standards Association. With their help certain types were evolved and in 1910 1,313 of these types were in service in India. Initial troubles were experienced with a certain number, but after these were eradicated they were all successful. Naturally, the intervention of the Great War slowed up this process, but in 1922 the Railway Board took up the question again, and in 1923 all Railways in India accepted the policy of complete standardization of all types of locomotives, coaching and goods stock and a Committee was set up to prepare designs to carry out this policy and to put Railways in a position to meet what were considered then to be the needs of traffic in prospect.

Now, at this point I should like to emphasise that practically all the standard locomotives were renewals. They were not additions to our stock. I

[Sir Guthrie Russell.]

believe that roughly 90 per cent. of the locomotives ordered were renewals, not additions. I would also like to say that when the Rs. 150 crores programme was evolved it was estimated that 600 locomotives would be required per annum to meet the anticipated needs of traffic. This was undoubtedly too optimistic a view, but I hardly think Railways can be entirely blamed for this. It was the general view of the business community at that time that India was in for a very long period of prosperity.

Now, as Honourable Members are aware, the chief duty of the Pacific Locomotive Committee was to inquire into the design, purchase and continued purchase of the Pacific class of locomotives. There were also a certain number of technical details which they were asked to inquire into, but those were all involved in their three main duties. As regards design the first thing the Locomotive Standards Committee, that is the Committee which I have just referred to, which was set up when it was decided to go ahead with this rehabilitation programme—the first thing they had to do was to decide on what were the best types of locomotives to adopt for each class of service and to prepare designs for these. In doing this they had to bear in mind that the fuel bill had to be reduced, and the only way to reduce this was to order locomotives which were capable of handling heavier loads, thus reducing train mileage and at the same time burning lower grades of fuel. This meant that the locomotives had to have larger grate areas. It was not possible to obtain these larger grate areas within the limits of the frames of the existing B.E.S.A. standard locomotives. The fire box had therefore to be located behind the driving wheels; the weight of this had to be supported by an extra pair of wheels which are called the hind truck, and thus we got the famous Pacific locomotive. There was no alternative, so far as passenger locomotives were concerned, to get the power we wanted, but to adopt the Pacific locomotive type. That is admitted by the Pacific Locomotive Committee. Now, there was nothing new in the type. It was fast becoming the most popular type for fast passenger services throughout the world. It was in use on one of the great railways of Great Britain. Now, as to the detailed design of particular locomotives, Honourable Members who have made a study of the Pacific Locomotive Committee Report will have noted that the alterations recommended by the Committee mainly centre round the bogie and the hind truck. I have studied the correspondence which went on between the then Railway Board and the Consulting Engineers. They had differences of opinion on various points but there was practically no difference of opinion in regard to the design of the bogie and the hind truck. The bogie adopted was the bogie which had been in use for 20 years on the B.E.S.A. 4-6-0 standard and is still in use on these locomotives. Of the hind truck we had no experience except for two locomotives which were then on the B.B. & C.I.R., two on the E.I.R. and, I think, two on the M. & S.M.R. The hind truck adopted was—

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: The M. & S.M.R. was not allowed to buy X class Pacific engines. They had two Pacifics which
1 P.M. were of American make.

THE HONOURABLE SIR GUTHRIE RUSSELL : Perfectly correct ; they had two, the B.B. & C.I.R. two and the E.I.R. two. The design of hind truck adopted was the same as that which has been adopted by the London & North Eastern Railway in Great Britain, and, as I said, there was nothing new about either the bogie or the hind truck. With the knowledge that was then available neither our people out here, nor our Consulting Engineers nor the builders had any reason to believe that what had been successful before would not be successful in India. Events have proved them wrong, but, as I have already said, it is very easy to be wise after the event. In assessing responsibility, we have got to consider the state of the knowledge existing at the time the original designs were prepared. In all the circumstances I have explained, I trust the Council will agree that at least the designers cannot be held responsible for such failure as there has been.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : I want to know whether or not your consultants consulted French engineers who finding a similar defect in such engines did put it right at a much earlier time.

THE HONOURABLE SIR GUTHRIE RUSSELL : I believe they did. Knowledge from all parts of the world is available with our Consulting Engineers.

Now, coming to the second charge, the purchase of the locomotives without trial, I have already explained the position the Railways were in when the decision was made. In justice to those who made this decision, this position must be taken into account. Bulk purchases had to be resorted to or a design which was then considered to be obsolete would have had to be perpetuated, and it has to be remembered that the life of a locomotive is from 35 to 40 years, so that the Railway Board then would have committed themselves to locomotives then considered obsolete for from 35 to 40 years. Complete trial would have taken from five to six years. Preparation of the design and building the first batch of locomotives would take two years, two years for trial and probably a year or 15 months for the second batch to be made. That would have further meant a delay in reducing our working expenses and delay in the use of low grade fuels. Further, the Pacific Locomotive Committee themselves have pointed out that even trial with the knowledge we then had would probably not have eradicated all our troubles, though the chances are that fewer of this type of locomotives would have been in service than at present. There is one strange feature about these locomotives. It is their behaviour on different Railways. If XCs had been tried on the B.B. & C.I.R. and the N.W.R. they would have been voted a complete success, and there would have been justification for placing the order. The same is true of XBs on the M. & S.M.R. XAs, after removal of one small error in design, would have also been voted a success by almost any railway, and certainly by the two railways on which they have been mainly employed the N.W.R. and the G.I.P.R. As a result of research, engineers would realize much more fully than they did in the past that the locomotive and track are to all intents and purposes part of one machine. A locomotive in good repair will not hunt on track also in good repair. If a locomotive is run over the same section of track several times, it will always oscillate at the same place until the defect in the track is removed. Personally I believe—and this is my own opinion—it is questionable whether the purchase of two trial engines would have enabled

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the Railway Board to come to a definite decision as to whether the particular type of locomotive was a success or not. I will take the link on the Lahore-Karachi Mail service and the Lahore-Karachi Express service. By link I mean the number of locomotives which works a particular train or number of trains. If two Pacific locomotives had been placed on this link, it would have meant that only one locomotive would have run over the same section of track each day; if you have a complete link of Pacific locomotives, four locomotives pass over the same section every day, and the effect of four locomotives passing over a particular section of track on one day is entirely different from the effect of one locomotive. One locomotive might not show up the defects in the track, whereas four locomotives might. Actually of the 284 Pacific locomotives in service in India today, 65 out of 113 of the XA type were ordered without any trial; 54 out of 99 XB type were ordered without any trial; and all the 72 XC type locomotives were ordered without any trial. Of the remainder 27 XA type locomotives were ordered after the first batch had been in service for about six months up to which time no complaints had been received. The remaining 21 were ordered after the first batch had been in service for just over a year within which period a certain amount of trouble had been experienced, but this was looked upon as teething trouble which could be put right very much in the same way as the trouble with the B.E.S.A. standards had been put right. In the last two batches the rear truck spacing was altered with the object of improving the riding of the engines and damping out oscillation. As regards the XB type, the second batch of 27 was ordered after the first batch had been in service for a few months within which time no complaints had been received. The purchase of the next batch of 16 was authorized after a certain amount of trouble in the first batch had been experienced but here again as in the case of the XA type it was not realized that extensive research would be necessary to trace the real source of the trouble, and there was no reason to believe that the locomotives were in any way inherently unsatisfactory. The last two were ordered in 1924 at the special request of the M. & S.M.R. to complete a link and I must claim responsibility for the purchase of these two. The M. & S.M.R. never had any trouble with these locomotives and in fact up to the date of the Bihta accident, the locomotives were running at unrestricted speed at all times of the year—70 miles an hour.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: I want to know whether any mechanical tests were carried out on the front bogie and hind truck. You were speaking of experience. What is the experience?

THE HONOURABLE SIR GUTHRIE RUSSELL: When these locomotives were purchased the only method of deciding whether a locomotive was suitable or not was to see what it felt like on the footplate. There was no apparatus in those days to find out what the flange forces were which have proved to be the root of the trouble.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: How did they—

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD (Leader of the House): May I suggest, Sir, that the Honourable Member will have an

opportunity to put all the questions when he speaks ; it will be more convenient for the House to have all questions answered together.

THE HONOURABLE SIR GUTHRIE RUSSELL : Excluding, therefore, the two XBs purchased in 1934 for the M. & S.M.R., for which I claim responsibility, the actual continuous purchase boils down to the purchase of a batch of 16 XB locomotives, six of which were for the M. & S.M.R., where, I think, they can be considered to have proved a really great success.

The position today is that Railways in India have close on 1,000 standard locomotives in service or on order, of which 284 are Pacific standards—the locomotives for which the justification is now under consideration. With the exception of these X class Pacifics, or a certain number of them, the other types are a success and fulfil the requirements for which they were designed. Now, let us assume for one moment that the Railway Board had stuck to their policy of trial before purchase, what would our position have been today? This, of course, must to a certain extent be surmise but I think we can make a fairly reasonable guess. If trials had been carried out, these would not have been completed till about 1930-31. By that time there were ominous signs of the depression which were ahead of us, and we would have had considerable difficulty in justifying the purchase of new locomotives. As it was in 1930-31 we had a "nest egg" of powerful locomotives, not only Pacific types, but all other types, which was gradually increased during the depression. As when it was possible, we purchased new locomotives, so that when trade began to revive with its increasing traffic we were in a position to meet the needs of traffic.

Now, Honourable Members would probably like me to say something about the performance of the different types of Pacific locomotives. First, the XAs. When these were used on the services for which they were designed, namely, mixed traffic and branch line traffic, they gave little or no trouble. They had, however, in an emergency to be utilized on the main line of one railway. The reason for this was that on account of the slowing up of relaying partly due to the depression and partly for traffic reasons, it was not possible to place the heavier B.E.S.A. type locomotives on certain sections of the line because the rails could not carry the load as the axle load of the B.E.S.A. wheels is $17\frac{1}{2}$ tons to the $13\frac{1}{2}$ tons of the XA. The locomotives then in service and which were replaced by XAs were between 40 to 45 years old and to have continued running them would have necessitated renewing their boilers. Now, a boiler lasts for about 20 years, so it was an entirely uneconomical proposition. These XAs on five occasions, while operating on fast services, had a pair of their bogies wheels derailed. The cause of this was found to be either a previous defect in design or construction and when this was put right no further trouble occurred. There was only one occasion on which an XA has been fully derailed and that has been put down to defective track. And it is interesting to note that when these XAs were finally transferred from the section which I have mentioned, the drivers appealed *en masse* to the local officer in charge not to remove XAs from that section because they were the best engines they had ever driven. They said they were infinitely better than the B.E.S.A. type.

Now for XCs. No XC has ever been derailed. A speed restriction of 45 miles an hour on the E.I.R. has been enforced, but the necessity of this is,

[Sir Guthrie Russell.]

I think, mainly due to the fact that the E.I.R. runs through vast tracts of black cotton and other unsuitable soil and the formation is not as good as one would like. On the N.W.R. and the B.B. & C.I.R., after certain initial trouble when they came out and the removal of track defects, they have given no trouble whatsoever. They have been running up to 60 miles an hour and on the N.W.R. main line up to Karachi the speed today of XC engines is 60 miles an hour. It is estimated that the employment of XC engines on the Lahore-Karachi service of the N.W.R. has saved at least Rs. 5½ lakhs a year. By their employment it has been possible to turn what was before a first, second and inter train only into a first, second and third class train. It actually now carries 483 third class passengers. On the B.B. & C.I.R. it has enabled the Railway to save the double heading of the Frontier Mail on many occasions. And anybody who is familiar with railway operations knows what a saving that means. We again come down to the question of track. The success of these engines on the N.W.R. and B.B. & C.I.R. has been mainly due to the fact that the track is on a first class formation.

Finally, we come to the XB engines. There is no question that these have caused trouble. We have had three serious accidents culminating in the great disaster at Bihta in 1937. But here again, I would remind the House that the Honourable Sir John Thom in his Report made it clear that the Bihta accident would not have occurred had the speed limits then in force been strictly observed. What he said was :

“ There is nothing in the evidence to justify the conclusion that the track at the site of the accident would have been distorted by an engine running steadily or by an XB engine running at 45 miles per hour or under ”.

The 45 miles mentioned by Sir John Thom is the actual speed restriction that was in force when the accident happened.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Sir John Thom's finding is that that speed was considerably exceeded by the driver.

THE HONOURABLE SIR GUTHRIE RUSSELL : What I said was that that speed restriction was in force. Now, I would like to assure the House again that, until these experiments which the Pacific Locomotive Committee have suggested have been carried out, no relaxation of the speed restrictions will be allowed. No one deplors the Bihta disaster more than I do. Nothing can compensate for the loss of life involved in this. With this behind us it may seem inappropriate to refer to the financial effect of the purchase of these locomotives. But I feel that I must do so in passing. I have no doubt in my own mind that the purchase of these locomotives despite the trouble which a certain number have given was justified on financial grounds. I have already given examples of the savings which have been effected on one of our services—savings which have paid for the locomotives employed at least two or three times over. Now as to the future. When these locomotives have been altered in accordance with the recommendations of the Pacific Locomotive Committee, I have every hope that they will have many years of useful life before them in the services for which they were originally designed. If I had been making this speech this time last month, I would have concluded here. But during

the past three weeks the future has entirely changed. If the war is prolonged, the same situation may arise as did in the Great War, 1914—1918, when the resources of Railways were taxed to their utmost. If that contingency arises, it may be necessary to curtail our passenger services as our capacity may be occupied by goods traffic. If this is so, it will be possible to divert at least the XC and XB locomotives from passenger to fast goods traffic for which they are eminently suitable in a way that no other passenger locomotives in India are. So what the Pacific Locomotive Committee have described as an error of judgment—and I do not want to contest their opinion—may end by helping us to solve our difficulties in the near future.

Sir, I have endeavoured to confine myself to facts, and not to the defence of the policy adopted by the Railway Board in the past. Having given the facts and having described the position of Railways when these purchases were made, I shall leave it to the Council to decide whether there was any serious failure on the part of the Railway Board as custodians of the Railways of India.

THE HONOURABLE THE PRESIDENT : Motion made :

“ That the Report of the Pacific Locomotive Committee be taken into consideration.”

I shall adjourn the House at this stage till a Quarter to Three of the Clock, when the debate on this Motion will proceed.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : This question is very important, Sir. I suggest we meet again at 2-30 P.M.

(The Honourable Rai Bahadur Lala Ram Saran Das supported the Honourable Mr. Kunzru.)

THE HONOURABLE THE PRESIDENT : I suggested 2-45 P.M. for the convenience of Members.

THE HONOURABLE SIR A. P. PATRO : 2-45 P.M. will be all right, Sir.

(Some Honourable Members at this stage suggested 2-30 P.M. and others 2-45 P.M.)

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : The general opinion is 2-30 P.M. The Honourable Sir A. P. Patro probably does not represent the general opinion of the House.

THE HONOURABLE SIR A. P. PATRO : I do not follow you ?

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : I may say, Sir, that as far as we are concerned, we are prepared to meet at 2-30 P.M.

THE HONOURABLE MR. HOSSAIN IMAM : I agree, Sir.

THE HONOURABLE SIR A. P. PATRO : It will not be convenient for us to come at 2-30 P.M.

THE HONOURABLE THE PRESIDENT : You can come a few minutes later.

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

The Council reassembled after Lunch at Half Past Two of the Clock, the Honourable the President in the Chair.

THE HONOURABLE THE PRESIDENT: The debate will now resume on Sir Guthrie Russell's Motion. I may, however, point out that Sir Guthrie Russell's Motion is in the nature of a Resolution and is covered by rule 24A and therefore the time limit regarding speeches on resolutions applies to this Motion also. I had to allow 15 minutes extra to Sir Guthrie Russell because he had to place before the Council the whole history of the policy of the Government of India regarding the purchase of engines for the last 45 years. I therefore request Honourable Members to confine themselves to 15 minutes.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU (United Provinces Northern : Non-Muhammadan): Mr. President, I am sure every one here will join my Honourable friend the Chief Commissioner for Railways in bearing testimony to the valuable character of the work done by the Pacific Locomotive Committee. This Committee, let us however remember, was the outcome of the recommendation made by Sir John Thom in his Report, for which he has not yet received a word of thanks from the Government of India. Those of us who sit on this side of the House however feel greatly indebted to Sir John Thom for having recommended the initiation of an inquiry regarding the utility, purchase and continued purchase of engines of the X class. The Railway Board might themselves in view of the findings of Sir John Thom have taken such a step, but the fact remains that the Report to which we are now devoting our attention was due to the recommendation of Sir John Thom.

Sir, the Committee seems to have proceeded on the principle that nothing but good ought to be said about those who have departed from the scene of their labours. We ought to bear this in mind in assessing their criticism at its proper value. They have tried to look at past events in the best possible light and to give the benefit of every conceivable doubt to those who were responsible for the purchase of engines of the X class. Their language is therefore one of great self-restraint, but this very fact ought to go to show that even a slight criticism on their part should be regarded as a greater condemnation than the stronger criticism that might have been made by a Committee differently constituted.

Sir, in considering the Report of the Committee we are concerned with two things, first, the character of engines of the X class and the responsibility for their purchase, and second, with regard to the steps that should be taken in future in order to prevent a repetition of the mistakes that have been made in the past. Now, my Honourable friend the Chief Commissioner for Railways dealt with the question mainly from the technical point of view. I am afraid I cannot follow him there, but I am bound to tell him that even after taking into consideration all the extenuating circumstances on which he dwelt the Pacific Locomotive Committee have definitely come to the conclusion that it was incautious on the part of the Railway Board and inconsistent with their past policy to have gone in for the purchase of as many as 218 engines in the course of three years without having given them a proper trial.

My Honourable friend made very skilful use of the statement made by the Committee that even if a longer trial had been given the troubles which the Committee was required to consider would not have been cured. Well, nobody can be certain on this point. They might not have been cured but at the same time a smaller number of such engines would have been purchased. This fact assumes special importance in view of the warning repeatedly given to the Railway Board by the Consulting Engineers in London. Both in 1926 and in 1927 they strongly impressed on the Board the necessity of greater caution and of purchasing only a small number of engines in order that any hasty action might not have to be repented at leisure. But the Chief Commissioner for Railways, while not referring to this criticism, dealt with it by saying that if a small number of engines had been purchased the trial would not have been adequate. Now, as the time at my disposal is limited I cannot go into any details on this question, but I would draw his attention to the White Book containing their decision on the recommendations of the Committee circulated by Government to Members of the Legislature. It is stated here, Sir, that—

“ The number of engines of any new type to be ordered will be restricted to not more than two for each railway requiring them, and no further orders for the particular type will be placed until the trial engines have been fully tried out and proved satisfactory for the services for which they are required ”.

This is a sufficient answer to the Chief Commissioner for Railways and this indeed was the policy of the Railway Board in 1921. Sir, the B.B. & C.I.R. wanted to buy as many as 20 engines then. But the Railway Board themselves repeatedly advised caution and would not allow the purchase of more than two Pacific engines. They enforced the same restriction in the case of the E.I.R. Later on the M. & S.M.R., which had two Pacific engines of an American make known as Baldwin Pacifics asked for permission to buy two English made Pacific engines in order to compare engines of both the makes ; the Railway Board still demurred to the request and thought that six engines whose purchase they had already allowed, namely, 4 British Pacific and two American Pacific engines, would be quite enough. Now, Sir, these facts go to show that the case of those who regret the hasty action taken by the Railway Board is not as feeble as the Chief Commissioner for Railways tried to make out. I dwell on these facts, particularly because of the inquiry instituted into the Bihta case. There, prominent officers of the E.I.R., even denied that the XB engines hunted. They proceeded to discuss questions of scientific theory when the inquiry was concerned with matters of fact which placed the hunting of these engines beyond all possible doubt. However, Sir, what has been done cannot be undone. If the Railway Board will freely recognize its responsibility in this matter, perhaps its point of view with regard to the future will change and it is this future that I am concerned with.

The Committee has made a certain number of very important recommendations in this connection which require the earnest attention both of Government and of the Council. They have recommended in the first place that research work on railway problems should be expanded in this country. I personally welcome this recommendation. If there has been any opposition to the enlargement of what is known as the Central Standards Office of the Railway Department, it has been due largely to the paucity of the

[Pandit Hriday Nath Kunzru.]

Indian element in it. If the Railway Board will not merely enlarge this office and increase its responsibility but also increase the Indian element on it so that Indians might acquire experience and that valuable knowledge gained by them should remain in the country, I have no doubt whatsoever that the question of the expansion of research work will in future be considered in a different light to that in which it has been regarded in the past. This matter is important also from another point of view. I have already stated that the Committee were very restrained in their criticism of the actions of those whom they had to criticise but I cannot help drawing the attention of the House to a remark made by them with regard to the Consulting Engineers, the value of whose services they have freely recognized. They say that the Consulting Engineers offered to help the Board and that their help was not taken advantage of by the Railway Board ; but add :

“ We cannot help feeling, however, that the Consulting Engineers should have realized earlier, from the information being received from India, that there was a problem to be solved in connection with the riding of these engines ; we are of opinion that, with their world-wide contacts, they should have been able to obtain a valuable lead from the experience of other countries ”.

In other words what they say is that although the Government of India have had dealings with the same firm for nearly 70 years and it is situated at a centre at which knowledge of railway problems with regard to the whole world can be gained, it failed to appreciate the importance of the problem that confronted the Railway Board. It seems to me that their view is that the Consulting Engineers should from their experience have been able to advise the Government of India on their own initiative and to give them some help in the solution of the problem with which they were concerned. The expansion of the work of the Research Office acquires considerable importance if we bear this in mind. No one can say, Sir, that if all our requirements are obtained from this country that no problems will arise, but if the designers belong to this country, if the engineers who have to be consulted were conversant with not merely past conditions in India but with also the present day conditions and if our locomotives could be manufactured here, the danger of committing mistakes in future will be considerably obviated. I therefore draw the attention of Government forcibly to the remarks made by the Committee regarding the practicability of manufacturing locomotives in this country. When I speak of locomotives I mean broad gauge locomotives ; metre gauge locomotives are being manufactured already at Ajmer in the B.B. & C.I.R. Workshops. If standardization is to be of any value, surely it ought to enable us to put forward a demand for a limited number of types of engines in numbers which would make their manufacture economic. I do not want to discuss this question at any length, because it will be discussed the day after tomorrow. Besides the matter is under the consideration of the Railway Finance Committee and I believe that the Report of the two railway officers who have been appointed to consider the question both from the technical and financial aspects will be laid before the Committee in 1940.

Sir, if I may sum up, my reading of the recommendations made by the Committee is that we should depend as much as possible on ourselves in future and that greater Indianization is needed in every field of railway work. It is needed not merely in the Central Standards Office but also in the seats of authority. We have demanded this on numerous occasions in the past, but the Railway Board, while not totally unresponsive to our request, have on the whole shown themselves very reluctant to carry it out. I am prepared, Sir, to bury the dead past and to make no more mention of it in future if the Government on their part would carry out the recommendations of the Pacific Locomotive Committee in this respect and try to give Indians a larger degree of responsibility than they at present enjoy in regard to the control of their own national railways.

THE HONOURABLE MR. HOSSAIN IMAM (Bihar and Orissa : Muhammadan) : Mr. President, I wish to join the Honourable Pandit Hirday Nath Kunzru in mentioning our gratitude to Sir John Thom and to the Pacific Locomotive Committee for their Report. My only difficulty is that I have to deal with the action of people who are no longer here. If they had been present, I would have been more severe and would have dealt with it without any consideration as I have to do in view of their absence. I also consider, Sir, that this Committee itself observed a great deal of restraint. In spite of this, it had to come to definite conclusions which are anything but complimentary to the Railway Board which gave these orders. I would refer, Sir, particularly to page 135 of this Report, in which at the conclusion of paragraph 174 in dealing with "the trial before purchase policy" they mention that—

"even if, as is claimed the need for the new engines was urgent, we cannot but think that the preparation of the diagrams and specifications displayed some degree of incautious precipitancy".

It is very mildly put, Sir, and coming from an authority of this nature, I think Government should have accepted without mincing matters not only the error of judgment but the neglect of ordinary precaution on the part of the ex-Railway Board.

THE HONOURABLE SIR GUTHRIE RUSSELL : Where did they say that ?

THE HONOURABLE MR. HOSSAIN IMAM : Those were the remarks of the Committee.

THE HONOURABLE SIR GUTHRIE RUSSELL : Neglect of duty is your remark.

THE HONOURABLE MR. HOSSAIN IMAM : I say it was neglect of ordinary duty.

The Railway Board, Sir, had laid down certain rules for itself and the people who broke those rules were guilty of neglect of duty. This they did in spite of the fact that the Consulting Engineers were insisting that there should be no hurry and they should wait ; they disregarded even their own expert opinion and brushed it aside. The reply of the Railway Board,

[Mr. Hossain Imam.]

Sir, is characteristic of the way in which railway officials are accustomed to treat the expert opinion which they themselves consult. I would refer, Sir, to pages 140 and 141.

THE HONOURABLE THE PRESIDENT: If you read too many extracts, you will have no time for your arguments!

THE HONOURABLE MR. HOSSAIN IMAM: Well, Sir, I am going to base my case on what has been the policy of the Railway Board in the past and what it should be in the future. It is not so much that I am concerned with the past as that I want, in order that the future may be guarded, that they should admit their guilt and give us an assurance that things like these will not be repeated in the future. The main reason why I am dealing with this matter is, that Sir Guthrie Russell considers the fact that at the time when these orders were placed the Government had no alternative but to get these Pacific engines or to get an obsolete type of engine. I would remind him that there was a possibility of following the B. N. R. type 4-6-0 rocking grate engines which have been referred to in the Report.

THE HONOURABLE SIR GUTHRIE RUSSELL: When did that happen?

THE HONOURABLE MR. HOSSAIN IMAM: Your people were not able to evolve it then. It was their duty to find out. There was an alternative present which your people themselves found out. If you had not been in a hurry to marry in haste and repent at leisure—you would not have succumbed to the attractions of this type of engine which promised to give very good results on paper but in which all-in costs were never thought of. You showed us a saving, Sir, on the face of it, that it will be able to carry a greater load at a lesser cost. But what were the realities of the situation? Do you carry your goods traffic at lesser cost now? Because you had not that amount of available things to carry, the result was that you were carrying a lesser weight on an engine which was capable of drawing a higher weight, with the result that per mile cost was increased. If you add to that the cost of the repairs which have been enumerated in Chapter X giving the number of frames that have been fractured and other things, I think I may well say that it has been an eye-opener how defective this thing has proved to be. We have never had a complete picture showing what was the cost of carrying goods per ton mile and what is the cost now including repairs and the change of rails and the strengthening of the bridges. All these things cost money. With the B.E.S.A. engine you do not require to have 90-lb. and 100-lb. rails. You did not have to strengthen your girders. You did not have to place N plus 3 sleepers as you are prepared to do now. All these things cost money. If you take a full and comprehensive view of the contributing factors of the cost and then compare it with the cost of that which you term the obsolete type, you will find that for the smaller amount of goods that you have to carry, these engines would have been preferable and cheaper. Added to this are the difficulties which the Honourable the Chief Commissioner stressed when we were discussing the Wedgwood Committee's Report, when he said that the quick turnover of the goods traffic was impossible if we carried the maximum load. The Chief Commissioner will remember that he mentioned that it was

more economical to carry a larger train because we had these XB and XC engines which cannot draw lighter ones and they consumed an exorbitant amount of coal when they have to carry a smaller load. The Honourable Member knows better than anyone else how much coal the former SG engines were consuming. The engines that we condemned consumed 56 lbs. to a mile whereas these XB engines consume 76 lbs. Although for full weight this would be cheaper, the question is, do we carry full weight? If these orders had not been given then, we would have been face to face with the depression, with the result that it would not have been possible to order the engines. I would have welcomed that. If they had not been ordered then, we would have now purchased something more suitable to our conditions. As the Honourable Member himself stated, the XA engines have not been giving much trouble. XAs were cheaper too. Their purchase would not have troubled us. One thing I cannot understand is this. The Pacifics which were ordered before and the Pacifics which were purchased afterwards are materially different. No mention has been made either by the Committee or by the Honourable the Chief Commissioner who is conversant with these matters how this class which was ordered first for the E.I.R. compares with the XB engines. It was of much lighter weight. The loaded weight is 143 tons whereas the light weight of the other is 155 tons. The light weight of XBs is 116 whereas that of PS is only 105. But if it was an improvement, it should have been on the same lines, whereas the lines are not the same. The lines are a little different from the original. But that is a technical matter on which I am not competent even to speak a word. I am only expressing my doubt. I was referring, Sir, to the action of the Railway Board—whether it was justified and whether the Government have admitted the mistakes of the Railway Board or not. I was referring to page 140 when I digressed. This is the remark of the Consulting Engineers:

3 P.M.

“ I urge most strongly that the Railway Board will not order more of these new types till the first have been made and tried out. This trying-out process has always been insisted on in the Railway Board's instructions, and should be adhered to. The first lots will take, in my opinion, a year to construct. Meanwhile, next year's programme will come on ”, etc.

The Railway Board's reply is as follows:

“ The Board have considered your suggestion that no more orders should be placed for new standard locomotives until the trial engines have been tried out, but are unable to agree to placing any further orders for narrow firebox engines, which, in their opinion, are an obsolete type and should not be perpetuated. They are, therefore, of opinion that it would be preferable to order only wide firebox engines in future, but the demands will be reduced to an absolute minimum ” (which means 72 engines in the next lot, Sir; this is my comment) “ until such time that we have sufficient experience of the new trial engines to justify orders being placed ”.

The remarks of the Committee on this are:

“ The Consulting Engineers could do no more than obey instructions; they had advised on the point as strongly as they could, and had received a reply giving reasons of policy for not ordering engines of the older type ”.

“ The Consulting Engineers could do no more than obey instructions; they had advised on the point as strongly as they could, and had received a reply giving reasons of policy for not ordering engines of the older type ”.

[Mr. Hossain Imam.]

Not content with this, the Consulting Engineers again protested. They wrote :

“ The number, however, of locomotives of these new standard types which is being ordered appears to us to be becoming somewhat of a serious matter.....Up to the present, however, we have had indents for no less than 187 new standard engines covering 14 types ”.

The Committee's remarks are very instructive :

“ So marked a change in the policy requires an explanation ” (and that is not forthcoming, Sir). “ We have been at some pains to ascertain the reasons ; there appears, however, to be little recorded on the subject ”.

They say further on :

“ There can be little doubt that this consideration was allowed to outweigh all others, for in their reply to the Consulting Engineers already quoted, the Board stressed their wish to purchase in future only engines with wide fireboxes ”.

They have epitomised their opinion in one sentence further on. No Committee of experts can go further than that. In paragraph 185 they have stated :

“ In our view, the Board's action in this matter was regrettable ”.

Could a Committee of experts express a stronger condemnation than this ?

THE HONOURABLE THE PRESIDENT : Are the Consulting Engineers always infallible ?

THE HONOURABLE MR. HOSSAIN IMAM : In this world, except the Pope, no one claims infallibility, and we, human beings, can never be infallible. But when you admit a person to be an expert, you should not brush aside his opinion as if it were the opinion of mere legislators, fit to be discarded. In this category I place some of the actions of the present Railway Board also in connection with this booklet showing the action taken or proposed to be taken on the Pacific Locomotive Committee's recommendations. There is no mention of the authority who is responsible for this booklet, but I take it, Sir, that it is my Honourable colleague's Department which has given us this booklet.

THE HONOURABLE THE PRESIDENT : Will you please conclude your remarks now ? I have already given you five minutes more.

THE HONOURABLE MR. HOSSAIN IMAM : I am concluding, Sir. I am merely drawing the Honourable Member's attention to page 159 about the permanent way inspectorate. Now, the Committee had recommended that not only gangmen should be taken, but literate mates should be taken. The Railway Board say that literate gangmen are not available. The alternative suggested by the Committee that literate persons might like to come on a higher scale of pay has not yet been thought fit to be considered by the Railway Board. That shows, Sir, how scant attention is paid to the opinions of even experts. We want that the Railway Board should realize its responsibilities and like big people should admit whenever they make mistakes. It is only small people who go on trying to justify their wrong conduct. We have always seen how Mahatma Gandhi admits his Himalayan mistakes. I wish Sir Guthrie Russell would copy him.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS (Punjab : Non-Muhammadan) : Sir, this is a matter of very great importance. From what I have seen of the Report in the time at my disposal the then Railway Board ignored seriously its duty in the matter of ordering wholesale engines.

THE HONOURABLE THE PRESIDENT : I am afraid Honourable Members ought to be a little more careful in using their language. It might amount to error of judgment, but where there is neglect or omission of duty I cannot understand.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : Sir, I have made these remarks because I have found in the Report material enough to justify me in making such statement there being no error of judgment but sheer neglect of duty. On page 15 of the Report you find that in November, 1921 the Railway Board agreed to purchase only two engines of each kind and not 20 engines which the various Railway administrations asked for. The Board say :

“ It would be a mistake to order as many as 20 engines of a completely new design until sufficient experience had proved that their adoption would be a success ”.

On that they said :

“ These four engines be thoroughly tried in running for at least a year, in order that any defective details which may show in operation or manufacture can be rectified before bulk orders are placed ”.

This was the view of the then Railway Board and I cannot understand why they made a deviation from their policy and decision so soon. Practically the Committee has censured the then Railway Board in these terms. When my Honourable friend preceding me was speaking Sir Guthrie Russell questioned the correctness of his statement. I therefore refer him to page 137 of the Report where a summary of the procedure followed is given. That is in paragraph 179. I will not read the whole summary but will quote only a few paragraphs which will justify me in making the remark that the then Railway Board neglected in doing their proper duty. This is what the Committee said :

Clause 2.—“ The various Railways in India were not so fully consulted as they should have been in the preparation of the new designs; but there was generally no criticism of the designs from that source ”.

Clause 4.—“ The preparation of drawings and specifications for the X class Pacifics should have awaited more definite results of the performance of the six preliminary Pacifics ”.

Clause 5.—“ The Consulting Engineers failed to appreciate the importance of correct side control, the responsibility for which they share with the Railway Board ”.

Clause 6.—“ The Consulting Engineers should have been able to obtain a valuable lead from the experience of other countries ”.

Clause 7.—“ The Consulting Engineers were not asked formally to collaborate in solving the problem of oscillation, but they were generally kept informed ”.

Is not that the fault of the Railway Board ?

Clause 8.—“ While the closest contact between India and London is highly desirable, and may well be encouraged by demi-official correspondence, we consider that important decisions should not be taken by such communications ”.

[Rai Bahadur Lala Ram Saran Das.]

It will thus be seen that the Committee censures both the then Railway Board and the Consulting Engineers. I think it will be well for me to quote here the letter which one of the partners of the Consulting Engineers who came out to India wrote to the Railway Board in May, 1926 (see page 140-141 of the Report), which the then Board have completely ignored, notwithstanding their reply to this (see page 141) in June, 1926.

"I urge most strongly, that the Railway Board will not order more of these new types till the first have been made and tried out. This trying out process has always been insisted on in the Railway Board's instructions, and should be adhered to. The first lots will take, in my opinion, a year to construct. Meanwhile, next year's programme will come on, and there will be a temptation to order more of the new untried types. This happened when the first Standard locomotives were got out with unsatisfactory results to all concerned. The existing standard types will in most cases do, and do well, all the work required of them for the present."

The Railway Board ignored this, so I am quite justified in blaming that Railway Board in discharging their responsibilities. Then, Sir, further off the Committee in their concluding remarks on page 171, paragraph 229 say:

"Nevertheless, in view of the warnings received, the wiser course for the Board to have taken, as indeed they admit today, would have been to continue the purchase of further well tried B.E.S.A. engines (suitably modernised), pending the pursuance of the policy of thorough trial of the new Pacific types, a policy which the Board had previously laid down and are resuming in the case of the new WL class Pacifics."

In face of all these facts and in face of these remarks of the Inquiry Committee I hope that I am quite justified in blaming the then Railway Board for the blunder and for their sheer neglect of duty. They ought to be censured for that by Government. If a junior officer made a mistake of that kind, he would be dismissed. And when an important and highly placed body makes such a blunder and puts India to crores of loss the Board should not be shielded. I may say, Sir, the M. & S.M.R. ordered two Baldwin engines which so far have not been reported to have misbehaved, hunted, oscillated, etc., to the extent of endangering public safety. I, Sir, do not know what amount of commission or payment has been paid to these Consulting Engineers and I shall be obliged if the Chief Commissioner for Railways will enlighten us on that point. I do not think there is any necessity for keeping these Consulting Engineers who are unable to do their duty. When the Chief Commissioner was moving this Motion I asked him why these Consulting Engineers did not consult the foreign engineering experts on railways. For that blunder the Consulting Engineers are responsible and they have not been punished in any way. It seems that the Committee recommend that your local Standards and Research Office should be strengthened and such duty should be done by them in future. When a reference was made to your Consulting Engineers in London who did not know anything about it themselves nor did they care to find out what researches were made in other countries in this matter. I learn from this book that France did find out the cause of hunting, etc., in these engines and its right solution. And France succeeded to put the defects right. Why did not the Consulting Engineers consult France? Why should Consulting Engineers be paid for work on which they have not been able to advise correctly? I cannot understand that and I hope the Honourable the Chief

Commissioner will explain when he replies to the debate what was the reason which led to their being retained as Consulting Engineers and where is the necessity of keeping these Consulting Engineers who were incompetent to rightly advise in this matter. I will go further and say that this colossal order which was recklessly and indiscriminately, or I should say autocratically, placed by the then Railway Board, was one of the greatest blunders ever committed. I think this Council will do well to also pass a censure on the then Railway Board. Notwithstanding the warning of the Consulting Engineers, notwithstanding the fact that the Board went against their own decision, and have put India to this heavy loss. In future only those Consulting Engineers should be employed on a job which they specialise and have expert knowledge and it is no use patronising the firm which does not understand the job on which they have failed to advise. I also say, Sir, that it is correct that the Assembly on 27th March, 1922 did decide to recommend the purchase of such engines as the Railway Board then thought that there would be a big increase in traffic and saving in coal. Sir, for the sake of running these Pacific engines, all the sidings on which the engines were to be employed were increased as these engines were reported to haul a hundred goods four-wheeled wagons.

THE HONOURABLE SIR GUTHRIE RUSSELL : Which engines ?

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : Your XB class engine did haul 75 loaded wagons on a level road. Then XC engines came in ; they were expected to haul 100 loaded wagons.

THE HONOURABLE SIR GUTHRIE RUSSELL : You have got it wrong. The XE is the type which will haul 100 wagons. XB and XC are passenger locomotives.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : I am not after all an expert and I am liable to make such technical mistakes. You strengthened your bridges, you lengthened your sidings and thereby incurred expense of crores of rupees. No mention is made in this Report of this fact, I am sorry to say, about the cost of the 186 Pacific engines, sidings, route, etc., is not given. I like to know that if the recommendations of this Committee are to be followed, what will be the expense, or say what will be the fine on the Government of India due to the blunder of the then Railway Board ?

Sir, I must thank the Honourable Sir John Thom for his judgment and for the interest that he took in this affair and it is a pity that in this Report neither the Railway Board nor the Committee has given him any praise for the great duty that he did. His judgment led to the appointment of this Committee and by the appointment of this Committee a great blunder of the then Railway Board was brought to light and now in face of this Report you want us all to whitewash the blunder. No, it must not be whitewashed. It is a matter of crores. If no suitable action is taken by Government, some high officers in future may commit reckless blunders and put India to a very huge loss.

As regards the question of fuel, I am glad that the Honourable Sir Guthrie Russell has told us that a substantial saving in coal has been made by the use of these Pacific locomotives. May I ask him whether that saving is due to

[Rai Bahadur Lala Ram Saran Das.]

the fall in price of coal or in the use of second grade coal and whether so far in the old L class engines, which were also a very successful class of engines, there was any additional consumption of coal ?

Sir, the Consulting Engineers recommended that you ought to confine yourselves to standardised engines which had proved a success in India and that was not done. I would now like to pay a great tribute to Mr. Wrench, one of the most gifted and talented mechanical engineers, and Sir Guthrie Russell, who started research work in connection with the oscillation and hunting of these engines and whose results, I understand, have been thoroughly complete and correct and useful. I would urge on the Railway Department, as the Committee have done, to enlarge the Central Standards Office and research work and let the Railway Board in future take full responsibility for any action that they take in connection with either the track or the design of locomotive engines. I therefore consider that it was the autocracy which was responsible for this colossal blunder of the then Railway Board in so lightly dealing with this very important matter of ordering bulk supply of Pacific type locomotives without, owing to new design of front bogies and hind truck, giving them due trial.

I conclude my speech with paying a tribute to the Inquiry Committee for their thorough Report, and the pains and interest they took in the inquiry.

THE HONOURABLE MR. R. H. PARKER (Bombay Chamber of Commerce) : Sir, I must confess to some surprise that an experienced business man like the Leader of the Opposition should ignore, or seek to belittle, the extraordinary dilemma in which the Railway Board must have been placed on this particular occasion. In my experience there are many occasions when you have to choose—you have no alternative—between either buying something which you know is obsolete or buying something which you have not been able to test satisfactorily, that is to say, you are not quite sure whether you are right.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : Why did they not adopt the B.E.S.A. engines which had proved a success ?

THE HONOURABLE MR. R. H. PARKER : They were faced with this dilemma on this particular occasion and they chose, perhaps wrongly. Then there is another point that the Honourable the Leader of the Opposition made. He suggested that because the Consulting Engineers had, in his opinion, given bad advice on this occasion they should not be paid for their advice. I suppose in that case he will be prepared to pay four or five times the fee when their advice is good ! That seems to be the logical conclusion. There is one point which the Honourable the Chief Commissioner for Railways mentioned that interested me—he did not go quite so far as I would have liked him to go. That was when he mentioned that one big railway in England had used this particular type of locomotive. He did not say what their experience was or what their views with regard to this locomotive were. If he could enlighten me on that point, I should be glad.

THE HONOURABLE MR. P. N. SAPRU (United Provinces Southern : Non-Muhammadan) : Sir, we owe this monumental and voluminous report to the valuable recommendations of Sir John Thom who presided over the Bihta inquiry and we owe our thanks not only to the Committee but to Sir John Thom also. Much of the matter dealt with by the Committee is of a highly technical nature and on that matter I do not feel myself competent to speak. It is above my head. But there are certain broad conclusions to which they have come to which I would like to invite the attention of the House. The House will see that the Committee have substantially endorsed the verdict of Sir John Thom on XB engines. The Committee in stating the general aspects of the problem on which they were asked to advise say that a very important consideration—

“ in the investigation of the performance of a locomotive as a vehicle and of the track upon which it runs is that they are in effect two parts of the same machine. The essential feature of an engine in this respect is that it should run smoothly and speedily subjecting the track to a minimum of stress at the highest designed speed. The track should also be laid on such a formation and be so constructed and maintained that it is able to resist without effective distortion the forces imposed upon it at that speed ”.

They later on say that—

“ the features of a given country are inescapable and the engines provided must be made to run satisfactorily under the prevailing conditions. The task of the designer is not only to provide an engine which can pull a train but also reduce to the lowest possible point the effects of the external disturbance agencies due to defects in the track which can never be perfectly level or smooth ”.

After making these observations they go on to express the hope that investigations would be made which would increase our knowledge of the relationship between track and locomotive and consequently improve operations and enhance safety. I should like, Sir, as a humble layman to say that these are very wise observations. After making these preliminary observations they go on to trace the history of Pacific locomotives in India. They point out, Sir, that these locomotives have been running now for over ten years in this country. They were introduced in January, 1928 ; and were preceded by six Pacific engines in 1924 of an earlier type. After surveying the conditions under which the Pacific type of locomotive was introduced into India and pointing out that the decision to introduce Pacific locomotives formed part of the policy of following the Acworth Committee's recommendations, which were made in a period of boom or expected boom, they point out that the planning of the Pacific engines and their operation and maintenance belong in fact to two different periods of financial outlook. The engines were designed at a time of comparative economic prosperity ; they arrived on the eve of a depression when curtailment of expenditure was the paramount consideration everywhere in railway finance.

The history of six preliminary Pacific engines is given at page 14 of the Report, from which it appears that the Railway Board only first allowed their introduction for trial purposes and refused to permit the railway concerns to purchase more than two pending trial for at least a year. At the present moment, Sir, there are 113, 99 and 72 XA, XB and XC types of engines in India.

[Mr. P. N. Saprú.]

So far as the design of these engines is concerned, it was done by the Consulting Engineers to the Government of India and the firm who had to build these engines was merely concerned in assuring that the engines were built to the specifications received from India.

Now, Sir, in regard to the past, the Committee has dealt with several questions. It is necessary sometimes to go into *post mortem* examinations. They are useful for research purposes. They throw light upon things as they were. First of all, they deal with the policy of standardization. They trace the history of it from 1921 and say that the policy was due to a recognition of the fact that if standardization could be adopted, it would admit of the exchange of power between different railways in cases of emergency. So far as standardization is concerned, their view seems to be that since the available number of new standard designs was very small there is point in the criticism that the standardization policy was much too rigid, particularly in respect of the small number of engine types available and further that more adaptability was needed to meet the varying conditions on different railways. Their general view seems to be that strict adherence to the standardization policy has resulted in certain railways being equipped with locomotives of power in excess of requirement where density of traffic was less than average.

The second point dealt with by them is the design, purchase and continued purchase of the Pacific type of engines. After pointing out that six experimental broad gauge Pacific engines were the precursors of the X type engines, they go on to say that there were now 314 broad gauge Pacific engines running in India of which 113, 99 and 72 are XA, XB and XC types. So far as the design of the XB engines is concerned, it was based largely on the information available regarding the first four Pacific built engines and that the builder was engaged and paid by arrangement with the Railway Board to prepare under the direction of the Consulting Engineers to the Government of India. The responsibility for the design rests with the Consulting Engineers and the Railway Board. Responsibility for the operation and maintenance was borne by India. Their criticism on this point is to be found at page 136 and I am not going to trouble the House by reading it out. They do not think that the continued purchase of these engines was justified as will be evident from the remarks at page 142. In paragraph 49 of their Report they deal with the difficulties relating to the performance as vehicles of the engines concerned, the accidents in which they were involved and the steps taken to improve their running in India. They deal in Chapter IX with the conditions subject to which these engines could be used with safety and the preventive action taken by the administration of the Railways to improve them. Their general conclusion is to be found at page 142. They say :

" In our view, the Board's action in this matter was regrettable We feel that in view of the warnings conveyed by the Consulting Engineers, the wiser course would certainly have been to have continued purchasing a further number of the well tried B.E.S.A. type engines (suitably modernized as necessary), pending thorough trial of the new Pacific classes "

They also point out at page 172 that a large amount of business could be more economically undertaken with improved and modernised B.E.S.A. type

engines. In their opinion there was a lack of precision regarding the design of the X type Pacific as a vehicle. Therefore the real criticism is this: Why was there such a large number of these engines purchased before any trial was made in this country? Why was purchase continued after engines had been running for some time on the Railways and in spite of the Consulting Engineers?

I do not wish to go into all the technical arguments which may be used to justify the purchase of these engines. I look at the whole question from a common sense point of view. If you are experimenting with a new engine it is only right for you to proceed more cautiously with your orders. The Honourable Mr. Parker is a great business man, but I know he is also a very cautious business man. I give him credit for being a cautious business man. He will proceed with his orders cautiously. You ought to test the suitability of the engines for the Indian track, their capacity and reliability as vehicles of traffic and goods, before you place and go on placing orders after orders.

The reasons for their purchase were expectations of greatly increased traffic. There was a feeling that a trade boom was coming and that required expansion of railway facilities. Now, I quite recognize that the Railway Board cannot be blamed reasonably for sharing the general optimism of the period when these engines were ordered. I do not deny further that anything but efficiency of operation was the actuating motive. But, nevertheless, I feel that a wiser course for the Board would have been, as the Committee say, to suitably modernize the B.E.S.A. engines, pending experience of the new Pacific type. It is not denied that engines were purchased at a period when optimistic views were held as regards the future of trade and traffic and there was a necessity being stressed of quick replacement of all the locomotives, curtailing their fueling bill and pursuing standardization as a possible avenue of economy. The point that emerges from the Report is that 218 X class Pacific engines were authorized in less than three years between 1925—1928, and that against the advice of the Consulting Engineers. Therefore, the criticism against the Board is that it went on purchasing the engines without first having given them a full and fair trial. The other criticism which the Railway Board cannot escape is that they were too rigid in their departmental outlook and that effective preventive measures were not adopted when reasonable factors of safety had been shown to be lacking. Therefore, it is necessary to strongly endorse the recommendation of the Committee that formal inquiry by Government Inspectors, who should be independent of the control of the Railway Board—that is a very important recommendation of the Committee, and therefore it is important to emphasize it—should be undertaken in every case of passenger train derailment and their report. It is satisfactory for us, who are interested in our Railways as taxpayers and as passengers, to find that the Committee think that X class Pacific engines should have useful and reliable work ahead of them provided they are modified and attention is paid to particular aspect of trade and locomotive maintenance and speed of operation is adjusted to prevailing conditions in both respects. I hope, Sir, that Government will accept these recommendations.

I do not propose to go into the other recommendations of the Committee as I do not feel myself competent to talk about these technical matters. But a major recommendation of the Committee is that locomotive construction should be encouraged in India. Their recommendation on this

[Mr. P. N. Sapro.]

point will be found on page 167 of the Report. Government, Sir, have been shirking this question of locomotive construction so far. With the possible expansion of the war on the Eastern front and the Western front, there is little likelihood of India getting engines from abroad. The locomotive industry, Sir, is one which fulfils all the criteria of a key industry and it should be undertaken as speedily as possible.

With these words, Sir, I should like once again to express my appreciation of the very monumental Report which this Committee has given us. It is really a most wonderful Report. Parts of it I cannot understand. It is too scientific for most of us laymen. But the parts which I was able to understand, I enjoyed thoroughly.

THE HONOURABLE SIR GUTHRIE RUSSELL: Sir, I should first like to congratulate my Honourable friend Pandit Kunzru on his speech. He has apparently got second sight and reads into the Pacific Locomotive Committee's Report certain things which were certainly not written by the Committee! He started by saying more or less that the Report was really a wholesale condemnation of the policy of the Railway Board and of the Government of India in the past and then he said that really it was only soft-heartedness on their part which had prevented them from making this clear in the Report. Possibly, the reason for the Committee not condemning the policy of the Railway Board wholesale was that they had a fuller appreciation of the difficulties of the Board than the Honourable Member. Another thing which my Honourable friend reads into the Report is that it contains a recommendation advocating the more rapid Indianization of railway services. I have been unable to find this recommendation in the Report. I do not object to progressive Indianization, this is the definite policy of Government. In the Central Standards Office and in the expansion of research work my Honourable friend pleaded for more Indians to be associated, and this, I can assure him, has my full support. Actually, at the present moment experiments are being carried out to determine the flange forces set up by the XCs on the B.B. & C.I., the XAs on the G.I.P.R., and the XCs on the N.W.R., and the staff employed are entirely Indian. He made one other recommendation, and that was that we should depend more on our own resources. In that I entirely agree with him.

When I opened my speech this morning, I forecast that there would be a technical expert in this Council! I find I was quite correct. When I made that speech, I could have named the technical expert! That technical expert, as we know, is my Honourable friend Mr. Hossain Imam! But I must admit that there were certain occasions on which I could not follow his arguments. As far as I can recollect, he talked about the load hauled by goods engines and the cost per ton mile. Well, this has nothing to do with the engines under discussion—XA, XB and XC engines are all passenger engines.

THE HONOURABLE MR. HOSSAIN IMAM: Per passenger mile.

THE HONOURABLE SIR GUTHRIE RUSSELL: I must admit that his statement did not help to get him very much forward. He also talked about the cost of strengthening bridges on account of these locomotives, presumably again referring to XA, XB and XC class engines. I can assure him that I do not

think you can place at the door of these locomotives the expenditure on the improvement of permanent way or bridges. The strengthening of the permanent way and of the bridges was essential if they were to carry our goods trains. The heaviest axle load of these three types is 19½ tons and our goods locomotives, the XE to which my Honourable friend Rai Bahadur Lala Ram Saran Das referred, is 22 tons. I do not think he quite understands the difference between these types and the necessity for the different types. The XA types were designed for branch lines, and specially to save money. They have only a 13½ tons axle load which avoided the relaying of a large number of branch lines with a heavier type of rail. The XB was for fast passenger services on lightly graded lines and the XC for heavier passenger services on the heavier graded line. So there was reason for buying each class of locomotive.

THE HONOURABLE MR. HOSSAIN IMAM : How is the XC being used now ?

THE HONOURABLE SIR GUTHRIE RUSSELL : They are on the Karachi Mail, the Sind Express, the B.B. & C.I.R. Frontier Mail and the B.B. & C.I.R. Express trains and a certain number on slow trains on the E.I.R. Those are the only three Railways which have got XCs.

Now, my friend Lala Ram Saran Das in his happy way made some assertions with, as far as I can see, no great justification! He said the purchase of these locomotives had lost India crores of rupees. Well, the actual cost of the 284 engines was, as far as I remember, in the neighbourhood of Rs. 3 crores. The actual cost which we estimate now to carry out the recommendations of the Committee is roughly Rs. 5 lakhs. As I said this morning—probably he was not listening—the XC locomotives on the N.W.R. between Lahore and Karachi were saving us Rs. 5½ lakhs a year. I do not think there is any question of loss. The only tragedy of the whole thing was the Bihta accident; but financially I believe these locomotives have been a success.

Then he asked something about the commission paid to the Consulting Engineers. I was not quite sure what he meant by that. Did he mean that the Consulting Engineers have been taking illicit commission, or did he mean a commission paid to them under an agreement ?

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : I was referring to the commission under the agreement and in addition to their retaining fee. I believe that some retaining fee is also paid ?

THE HONOURABLE SIR GUTHRIE RUSSELL : The Consulting Engineers are paid a retaining fee—then it was I think £7,000. That was paid by the Government of India and the various Company-managed Railways which employ them. They are paid no commission whatsoever on purchases. All they get in addition is the actual cost of staff employed on any particular job; but there is no question of commission.

Then my friend was rather mixed up between the XE and the XD. I was not quite sure what he meant. Did he intend to imply that these engines had not fulfilled the purpose for which they were designed ? If so, I can assure him they have.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : I said as far as the construction was concerned there was no complaint. The complaint was about the front bogie and the hind truck.

THE HONOURABLE SIR GUTHRIE RUSSELL : I do not quite understand what the Honourable Member is getting at. Then another question he raised was, what was the real reason for the saving in fuel. I think there are three reasons. It was due to the general fall in the price of coal. It was due to our being able to use lower grade fuels, and also to a large extent to the policy of the Railway Board adopted of purchasing their own collieries. I do not claim for one minute that these standard locomotives are entirely responsible for all the saving in fuel.

Now, my Honourable friend Mr. Parker raised a point. I think what was at the back of his mind was, why should not the Railways of India have just done what the Railways of Britain were doing where these engines were apparently run with perfect safety? As I said in my speech this morning, the two main faults in the locomotives were the bogie control springs and the control of the hind truck. Well, up to 1937 I think it was, I have actually seen the plans of the L. M. S., they were using bogie control springs with an initial resistance of just under two tons with a maximum resistance of 4½ tons, whereas we were using bogie control springs with an initial resistance of 31 cwt. and with a maximum resistance of 5½ tons. So I would like the Council to realize that we were watching British practice. We have been in close touch with France and Germany. I think that also answers my Honourable friend Lala Ram Saran Das's question as to whether we had any contact with foreign countries.

Now, we come to my Honourable friend Mr. Sapru's speech. As far as I could make out, his speech was mainly quotations from the Report to show that he entirely agreed with every word in the Report. Well, I think I need hardly reply to that because if Honourable Members will read this little pamphlet which has been put before them they will find that we consider the recommendations are sound and we propose to follow them.

THE HONOURABLE MR. P. N. SAPRU : What about Government Inspectors being independent of the control of the Railway Board?

THE HONOURABLE SIR GUTHRIE RUSSELL : That matter is under consideration. For years I have said that it is entirely illogical for them to be under the Railway Board. The Railway Board are the executive authority for the Railways and the inspecting authority should be under a different regime. But so far as I know the present system has worked and worked well. Every disaster will be inquired into by the Government Inspector of Railways.

THE HONOURABLE MR. HOSSAIN IMAM : Will the Honourable Member refer to page 9 of this pamphlet where Rs. 10 crores are required for direct renewals as a result of XB engines being introduced?

THE HONOURABLE SIR GUTHRIE RUSSELL : XB engines have nothing to do with this Rs. 10 crores. This is meant to carry out the recommendation of the Committee that main lines should be laid with a minimum standard of 90-lb. track. The track would have been relaid in any case and the cost can hardly be placed at the debit of the XB locomotive.

THE HONOURABLE THE PRESIDENT: The Question is:

"That the Report of the Pacific Locomotive Committee be taken into consideration."

The Motion was adopted.

MOTION FOR ADJOURNMENT *RE* RECOMMENDATIONS OF THE CHATFIELD COMMITTEE.

THE HONOURABLE PANDIT HIRDAY NATH KUNZBU (United Provinces Northern: Non-Muhammadan): Sir, I move:

"The adjournment of the business of this House in order to discuss a definite matter of urgent public importance, namely, the unsatisfactory announcement made by His Majesty's Government regarding the recommendations of the Chatfield Committee."

Before I deal with these recommendations, Sir, I should like to refer to the sum of Rs. 45 crores provided by His Majesty's Government for the modernization of the forces in this country, including the British forces maintained here. Rs. 33½ crores are given as a free gift and Rs. 11½ crores have been advanced free of interest for five years. There is no one here who does not appreciate warmly the gift made by His Majesty's Government. In times like this the modernization of the forces is necessary and had we had to depend on our own resources it would have been utterly impossible. But while I appreciate fully the generosity of His Majesty's Government I cannot fail to take into account other considerations which have a very important bearing on the question that we are considering, and the fact that India is a valuable part of the British Empire.

Sir, the Report of the Chatfield Committee raises many issues, but it is impossible for me to discuss all of them in the course of 15 minutes. I would therefore confine myself to such points as appear to me to be most important. There are three recommendations which seem to me to be of a more fundamental character than any of the other recommendations made by the Committee. One is that Indian forces should help His Majesty's Government in maintaining "India's external security". The second is that one-tenth of the forces in India should be available for this purpose. The third is that if these forces are used outside India in an emergency, their ordinary maintenance charges should continue to be borne by India. The Committee consider that this last recommendation of theirs, while justified on general grounds, can be regarded as fair in the light also of the contribution of £2 millions to be annually made by His Majesty's Government towards military expenditure in this country. I will take these points in the order in which I have mentioned them. So far, Sir, we had been assured that the forces maintained in India were no more than were necessary for the protection of India against minor attacks and the maintenance of internal security. Now, however, we are told that modernization, resulting in increased striking power and a greater mobility, will enable us not only to reduce our forces but also to regard one-tenth of them as an Imperial reserve. This matter is one of considerable constitutional importance for it vitally affects our freedom. His Excellency the Commander-in-Chief in his broadcast stated that it was necessary in the defence of India herself that she should help in the maintenance

[Pandit Hriday Nath Kunzru.]

of security in the Red Sea and the Suez Canal. His language reminds me of the remark of Mr. Baldwin some years ago that England's frontiers were on the Rhine, we have been told in effect by the Chatfield Committee that our frontiers are in Egypt, on the Suez Canal and in Singapore. This recommendation sought to be justified on the ground that the situation has changed considerably since the Garran Tribunal reported and that in modern circumstances it is necessary for India in her own interest to bear a larger responsibility in respect of her defence. Her defence might be best secured by measures taken outside her borders. Now, Sir, I should like to ask one or two questions on this point. Are we alone interested in Singapore and the Suez Canal or have, say, Australia, New Zealand, too any interest in them? If I remember aright the Singapore base was constructed primarily because Australia and New Zealand pressed for it, but have His Majesty's Government thereby secured any claim over any portion of the Australian or New Zealand forces for the defence either of Singapore or the Suez Canal? These countries which are self-governing may of their own free will help England, not only with a small portion of their forces, but with a very large proportion of them, but in this country an additional responsibility is imposed on us without giving us the political power, that these countries have. We have repeatedly asked that our men should not be sent beyond our borders without our consent, and we are told now that our forces *will* be sent out of India as a matter of course, that we must maintain an Imperial reserve and that His Majesty's Government will not pay for the use of the reserve which will consist of one-tenth of our forces even outside India. Reading between the lines of the Chatfield Committee's Report, it seems to me that what the Committee is really asking for from us is not co-operation merely in the defence of Egypt but co-operation everywhere with the Imperial Government whenever a crisis arises. If that is the situation, let it be frankly faced. Today you have told us that our external frontiers are in Egypt. Tomorrow you may tell us that the defence of Cyprus, Malta or Gibraltar is also vital in our own interests. To what extent then do you propose to go on imposing burdens on us? Such burdens can be imposed only with the consent of a self-governing India but they cannot be accepted by us at present.

Now, Sir, I come to deal with the financial aspect of the question, which is no less important than its constitutional aspect. The House knows the provision made in section 22 of the Government of India Act, 1919 with regard to the employment of forces beyond the external frontiers of India. Roughly speaking, it was laid down that no expenditure could be incurred on military operations carried on beyond the external frontiers of India without the consent of both Houses of Parliament. This provision was made use of in 1914, but only after the Imperial Legislative Council had passed a Resolution expressing its desire to bear a share of the heavy military expenditure in which His Majesty's Government were involved. Later on, when provision was made with regard to the transfer of naval forces of India to the Admiralty in an emergency section 22 to which I have referred was amended expressly by Parliament in 1927 in order to provide that expenditure on the transferred naval forces shall not be defrayed without the consent of both Houses of Parliament unless

they were employed on Indian naval defence. In the new Government of India Act the language has been altered. Section 150 of the Act says :

“ No burden shall be imposed on the revenues of the Federation or the Provinces except for the purposes of India or some part of India ”.

The language is obviously wider than before. The Joint Select Committee in dealing with a similar proposal in the White Paper said that :

“ a contribution in the general interests of India would come within the scope of that provision ”.

But they went on to add :

“ Under the new constitution, however, the recognition of interests of this nature would fall within the province of the Federal Ministry and the Legislature since *ex hypothesi* they would not be defence interests. If therefore the question should arise of offering a contribution from India's revenues in the circumstances that we are discussing (and the interest in question is not under the other reserved department of external affairs), we are of opinion that it would need to be ratified by the Federal Legislature ”.

Under the section as it stands it was thought that only a modification of the Act could permit the defraying of expenditure from Indian revenues on operations carried on outside the Indian frontiers. Now, however, by laying down that India is vitally interested in the defence of Egypt, by saying in other words that Indian forces can be employed in Egypt “ for the purposes of India ”, it appears to me that you are getting round this provision and that the constitutional safeguard which it was meant to provide has been rendered nugatory.

There are many recommendations that I should like to refer to but I shall be able to deal only with one more before my time is over. It concerns, Sir, the contribution made by His Majesty's Government towards Indian military expenditure. Those who have read the Report of the Garran Tribunal will recognize that whatever reasons might have been advanced for making a contribution of one and a half million pounds and whatever grounds might be put forward now for increasing it by half a million pounds, England agreed to give it because of the maintenance of costly British forces in this country and the long controversy between India and England over the payment of the capitation charges. I do not at all agree that the payment of this contribution gives any moral right to England to look upon any part of the armed forces of India as an Imperial reserve. It gives her no right to ask us to maintain any forces not needed by us, unless India decides of her own free will to help England. I have no doubt that she would have co-operated fully if the constitutional situation were far different to that which prevails now. But in the existing situation you cannot merely by your fiat go on increasing the burdens to be placed on Indian shoulders.

Now, Sir, we have been told that an advantage to be derived from the capital contribution of Rs. 45 crores made by His Majesty's Government is that it would be possible to organize and, where necessary, expand the ordnance factories which supply all that the three services require. Now, I am glad that our ordnance factories will be expanded but I should like to know whether any new branch of manufacture will be started ? I refer in this connection particularly to the manufacture of aeroplanes. We may be told that our own requirements are not sufficient to make the manufacture of aeroplanes economical

[Pandit Hirday Nath Kunzru.]

in this country. But today His Majesty's Government are purchasing aeroplanes from Canada and Australia. The manufacture of planes in these countries has been made possible only because of the co-operation of His Majesty's Government. For their air forces are not large enough to require the manufacture of aeroplanes in their own territories. Apart from this, Sir, I should like to draw the attention of the House to an agreement recently arrived at between the British Government and the Australian Government with regard to the manufacture of aircraft. I am quoting, Sir, from the report of a discussion initiated by Mr. Wimperis on "Air Power", in "International Affairs" for July-August, 1939. He states here that *The Times* of the 11th May, 1939, reported :

"that the Home Government and the Australian Government had joined together to create centres of aircraft manufacture in Melbourne and Sydney, and that a start was to be made on behalf of both Governments on no less than ten million pounds' worth of aircraft".

Well, this is what can be achieved by means of co-operation. If His Majesty's Government are going to place new burdens on us, they might at least help us to increase our industrial development, especially in those directions which are necessary for the defence of India. We all know, Sir, that the present inability of India to provide for modern defence requirements is due to the fact that she is primarily an agricultural country. If she is to be enabled to meet her own responsibility in future, she must be able to industrialize herself. His Majesty's Government could give valuable help in this connection but, while they are going to purchase aircraft from Canada and Australia, they have not thought it necessary to enter into any arrangement with India for the manufacture of aeroplanes in this country.

Sir, as I have no more time, I shall conclude my observations by saying that even after taking into account the generous free gift of Rs. 33½ crores made by His Majesty's Government, I cannot but look upon the recommendations of the Chatfield Committee as highly detrimental to our constitutional future and as throwing the door wide open to the imposition of indefinite military and financial responsibilities on us in the future.

THE HONOURABLE MR. V. V. KALIKAR (Central Provinces : General) :
Sir, I rise to support the Motion moved so ably by my Honourable friend Pandit Hirday Nath Kunzru. I join him in thanking the British Government for giving us a gift of Rs. 33½ crores for equipping our army, navy and air forces in India. But, Sir, I cannot agree to the burden that is being imposed on us through the recommendations of this Report. Sir, I would first submit that, when they extended the frontiers of India and went back on the recommendations of the Garran Tribunal, they did not consult India. After all, the Indian taxpayer has to pay the money for the burden that is being imposed on us, so it was the duty—if unfortunately no experts could be found to sit on that Committee—of the Government to take Indians into their confidence to settle the matter as to how far the frontiers are to be extended and whether the principles laid down by the Garran Tribunal in this connection were to be given up. So, my first objection is that as they have not taken

India into their confidence, they have no moral or equitable right to tell us that we must bear this burden.

My Honourable friend Pandit Kunzru has given us information that they have entered into contracts with Australia for building aeroplanes. I knew up till now that they had indented for aeroplanes from Canada. The new fact that has been brought to our notice now clearly shows that they are more anxious to help the industries in Canada and Australia rather than help the industries in India. It may be said that in India we have no industries and that we cannot produce aeroplanes. But, my question is, who is to blame for that? It is the Government of India or the British Government who are responsible for it. They ought to have given a lead to Indians in this matter by taking steps to manufacture aeroplanes. Then and then only the merchant princes in India and the business concerns would have taken it up. There is a lurking suspicion in the minds of Indians that although you have made a gift, the use of that gift will be to assist industries out of India and not in India.

Then, I find from the Report, or I may say the abstract of the Report—because the whole Report has not been submitted to us; we have been kept in the dark about the recommendations, but according to the abstract that has been supplied to us—that if the Army and the Navy and the Air Force are modernized, one-tenth of the Army will have to be kept for external defence and some units of the Indian Army will be disbanded. Sir, I take serious objection to this recommendation of the Committee. After all, we have to be prepared for the crisis that is facing us. I know that for the present they say they are not going to reduce the Indian units. But, after the war is over, and the full army is modernized, they will have to reduce the units. I say that instead of reducing the Indian units, they ought to reduce more British units and thus give more facilities to Indians to prepare themselves for eventualities. This recommendation also is objectionable from a layman's point of view, and India cannot agree to this recommendation.

From the abstract that has been supplied to us we see something about the expansion of ordnance factories. My suggestion is, that not only should ordnance factories be expanded but also new ordnance factories should be built, and in the matter of supplying ammunition, India ought to be made self-sufficient. Up till now the authorities have not taken care to make India self-sufficient. I appeal to the authorities, now that we are faced with a crisis, to take earnest steps to make India self-sufficient in this matter. If unfortunately something occurs in India and if we do not get munitions quite sufficient for our requirements, we will be nowhere. So, this suggestion of mine should be taken up very seriously and given practical effect to. We do not require lip sympathy now. We want action to be taken so that India may be able to stand on her own legs.

Sir, I have very great pleasure in supporting the Adjournment Motion so ably moved by my Honourable friend Pandit Kunzru.

THE HONOURABLE SARDAR BUTA SINGH (Punjab : Sikh): Sir, I regret I cannot applaud the action of the Honourable Mover of this Resolution. His Majesty's Government have reached the decision none too soon. The decision

[Sardar Buta Singh.]

is sound and has been taken under the advice of military experts, both in India and in England. His Majesty's Government have recognized the need of supporting India and in its defence with substantial financial assistance. I would go further and claim that if money that is being poured into some other countries was poured into India and our man power and resources were fully organised, England could safeguard all the Imperial interests without commitments which have landed us into the war. In any case, the recognition that India's defence is an Imperial concern is the acceptance of a principle for which India has pleaded for long. It is right and fair that increased costs of defence must be met from the Imperial exchequer. Need I say that His Majesty's Government has earned our gratitude rather than criticism ?

I would be failing in my duty to His Majesty if I failed to inquire if it is a right policy to keep India ignorant of our defence problems and the dangers that threaten India and the Empire? Do Indians lack in loyalty and common sense that they do not merit confidence in these important matters? In these changing times, the soul and spirit that would keep the Empire together is trust. I cannot help remarking that so far, in these matters, we are still in the dark, thought at any moment we may have to meet dangers that will need the whole strength of the country to meet them.

Then again, I cannot view with equanimity the proposal to reduce our man power by reduction of Indian units. Expert opinion perhaps holds that India is over insured in the matter of defence. But the trend of world organizations leave no manner of doubt that the Army is the best school for equipping our man power with discipline and physical and moral fitness. The time has come when India should have a Dominion army of its own, in which every province has a share, and it should be officered entirely by Indians. India, if she is ever to realize her dream of self-government, must have a large officer class bearing some proportion to our population. I wonder what is happening to the Indianization Committee of which the Honourable Mover of this Motion is a member ?

THE HONOURABLE SIR MUHAMMAD YAKUB (Nominated Non-Official) :
It has been disbanded.

THE HONOURABLE SARDAR BUTA SINGH : It would be a great mistake if the Committee is allowed to die without submitting an early report. Hopes have been raised which if disappointed will not conduce to contentment. I must refer to the need of spending the money which had been provided in India itself. Not only munitions but all the armaments, motor cars, tanks and machines should be made in the country itself. It would be wrong if this opportunity of making India independent in the supply of war material is lost. Then again, special provision should be made for the education and employment of Indians in all ranks of the air force and the navy. If India is required to take a larger share in its defence it would not be right and proper to deny Indians opportunities of training in all arms for defence. The war has drawn the heart of India to the service of the Empire. Every great and commanding movement in the annals of the world is a triumph of enthusiasm. It is for our Government to reorganize the central executive, both civil and military, in such a way that it secures the active co-operation of the leaders of Indian

opinion. I need hardly say that my community is awaiting the call to arms. While other communities may have their eyes elsewhere for the realization of their dreams, my community has only one aim, to serve India and to defend it with the last drop of blood. In the last few years its past services have been under an eclipse, but I have hopes that the test of war will prove that no other community can equal it in true service and true sacrifice.

In conclusion I would ask the Honourable Mover not to press his Motion. Let us all, Britishers and Indians, join hands in full faith in each other and put all our powers in resisting violences which are likely to leave civilization and all that it stands for in ruins.

THE HONOURABLE MR. HOSSAIN IMAM (Bihar and Orissa : Muhamadan) : Mr. President, I should have liked either to give my whole-hearted support to the Adjournment Motion or to have supported the Government whole-heartedly, if I had found that I could do either of the two. Sir, no one can question that His Majesty's Government has been generous in granting us this credit of Rs. 46 crores, of which three-fourths is a free gift and one-fourth is a loan free of interest for five years. But if the Government were to compare it to a gift horse and say that it should not be looked in the mouth, it would have been justified in claiming this, if this gift horse had not been accompanied by a host of grooms who are to be highly paid and who are not to be dispensed with. This award or gift is accompanied by two very essential conditions. Firstly, the maintenance of the Army at a scale of equipment which we did not have formerly, and secondly, we have to assume the responsibility for safeguarding not only the frontiers of India but the so-called Indian interests outside our territorial limits. Sir, personally any extension of the military responsibility of India would be welcomed by me because the more we advance in the constitutional sphere the greater would be the liability of India to shoulder burdens for its own safety. But as long as we continue to be a subject nation it is primarily the outlook of the Imperial power to safeguard the frontiers of the country, because it is being exploited by that country, and therefore the obligation to safeguard it goes on the shoulders of the Imperial power. But with the transfer of constitutional power from the shoulders of the Imperial power to that of the country governed, rightly the Imperial power would like to give up part of its responsibility and place it on the shoulders of those who demand freedom. As a step in that direction I welcome the conclusion of the Chatfield Committee that the forces maintained in India should be adequate not merely for the narrower purposes of purely local defence but also for maintaining India's external security. As an axiom it is admitted; it is only in practice that we encounter difficulties when we find that our responsibility is merely to pay the bill and to have no voice either in the personnel or in the movement of the Army. That is not in my view an adequate and fair settlement of the responsibility. Along with the responsibility of defending India we must have a voice in the personnel of the Army. We desire the greater association of Indian officers, the more rapid Indianization of the officer ranks. The creation of some sort of Committee to examine the necessity for sending our troops out of India is immediately called for. As long as the conditional power existed whereby the Government of India were not allowed to spend from the Indian exchequer any money on forces maintained outside the borders

[Mr. Hossain Imam.]

of India without the sanction of the Parliament as well as of the Legislative Assembly, the question was of little consequence. I doubt the power of His Majesty's Government without legislative enactment of the House of Commons merely by means of this announcement to burden Indian revenues with the cost of forces that have been transferred from India recently to other parts of the British Empire.

Sir, as I say, this Report has extended our sphere of influence in defence matters and to that extent it is welcome, but that extension has been at the cost of whatever little power had been delegated to us by the Government in the past. I would remind the Honourable Defence Secretary that at the time of the Garran Tribunal Report the notes of dissent were not published, yet Sir Philip Chetwode in this House permitted members of the Central Legislature who so desired to come and read the Report at Army Headquarters. Was it not possible, with the advance of time, with greater responsibility thrown on us and greater co-operation asked of us, for you to extend even that amount of courtesy to us now as was extended to us then? I was one of those who read that Report; the only condition laid down was that we were not to quote that Report as our authority for any information drawn from that Report.

THE HONOURABLE THE PRESIDENT: Are you discussing the Motion or enumerating your grievances?

THE HONOURABLE MR. HOSSAIN IMAM: I am referring to the fact that this Report of the Chatfield Committee has not been made available to us. I have a complaint against the Government for withholding that Report from us. I am reminding them of a like thing pertaining to the Defence Department itself in which a document was not allowed to be published, was not available for every Indian to see, but for the Members of the Legislature a special concession was made. I appeal to the Honourable Member to consider this, and to move His Majesty's Government if he has to take their sanction, because this Report had been submitted to His Majesty's Government. My appeal is that this Report should be made available for our information, if not for ordinary publicity.

Sir, I have another complaint to make. Nearer home we have got Burma. If it is to the interest of India to safeguard and to place troops in the Red Sea and Egypt, as has been stated by His Excellency the Commander-in-Chief in his broadcast, Burma is too close to us. Is it right, is it just, that we should shoulder responsibility for guarding frontiers of a country which is maltreating and oppressing Indians and they should not contribute anything towards the common concern of the safety of the Empire. Burma had an excess budget. We were having deficit budgets and Burma was blessed with a surplus budget of Rs. 2 or Rs. 3 crores. As Burma and India constituted a single unit up to the 1st April, 1937—

THE HONOURABLE THE PRESIDENT: I must again ask you to confine yourself to the Motion.

THE HONOURABLE MR. HOSSAIN IMAM : I am referring to the question of the safety of Burma—

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : The Report says that we are to have a vital interest in the defence not merely of the Red Sea and Egypt but also of Aden, Burma, Malaya and Singapore.

THE HONOURABLE MR. HOSSAIN IMAM : That is why I am referring to Burma, Sir. Burma has been cut off from India and though we may not benefit from Burma yet we are to pay for the cost of the safety of Burma. Is that an equitable settlement and a fair compromise ?

Sir, mention has already been made by Pandit Kunzru that the manufacture of air arms should be undertaken in India. His Majesty's Government have very wisely in paragraph 10 accepted the principle—

“ That thereafter India should as far as possible be made in all major respects self-sufficient in respect of munitions in time of war ”.

This is a very wise decision. We know in what precarious condition communication between England and India can be placed in certain eventualities. Is it wise, is it to the best interests of India and England, that in such an important arm as the Air Force India should be altogether dependent on help coming from England. Is it not the better course to adopt if you really wish to save India that we should be self-contained at least in this very important respect ? The air arm is no longer an auxiliary arm. It has become almost the main source of defence, if not the greater source of offence. In a world which relies so much on air forces it is, I venture to suggest, very short-sighted policy on the part of His Majesty's Government to let India remain dependent on outside help. If we were to have even a small amount of production, it would be very useful not only in defending the frontiers of India but in the wider interests of humanity, for the maintenance of justice and equity and the rights of small nations. We know, Sir, the present plight of Afghanistan (and no one knows it better than the Defence Department). Consider for a moment in what difficulty Afghans are placed now. They are helpless and if we Indians are to continue in the same helpless condition in which we are at the moment, what useful purpose can be served either for ourselves or for the matter of that for even the Empire ? Sir, it is a well known fact, and it has been admitted by even the highest military authorities, that the maintenance of the present strength of the Army in India is not only for Indian interests but it serves a part of Imperial interests also, and therefore the announcement made is merely a regularization of the irregular procedure which was adopted formerly. The Government of India and His Majesty's Government, without in so many words admitting or stating that India was expected to serve Imperial interests, have been using the Army in India for those purposes, and therefore what they have done is only regularization. By doing this they have created a sort of right which was being done as a matter of grace previously. Therefore, we claim, if you want to have that right, a greater share in shaping the policy and making India more self-sufficient than it is at the present moment.

THE HONOURABLE SARDAR BAHADUR SOBHA SINGH (Nominated Non-Official) : Mr. President, Sir, I am not one of those who look askance at a gift horse. I believe Lord Chatfield and his colleagues have submitted a Report

[Sardar Bahadur Sobha Singh.]

which is as timely as it is useful. In spite of the somewhat restricted scope of their reference their recommendations, as known to us, take into account many of the manifold facts of the Indian defence problem. They have considered carefully and made suitable recommendations concerning such problems as the increased cost of modern army equipment, the desirability of organizing various units in an efficient manner and the equipment and maintenance of a modern defence force necessary for India consistent with the limited resources of the country. They have, I believe, Sir, very rightly pointed out that danger to India's security lies not only from the north-west or north-east frontiers of the country but also from the Middle East and Far East. Who could quarrel with them or who can gainsay them when they say that if Egypt, for instance, or the Malayan Peninsula were occupied by an enemy, India's defence, under the modern circumstances would be well nigh an impossible one? I am one of those who are very happy that a part of our troops, viz., 10 per cent. of it should be made available at these strategic frontiers of India.

I am also very glad, Sir, to find from the Report, that greater attention is to be paid to the Royal Indian Navy. Our Navy at present is nothing very much to boast about. But for the strong arm of the British Navy our shores would be entirely at the mercy of every predatory Western or Eastern power. Above all what gives me most satisfaction is the fact that the Indian Army is to be fully mechanized and that not at the cost of this poor poverty-stricken country. Mechanization of the Army has been carried out in all modern countries and India is the only great country in which the Army is still following the old traditions. I believe the capital grant to India of Rs. 33½ crores and the loan of Rs. 11½ crores without interest is a great boon and an appreciation of the part which the Indian Army is expected to play.

Another thing gives me very great joy is that the Government have at last recognized that an industrial India capable of producing her own munitions is indeed far more important to them than an ill-equipped and unprepared country. I am sure that our industrialists will have a great scope for starting ammunition industries and enriching our country, under the patronage of the Government, not only with materials but also with men qualified to produce them.

I would, however, like to put in a few suggestions. The Air Force of the country, for various obvious reasons, is in its infancy. What is pitiable is that the Government should have neglected the civil aviation part of it also. Our pilots are all trained by clubs—in other words by private institutions. The training which they receive is certainly not sufficient to make them efficient pilots even for civil aviation purposes, not to speak of military purposes. The number of accidents that are occurring in the country show that something is very seriously wrong in their training. I wish the Government, in the interests of both civil and military aviation, take charge of the training and train a race of Indian pilots who could, while normally employed for civil aviation, be switched over for military purposes also as and when the circumstances dictate.

I would, however, like to protest against the decision to reduce the Indian units of the Army also in proportion to the reduction of European elements. After all the Army in India is not a very large one. It is very small when compared to the leading armies of the world. In an emergency it would be very difficult to have good trained soldiers immediately. Training, after all, takes time and I do not see any reason whatsoever why Indian units of the Army also should be reduced just to keep in line with the reduction in the British element.

Sir, we find every young European is being pressed for military service. Probably the idea is that as the European element of the Indian Army is reduced, we may have at all times sufficient qualified European military men. I have no quarrel over that. I only desire that similar privileges should be offered to Indian young men also. As many young men as possible of all castes and communities should be given good military training so that they may be able to defend their country whenever it is necessary.

Sir, with these words, I oppose the Adjournment Motion.

THE HONOURABLE MR. P. N. SAPRU (United Provinces Southern : Non-Muhammadan) : Sir, I should like to give my support to the Adjournment Motion which has been moved so ably by my distinguished friend, the Honourable Mr. Kunzru. Sir, I should like first of all to say that there are parts of the Report with which I agree and there are parts of the Report with which I do not agree. The parts of the Report with which I do not agree are of a fundamental character and therefore I cannot characterize the Report as satisfactory. First of all, let us consider this question of a gift of Rs. 33½ crores and a loan of Rs. 11½ crores free of interest for the first five years. Now, Sir, it is a tardy recognition of the claims that we have put forward in past years. We have had this controversy about the capitation charges from I don't know which year. I think it goes back to the early seventies of the last century. There was the Garran Tribunal which came to the conclusion that our claim for capitation charges was not justified but suggested that we should be given a contribution as we were being made to pay for the British troops in India. Therefore, it might look a very big sum but, considering all that England has had from us during the last 150 years of its connection, I do not think we need feel very enthusiastic about this gift of Rs. 33½ crores. We are thankful for small mercies and therefore I do not grudge our thanks to His Majesty's Government for doing some tardy justice.

Now, there is another part of the Report which I welcome and that is the part which reduces the number of British troops by 25 per cent. It is not clear but I think my friend over there is not quite correct in saying that it is contemplated that Indian troops should be reduced in proportion to the British troops. The proportion of Indian troops to British troops under the scheme contemplated by the Chatfield Committee will be higher than it is at present. Well, that represents a departure from the practice which we have had in this country since the Mutiny and to that extent I welcome this departure. I hope this reduction of 25 per cent. is not only temporary. I hope it has not been necessitated by the war. I hope that this is going to be a permanent feature

[Mr. P. N. Saprú.]

of Indian military organization. I should like the Honourable Mr. Ogilvie to enlighten us fully on this point. Is this reduction of 25 per cent. going to be a permanent feature of our military organization or is it only a temporary feature for the purposes of the war?

Then, Sir, I shall come to another aspect of the Report. The Committee's terms of reference were :

"Having regard to the increased cost of modern armaments and to the desirability of organising, equipping and maintaining the forces in India in accordance with modern requirements and to the limited resources available in India for defence expenditure, to examine and report in the light of the experience gained in executing the British rearmament programme."

Now, Sir, what is the meaning of these words "modern requirements"? Do modern requirements mean only the mechanization of the Army? Do they mean the reduction of British troops or the reduction of Indian troops? Or do they also mean the officering of the Indian Army? Is an officer an essential part (of course, my friend over there is much more conversant with military affairs than I am)—is an officer a necessary part of the modern army or not? Therefore, you cannot only talk of the men? Who are the men? You talk of the Indian troops as our men. Well, I should also like you to talk of the Indian officers as our officers, as His Majesty's officers. Therefore, I think the Committee have interpreted the terms rather narrowly and they should have said something about the Indianization of the officer ranks of the Army. You cannot expect Indians to go into foreign countries and fight your battles as mere soldiers. If they have got to go to foreign countries, they must go as self-respecting men. If there is to be co-operation (and we desire that there should be co-operation) it must be on terms consistent with the self-respect of India. Let there be no mistaking our position so far as this matter is concerned. We regard the question of the Indianization of the army ranks as fundamental. It is one of those things which will test your sincerity so far as your professions regarding Dominion status are concerned.

There is another criticism which I should like to develop so far as this Report is concerned. This Report makes a distinction between

5 P.M.

the external security of India and the internal security of India.

One wing of the Army is to be for the external defence of India and it can be sent anywhere, to Singapore or Aden or the Suez and the cost of this Army will have to be borne by the Indian taxpayer. To that extent there is a departure from the Garran Tribunal's recommendation. I should like to put India's case like this. I will assume for the moment that India's frontiers are Singapore, Aden and Suez. India's frontier is Aden and India's frontier is the Suez because India is a part of the British Empire. Supposing India were not a part of the British Empire, what would India's frontier be? India's frontier would be India's territories. India would not maintain an army in the Suez or in Singapore unless she wanted some control over the Suez or Singapore. You need control over the Suez because you have got a vast Eastern Empire. You have got not only to defend India, but you have also got to defend Ceylon, Singapore, Burma, New Zealand, Fiji, Malaya and Australia. Do you make your kith and kin of Australia pay for defending them? Is the frontier of Australia in the Suez? Can Australia defend herself without Britain's assistance? Is the frontier

of Australia in Singapore? Can Australia defend herself without your help and co-operation? Can you ask Australian troops to go to Singapore without the consent of the Australian Parliament? Can you compel Australians to fight your battles in Singapore or in Burma or in the Suez without the consent of the Australian nation, and without the consent of the Australian Parliament? If that is so, if you cannot do that, why do you expect a higher standard from the Indians? Our position cannot be higher than, or lower than, that of the Dominions. We, for our part, are prepared to assume all those responsibilities which the Dominions are prepared to assume. But just because you happen to be in a dominating position in India, it is not right for you to take advantage of that dominating position. I suggest in all seriousness that Lord Chatfield's Committee has not looked at this question from the proper point of view. There can be no such thing as an external security troop and an internal security troop. The defence of the Empire is a concern primarily of the British people. So far as we are concerned, as I have said, we are always prepared to co-operate in defending your heritage. But the co-operation that you seek from us must be a real co-operation, and real co-operation you cannot have by imposed solutions. Real co-operation you can have by having a free agreement with the Indian people. Therefore, I confess that I do not like this part of the Committee's recommendations.

There is another point which I would like to press. Is this distinction between internal and external security troops to be a permanent feature of the Constitution? If you contemplate it as a permanent feature then it means that Dominion status within the meaning of the Statute of Westminster has been ruled out, because if His Majesty's Government is to be responsible for the external security of India, if His Majesty's Government can take one wing of our Army anywhere they like, then it follows that His Majesty's Government must be in a position to implement this obligation. It follows, therefore, that at no future time can the position of the Governor General in the new constitution correspond to the position of the Governor General in a Dominion constitution. There will be for all time to come, and that is the meaning of the Chatfield Committee's Report, a dyarchical arrangement so far as the defence of India is concerned. I should like to have a plain answer on this point. Is it contemplated that the defence of India would be the concern of the Indian people alone or is it contemplated that the defence of India would be the concern of the British people with Indians as junior partners? If the answer is that you contemplate a dyarchical arrangement, then I say that you are not sincere in your professions regarding Dominion status, that you want to go back upon the pledge of Dominion status, and the Report has got to be tested not in the light of what it immediately does but of its possible effects on our future constitutional development. It is because I feel that some of its constitutional implications are of a far-reaching character that I cannot describe this Report as satisfactory from the constitutional point of view.

As I have already exceeded my time, I shall not say anything more.

THE HONOURABLE THE PRESIDENT: Does any other Honourable Member desire to speak? Otherwise I will call upon the Government Member to reply.

(No Honourable Member rose to speak.)

THE HONOURABLE THE PRESIDENT: The Honourable Mr. Ogilvie.

THE HONOURABLE MR. C. M. G. OGILVIE (Defence Secretary): Sir, I must admit that I have felt some little difficulty in making any form of preparation for meeting the Adjournment Motion moved by my Honourable friend Pandit Kunzru. It was somewhat difficult to see what was regarded as unsatisfactory in His Majesty's Government's pronouncement. I have listened with great attention to the speech of the Honourable Mover and those of other Honourable Members. To start with, I think I must say that a great deal of their criticism appeared to me to lie completely outside the terms of reference or indeed of the terms of the Adjournment Motion. The terms of the Adjournment Motion were—

“ To adjourn the business of the House owing to the unsatisfactory nature of His Majesty's Government's decision on the recommendations of the Chatfield Committee's Report ”.

How could His Majesty's Government's announcement have been more satisfactory? Would it have been better if they had rejected the Report? Ought they to have given India more money, or ought they to have made no condition at all as to how it was to be spent. The other criticisms turn largely on the constitutional and political side, with which neither the Chatfield Committee nor the Government of India nor His Majesty's Government in this connection had any concern whatever. I noticed that my Honourable friend Mr. Sapru introduced with what I thought commendable ingenuity a new and large term of reference for the Chatfield Committee. He said they should have examined the question of the Indianization of the Indian forces, and he thought the Report unsatisfactory for that reason. The terms of reference before the Committee, I may remind the Honourable Member, were—

“ Having regard to the increased cost of modern armaments and to the desirability of organising, equipping and maintaining the forces in India in accordance with modern requirements and to the limited resources available in India for defence expenditure, to examine and report in the light of the experience gained in executing the British rearmament programme ”.

Well, Sir, I have noticed occasionally Committees in this country treating their terms of reference somewhat widely, but I have never seen anything to compare with the suggestion made by the Honourable Mr. Sapru.

Most of the Honourable Members appear to be satisfied with the gift with the exception of Mr. Sapru, who though he says he is thankful, is not very thankful; he thinks it might have been larger. On the whole I think I am right in saying that the country as a whole has welcomed this gift and in my study of public and press comments on it I have come to the conclusion that no decision of the Government of India or of His Majesty's Government has ever had such a favourable reception from all classes of Indian opinion. As has been pointed out in many places, the condition, if condition it can be called, of this gift is in the first place that India should maintain an army armed and equipped according to modern requirements, modern requirements meaning the altered state of (a) the world situation and (b) the immense advance on the technical side of armaments. These two factors have altered, as the Despatch has shown, the defence problems of India, even as they have altered those of England. I think that no one would deny that

India, however she may be circumstanced either in her present political position or in any other to which she may attain, could not tolerate the presence of an enemy in any of the places to which she may now be called upon to send a small fraction of her forces. She has without doubt the highest possible interest in the integrity of those places, or at least in their remaining in friendly hands. An Honourable Member, I think it was Mr. Hossain Imam, said that Burma was inimical to India and therefore it was not right that a portion of the Indian Army should be sent to Burma if she was threatened. Surely he could not tolerate the presence of an active and powerful enemy in Burma. For India's own sake, not for the sake of Burma, we must regard Burma, as the Commander-in-Chief said in the course of his recent broadcast, as a pistol pointed at the heart of Bengal. That is what it would be in the hands of a powerful enemy. India then has a most vital interest in these places. Her strategical frontiers have been altered by the development of modern warfare and the alteration in the international situation. They no longer can be held to correspond with her geographical limits. Mr. Sapru, I think, asked what would have been the frontiers of India if she were not a part of the British Empire. That is an extremely difficult question to answer. But, however, she might be circumstanced, she could not, as I have said, tolerate the presence of an enemy in any of those places. If she did, she would regret it. Now, India has not been saddled with a responsibility beyond her power to take on. In fact one of the main purposes of the inquiries which have led up to this decision was to save the pocket of India. As my Honourable friend Mr. Kunzru has, I think, realised, India could not possibly find the money herself for forces of the kind envisaged. If she did manage to find it, it would be at the cost of almost intolerable hardship. India is still an agricultural country. For some reasons she may be thankful for that; she still belongs to the pleasant, green, friendly part of the world and not to the world of blast furnaces and slag heaps. But unfortunately it is the industrial part of the world that creates those vast sums of money which are now-a-days required for the purchase of armaments. And it is no use blaming Lord Chatfield's Committee or, I submit, the British Government, for the fact that India is not a highly developed industrial country. Whether a change could take place in India's situation in that respect is not for me to say. The fact remains that she is not, and the idea of setting up aeroplane factories—and in the speeches of several Honourable Members that was a cause of disappointment—is, I think, at present quite impossible. Motor cars even have not yet been made successfully in India, though there is no reason why they should not be if Indian industrialists thought it worth their while to do so. But to start making aeroplanes now and making the enormous engines which are required to drive a modern aeroplane in India would require an industrial revolution of a kind which has never been seen in the world. At any rate it is quite useless for the purposes of the present war to imagine the possibility of any such developments. The most that might be done is the erection of an assembly factory where the manufactured parts, or most of them, could be put together.

As regards what India can do, special stress has been laid in the Despatch upon the necessity for making India fit and self-sufficing as far as possible

[Mr. C. M. G. Ogilvie.]

in munitions production, and I cannot see any cause for censure there. As far as private enterprise is concerned, India is, with few exceptions,—it has one or two and certainly one entirely first class industrial organization—industrially backward. The Indian ordnance factories are, however, admirable and, subject to the over-riding need for economy, they have in the past been developed to the utmost. Machinery of the type required to make armaments is phenomenally expensive. Still India has for long been self-supporting in rifles, light machine guns, heavy machine guns, mountain guns and field artillery guns. These factories have now to be extended and new factories built and everything that India can reasonably produce without expending an excessive sum, which she cannot afford, will be produced in India. Finally, Government is blamed for saddling India with a new responsibility. Government, I submit, has not done that; other countries have done that. To prevent the people of India from being saddled with responsibilities beyond her power to meet to fit India to cope with the danger which she may well be faced with, was the purpose of the negotiations which have now resulted in this decision. All the nations in the world have had to increase their military budget in the last 10 or 15 years, while India has substantially reduced it. There is, I may say, no idea of saddling India with any further responsibility. If the very small force, one-tenth of India's Army, which is liable for external defence, should at any time be exceeded, His Majesty's Government will pay. At present there is an Indian battalion in Aden; that is one of the gates of India and India might well be expected to forego the saving on that battalion at the present juncture, but it is outside the troops which His Majesty's Government have required and they therefore are paying for it themselves. Should therefore Indian troops be called upon to any greater extent for the external defence of India, as now indicated, His Majesty's Government will pay. The small share—it is a very small share—for the defence of these places amounts to a few thousand men—a few thousand men to assist in the defence of a country of 400 millions. Should India be menaced by greater forces than she can provide resistance to, she must of course depend upon the Empire forces; in the places to which she has now sent some troops there are already large British garrisons. Several members made a point about the contribution of Australia to the defence of Singapore. It is not in the terms of the Resolution; but for the information of Members I may say that Australia's fleet which is available to assist in the naval defence of that fortress costs her a considerable sum of money which at a rough estimate is £5 millions a year.

Finally, I feel—and I think the feeling is shared very largely—that India has come extraordinarily well out of this and that she is being extraordinarily generously treated. India has gained in every possible way. The two things which she has been required to do in return for this great gift are to bring her Army up to date and to assume a small share of joint responsibility for the defence of places in which she is vitally interested, in her own interest as well as in that of the Empire as a whole.

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

THE HONOURABLE THE PRESIDENT : I asked all Honourable Members if they wanted to speak. On an Adjournment Motion you cannot speak after the Government Member has wound up the debate.

The only Motion which I have now to place before the Council is :

“ That the Council do now adjourn.”

The Motion was negatived.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Before you adjourn the House, Sir, may I ask under what rule it is not permissible for non-official Members to speak after the official Member has spoken ?

THE HONOURABLE THE PRESIDENT : I think the Honourable Pandit has been sufficiently long in this Council to know that. If he can point out to me a single example, a single instance, from the legislative records here or in the Assembly that a Member was allowed to speak after the Government Member, I shall bow to him.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Neither in the Rules nor in the Standing Orders is there any provision preventing a non-official Member from speaking after an official Member.

THE HONOURABLE THE PRESIDENT : Even an official Member is not allowed.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : After the Member in charge of the particular business has spoken ?

THE HONOURABLE THE PRESIDENT : I know of no such precedent.

The Council then adjourned till Eleven of the Clock on Wednesday, the 20th September, 1939.
