THE

COUNCIL OF STATE DEBATES

VOLUME 1, 1938

(14th February to 8th April, 1938)

THIRD SESSION

OF THE

FOURTH COUNCIL OF STATE, 1938



PUBLISHED BY THE MANAGER OF PUBLICATIONS, DELHI, ITRINTED BY THE MANAGER, GOVERNMENT OF INDIA PRESS, NEW DELHI. 1938.

CONTENTS.

					Pages.
Monday, 14th February, 1938—					_
Members Sworn	•	•	•		1
Questions and Answers	•	•	•	•	133
Information promised in reply to questions laid of		table	•		3362
Messages from His Excellency the Governor Gene	eral	•	•		626
Committee on Petitions	•	.•	•		63
Congratulations to recipients of Honours .	•	•	•		6364
Governor General's Assent to Bills	•				64
Bills passed by the Legislative Assembly laid on	the ta	ble	•		6468
Message from the Legislative Assembly .					68
Death of Sheikh Mushir Hossain Kidwai .	•	•			50
Presentation of the Railway Budget for 1938-39				• •	6572
Standing Committee for the Department of Lands	Educ	ation,	Healt	h and	72
Standing Committee for the Department of Committee	merce	•			7278
Statement of Business					73
Thursday, 17th February, 1938-					
Member Sworn					7.5
Questions and Answers	•	•	•	• •	7580
Death of Sir Prabhashankar Pattani	•	•	•	• •	80
Information promised in reply to questions laid o	n the	tabla	•	• •	
Standing Committee for the Department of Labo			•	• •	8081
Repealing Bill—Considered and passed .	, u	•	•		81—82 82
Dangerous Drugs (Amendment) Bill—Considered	· landi	· nassoci		• •	
Insurance Bill—Further amendments made by				· .	8283
agreed to		Rrester	· ·	emoia	8393
Indian Companies (Amendment) Bill—Considered	d and	passe	đ		9396
Standing Committee for the Department of				h and	•
Lands		•			96
Standing Committee for the Department of Comm	merce	•	•		96
Friday, 18th February, 1938-					
Questions and Answers				_	9798
General Discussion of the Railway Budget, 1938-	39				98—146
Monday, 21st February, 1988—		·	•	•	70140
Member Sworn .					
Questions and Answers	•	•	•	• •	147
Resolution re Indians in British Guiana—Adopte	•	•	•	• •	147159
Cutchi Memon Bill—Motion to refer to Select Co		٠.	•	• •	159-166
Resolution re military training for Indians—Negr	mmitt	ee, ad	opted	•	166167
			•	• •	167—179
Criminal Procedure Code Amendment Bill (Jury Motion to consider, negatived	•				179187
Durgah Khawaja Sahib (Amendment) Bill—Coms			_	ed, as	100 100
Standing Committee for the Department of Labo		•	•	• •	187—190
	44		_		IOM

	PAGES.
Thursday, 24th February, 1938—	
Questions and Answers	191194
Ruling re impropriety of premature publication of questions and resolu-	
tions	194-197
Information promised in reply to questions laid on the table	19
Transfer of Property (Amendment) Bill—Introduced	
Resolution re stabilisation of the price of wheat, cotton, etc.—Negatived	198-21
Resolution re increase in number of cadets admitted to the Indian Military Academy, Dehra Dun—Negatived	014 00
Resolution re Indo-British Trade Agreement—Moved	214—234
Statement of Business	234
	234
Saturday, 26th February, 1988—	
Cutchi Memon Bill—Presentation of the Report of Select Committee	237
Presentation of the General Budget for 1938-30	237244
Wednesday, 2nd March, 1938—	
Member Sworn	247
Questions and Answers	247-261
Ruling re Supplementary questions	261-267
Information promised in reply to questions laid on the table	267
Bill passed by the Legislative Assembly laid on the table	267
Standing Committee for Roads, 1938-39	267-268
Manœuvres, Field Firing and Artillery Practice Bill—Considered and passed	268—272
Destructive Insects and Pests (Amendment) Bill—Considered and passed.	272273
Resolution re Draft Convention and Recommendations relating to safety	
in the building industry—Adopted	273—278
Friday, 4th March, 1938—	
Questions and Answers	279283
Standing Committee on Emigration	283
General Discussion of the General Budget for 1938-39	284307
	202 001
Monday, 7th March, 1988—	000 010
Questions and Answers	809318
Bill passed by the Legislative Assembly laid on the table	318
Resolution re Indo-British Trade Agreement—Withdrawn	318344
Cutchi Memon Bill—Considered and passed, as amended	344-346
Child Marriage Restraint (Amendment) Bill—Considered and passed .	346354
Muslim Dissolution of Marriage Bill—Introduced	354
Resolution re construction of a railway between Dacca and Aricha—Withdrawn	354359
Motion re amendment of the Standing Orders—Disallowed	359360
Standing Committee on Emigration	360
Standing Committee for Roads, 1938-89	360
Standing Commission for Assembly Assessor	500
Thursday, 10th March, 1938—	
Member Sworn	361
Control and the second	3 61—366
Resolution re distribution of Defence expenditure between the land, sea	366 —383
#### ### #############################	383401
Kesoinmon to reducing it passure or beignory - 1988 mage	ACC. ALL

		Pagns.
Thu	reday, 10th March, 1938—contd.	
	Resolution re establishment of a Supreme Court of Criminal Appeals—	
	To be continued	401406
	Statement of Business	406-407
Thu	rsday, 17th March, 1988—	
	Member Sworn	409
	Messages from His Excellency the Governor General	409
	Indian Finance Bill, 1938, laid on the table	410
Mon	day, 21st March, 1938—	
	Questions and Answers	411-441
	Information promised in reply to questions laid on the table	441442
	Bills passed by the Legislative Assembly laid on the table	442
	Resolution re establishment of a Supreme Court of Criminal Appeals-	
	Withdrawn	442456
	Resolution re surcharge on railway freight on coal—Negatived	456-462
	Resolution re Government recruitment and unemployment—Withdrawn.	462-481
	Statement of Business	481
	•	•••
Tue	day, 22nd March, 1938—	
	Questions and Answers	483489
	Central Advisory Council for Railways	489490
	Indian Finance Bill, 1938—Considered and passed	490499
Wed	nesday, 23rd March, 1938—	
	Member Sworn	501
	Questions and Answers	501502
	Indian Tea Control Bill—Considered and passed	502 503
	Workmen's Compensation (Amendment) Bill—Considered and passed,	
	as amended	503507
	Standing Committee for Roads	507
	Central Advisory Council for Railways	5 07—508
	Statement of Business	508
Frid	ay, 1st April, 1988—	
- ++4	Members Sworn	*00
	Questions and Answers	509
	Congratulations to the Honourable Sir Thomas Stewart on his appoint-	509518
	ment as Officiating Governor of Bihar and to the Hone urable Mr. A. G.	
	Clow on his appointment as Officiating Member of the Governor	
	General's Executive Council	519
	Presentation of a mace to the Council of State by the Hencurable Maha-	
	rajadhiraja Sir Kameshwar Singh of Darbhanga	519
	Information promised in reply to questions laid on the table .	520
	Statement laid on the table	520
	Bills passed by the Legislative Assembly laid on the table	520521
	Messages from the Legislative Assembly	521
	Standing Advisory Committee for the Indian Posts and Telegraphs	
	Department	521
	Trade Disputes (Amendment) Bill—Considered and passed, as amended.	521543
	Hindu Women's Rights to Property (Amendment) Bill—Considered and	543547
	Central Advisory Council for Railways	547

		PAGES.
Monday, 4th April, 1938—		with diff
Member Sworn	•	549
Questions and Answers	•	549565
Information promised in reply to questions laid on the table .	•	565
Standing Advisory Committee for the Indian Posts and Telegraphs partment	De-	566
Central Advisory Council for Railways	•	566
Resolution re declaration of the birthdays of Guru Nanak Dev and G	٠	900
Gobind Singh as holidays—Negatived	euru.	566567
Resolution re subjection to income-tax of the interest on sterling lo	ans	567585
Resolution re discrimination against Indians settling in the Highland Kenya—Adopted	ls of	585—593
Resolution re formation of a national army recruited from all classes	and	
provinces—Negatived	•	594 606
Indian Succession Act (Amendment) Bill-Motion to refer to Se	elect	
Committee, adopted	•	606
Statement of Business	•	606607
Thursday, 7th April, 1938—		
Member Sworn	•	609
Questions and Answers		609618
Bills passed by the Legislative Assembly laid on the table		618
Message from the Legislative Assembly		614
Sugar Industry Protection (Temporary Extension) Bill-Consider	ered	
and passed	•	614
Sind Salt Law Amendment Bill—Considered and passed		616—617
Indian Coffee Cess (Amendment) Bill—Considered and passed .	•	617
Standing Advisory Committee for the Indian Posts and Telegraphs	De-	414
partment	• •	618
Friday, 8th April, 1988—		
Questions and Answers		619623
Information promised in reply to questions laid on the table	`•	623
Statement laid on the table		624665
Standing Advisory Committee for the Indian Posts and Telegraphs partment	De-	666
Indian Tariff (Amendment) Bill—Considered and passed		666667
Trade Disputes (Amendment) Bill—Considered and passed		667
Delhi Joint Water Board (Amendment) Bill-Considered and passed		668
Child Marriage Restraint (Second Amendment) Bill—Considered a passed	und	668689

COUNCIL OF STATE

Thursday, 17th March, 1938.

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

MEMBER SWORN:

The Honourable Mr. Dhirendra Nath Mitra (Government of India: Nominated Official).

MESSAGES FROM HIS EXCELLENCY THE GOVERNOR GENERAL.

THE HONOURABLE THE PRESIDENT: Honourable Members, I am directed by His Excellency the Governor General to deliver to you two Messages. The first Message runs thus:

"Whereas the Legislative Assembly has by its vote of the 10th March, 1938, refused leave to introduce a Bill entitled a Bill to fix the duty on salt manufactured in, or imported by land into, certain parts of British India, to fix maximum rates of postage under the Indian Post Office Act, 1898, and to fix rates of income-tax and super-tax;

Now, therefore, I, Victor Alexander John, Marquess of Linlithgow, in pursuance of the provisions of sub-section (1) of section 67B of the Government of India Act, as set out in the Ninth Schedule to the Government of India Act, 1935, do hereby certify that the said Bill is essential for the interests of British India.

(Sd.) LINLITHGOW,

* " · ;

Vicercy and Governor General."

New Delhi:

· . /.

LAMPIN CLES

7.4

The 12th March, 1938.

The second Message runs thus:

"In pursuance of the provisions of sub-section (1) of section 67B of the Government of India Act, as set out in the Ninth Schedule to the Government of India Act, 1936, I, Victor Alexander John, Marquess of Linlithgow, do recommend to the Council of State that it do pass the Bill to fix the duty on salt manufactured in, or imported by land into, certain parts of British India, to fix maximum rates of postage under the Indian Post Office Act, 1898, and to fix rates of income tax and super-tax, in the form hereto annexed.

(8d.) LINLITHGOW,

Vicercy and Governor General."

New Delhi:

The 12th March, 1988.

(The Messages were received by the Council, standing.)
(409)

INDIAN FINANCE BILL, 1938, LAID ON THE TABLE.

SECRETARY OF THE COUNCIL: Sir, in pursuance of the provisions of section 67B of the Government of India Act, as set out in the Ninth Schedule to the Government of India Act, 1935, I lay on the table a copy of the Bill to fix the duty on salt manufactured in, or imported by land into, certain parts of British India, to fix maximum rates of postage under the Indian Post Office Act, 1898, and to fix rates of income-tax and super-tax, leave to introduce which in the form recommended by the Governor General was refused by the Legislative Assembly at its meeting of the 10th March, 1938: the said Bill having been certified under the provisions of the same section by the Governor General as essential for the interests of British India.

The Council then adjourned till Eleven of the Clock on Monday, the 21st March, 1938.

, • •

1 500

1. . . . 1